

AASB EXECUTIVE ADMINISTRATORS WORKSHOP

**NEW LAWS AND REGULATIONS IN ALASKA
2018**

***Presented by Michael Caulfield
Jermain Dunnagan & Owens, P.C.***

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New update coming in February/March 2018.

I. ALASKA STATUTES

a. Employment of Retired Teachers

A new policy, BP 4112.10, was prepared by JDO in May of 2018 which implemented AS 14.20.136. The statute and policy authorize the employment of retired teachers in cases of teacher shortages. The new policy authorizes the employment of retired teachers who are qualified to teach in those disciplines of specialties in which a shortage of teachers exists.

To be hired as a retired teacher, a district must certify that the teacher and the district did not arrange before the teacher retired for reemployment, and that the teacher has been retired for a certain number of days. The policy also defines the circumstances that constitute a shortage, and provides that a retired teacher contract may not exceed 12 consecutive months. Retired teachers employed under this policy do not receive the full panoply of teacher benefits, and continue to receive retirement benefits from the state.

If a district has not done so, the proposed policy may be adopted now.

- Enrolled SB 185, amending AS 14.20.136, AS 14.25.043, AS 14.25.070(a). Effective date May 10, 2018.

b. Teen Dating Violence and Abuse Education

This bill, commonly known as “Bree’s Law” or “Erin’s Law,” will require the Department of Education and Early Development (DEED), in consultation with school districts, to develop and approve a program to help prevent teen dating

violence and abuse. The training, instruction, and notices in the program will be required to include: 1) age-appropriate information, 2) the warning signs of dating violence and abuse behavior, 3) characteristics of healthy relationships, 4) measures to prevent and stop dating violence and abuse, 5) community resources available to survivors, and 6) opt-out provisions.

The law does not require immediate policy action from school districts, but will lead to new regulation regarding teen dating education.

- Enrolled HB 214, amending AS 14.30.356. Effective date May 11, 2018.

c. Legislative Task Force on Reading Proficiency and Dyslexia

This law, which establishes a Legislative Task Force as an uncodified statute, is meant to address ways to increase proficient literacy in Alaska. Approximately 43,300 students in the state do not meet Alaska English Language Arts standards as indicated by the Alaska Measures of Progress test.

The task force consists of 12 members, including one member of AASB. The law does not require any immediate board policy changes, but the Task Force will prepare a final report by March 29, 2019, which will include recommendations and proposed changes to Alaska reading, writing, and special education laws and regulations.

The task force is authorized to make recommendations regarding: 1) reading instructional practices for all public school students in the state, 2) the diagnosis, treatment, and education of children affected by dyslexia, 3) methods to improve reading proficiency and reading instruction for all public students, 4) possible legislation or other policy recommendations to improve reading proficiency outcomes, and 5) methods to mitigate the effects of dyslexia on reading proficiency, including early screening and intervention.

- Enrolled HB 64, amending Uncodified Statutes. Effective date May 1, 2018.

d. Extending Eligibility for Educational Facilities Maintenance Grant

Districts are eligible for grants from the state for the construction of schools or large maintenance projects. Previously, a district was required to provide statement of its

“percentage share” of the project cost within three (3) years of a grant being appropriated to receive the funding. The “percentage share” is based on the value of taxable real and personal property and attendance for municipal school districts, and set by statute for REAAs. HB 135 extends the timeline for which districts may submit their percentage share to seven (7) years with the approval of the Commissioner, allowing greater flexibility for large projects.

- Enrolled HB 135, amending AS 14.11.008, AS 14.17.410, AS 14.17.905. Effective date May 10, 2018.

e. Revised Formula for State Funding of Consolidated Schools

Districts receive funding through a school funding formula, which is applied to the base student allocation. School size is a factor in the school funding formula. Due to how the formula has been set, a district receives more money for multiple small schools than fewer large ones, disincentivizing districts from consolidating schools. As the law has been set, districts see an immediate drop in their state funding if they consolidate schools. SB 216 has created a new funding rule, whereby if a district consolidates two schools, the district will continue to receive funding as if the schools were not consolidated for two additional years. This allows districts to prepare and adjust before they receive their new funding amount.

SB 216 also allows for communities that have only one K-12 school with 425 students or more, to be considered one elementary school and one secondary school and receive funding appropriately.

- Enrolled SB 216, amending AS 14.17.410, AS 14.17.905. Effective date May 10, 2018.

f. Procedures for Updating Textbooks and Instructional Materials and Curricula Review

SB 104 is an omnibus bill which contains a number of changes to state law regarding curricula review. The most immediate change for individual districts is their school boards must now develop procedures to update textbooks and instructional materials at least once every ten (10) years. Regular updates were required under the previous statute, but there was no set deadline for how often the updates were mandatory.

This bill also provides numerous new requirements for DEED. The Department is required to establish standards and a procedure for the review, ranking, and approval of mathematics and English and language arts curricula for school districts to use in each grade level. The standards and procedures will seek to identify ways that curricula may be modified to increase performance across all grade levels. The bill also creates incentives (up to \$10 million per district) to encourage districts to take part in a pilot program once the new criteria are developed.

If the criteria prove successful at the pilot districts, the revised standards may become available to all districts starting in the 2022-2023 school year. The bill also creates a “curriculum improvement and best practices fund” which could eventually be expended by the Department to incentive new curricula. No monies have been appropriated to the fund at this time.

The bill also instructs DEED to make available to all school districts an electronic system for managing student information and tracking records relating to individualized education programs for children with disabilities. By statute, DEED must, to the extent permitted by federal law, allow school districts to transfer special education records for a student when the student transfers to a different school district. Once the system is in place, records transfers between districts should be made easier.

Finally, this bill requires DEED to develop a comprehensive program to provide education and resources to prevent teen marijuana use. The program will address marijuana use prevention through outcome-based curricula, adult and peer mentoring, and opportunities for positive, prosocial leisure and recreational activities. The bill does not require districts to make any immediate changes to board policy, but additional regulation pertaining to marijuana, and marijuana education, is likely.

- Enrolled SB 104, amending AS 14.07.030, AS 14.07.165, AS 14.07.180, AS 14.07.182, AS 14.08.111, AS 14.14.090, AS 14.16.020, AS 14.30.285, AS 43.61.010, AS 43.61.010, AS 44.29.020. Effective date May 12, 2018.

II. POLICY CHANGES

These policy updates will be proposed updates to existing policies for the purposes of clarity, uniformity, and best practices. Although recommended, they are not mandatory and may be adopted at the discretion of each individual board.

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a. Alcohol, Tobacco, and Drug Use

Language will be added to BP 4020 to clarify that marijuana is a prohibited drug for employees under a district's drug-free workplace policy. Although state law (AS 17.38) authorizes the use of marijuana under certain conditions, this law also recognizes that employers can prohibit the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace. AS 17.38.120(a). Further, as recipients of federal funds, districts are obligated to maintain a drug-free workplace consistent with federal law, which prohibits the manufacture, sale, distribution, or possession of marijuana. For purposes of district policy and legal obligations, marijuana may be prohibited.

A definition of "drug" will be added to include marijuana, synthetic drugs, and prescription drugs that are being misused. Language will be added prohibiting staff from displaying or promoting prohibited substances while at work via slogans on their clothing or signage on their vehicles.

Finally, the language governing discipline will be revised to more accurately reflect current disciplinary practices regarding consideration of treatment options. The language will also be revised to clarify that the Superintendent or designee, rather than the Board, is responsible for discipline decisions.

- Modifying BP 4020.

b. Security Check

The policy BP 4112.5 does not require revision. The AR, which is administrative and does not require formal Board adoption, will be revised to provide guidance to a district regarding crimes of violence and controlled substance violations.

The crime of violence definition that will be added is based upon the federal definition, 18 U.S.C. 16, but has been modified to exclude references to physical force against property and to require that the crime of violence be a felony in order to act as a permanent ban on employment. In addition, a new section will be added that will permit the Superintendent, in her or her sole discretion and only for good cause, to consider the employment application of an individual otherwise banned from consideration. This provides some flexibility to a district, if desired, to

consider applicants that may not pose a concern due to the nature of the job or the years that have elapsed since conviction.

Finally, language will be added that permits applicants with marijuana convictions to be considered for employment without regard to the five year window. This change takes into account the change in state law.

- Modifying AR 4112.5.

c. Employment References

Language in BP 4112.61 prohibiting non-designated employees from providing employment references will be removed. However, the policy continues to convey the expectation that the Superintendent or designee is responsible for providing reference information on behalf of a district. Language will be added that references not secured through this process, i.e., provided directly by a supervisor, reflect the personal views of the author and not the views of a district. The addition of this language provides some protection to a district in the event that a non-sanctioned job reference is intentionally false or malicious.

- Modifying BP 4112.61.

d. Nonretention, Dismissal, and Layoff

The current model separation policy is unwieldy because it covers three significant employment situations -- nonretention, dismissal, and layoff -- in a single policy with multiple parts and sections. It is also not clear whether the “sections” are intended as policy or regulation. For these reasons, it will be recommended that current personnel reduction policies be withdrawn and the following policies adopted and/or revised:

- **BP/AR 4117.3 Personnel Reduction**

There is currently a short policy at BP 4117.3 entitled Personnel Reduction. That policy has been expanded upon to address layoff plans that are required by statute, AS 14.20.177. Also included for consideration is AR 4117.3, Personnel Reduction/Layoff Plan that reflects a process for development and implementation of the statutory layoff plan.

- **BP/AR 4117.4 Dismissal**

This new policy will generally reflect the statutory requirements for dismissal of certificated staff, AS 14.20.170. The new policy is consistent with current policy. AR 4117.4, Dismissal Procedures, contains the detailed procedures required by law for termination of certificated employees, AS 14.20.180. These procedures will be consistent with current language except that the pretermination hearing procedures have been revised to more accurately reflect the requirements of statute. In addition, deadlines for the completion of prehearing tasks will be removed (except those required by statute) in order to provide administrative and board flexibility to set deadlines in each particular case.

- **BP/AR 4117.5 Nonretention of Nontenured Staff**

This new policy will reflect the statutory requirements for nonretention of nontenured staff, AS 14.20.175(a). The language will be consistent with current policy. New AR 4117.5, Informal Hearing for Nonretention of Nontenured Staff, will vary from current policy to more accurately reflect the requirements of statute.

- **BP/AR 4117.6 Nonretention of Tenured Staff**

This new policy will generally reflect the statutory requirements for nonretention of tenured staff, AS 14.20.175(b). The new policy will be consistent with current policy. New AR 4117.6, Procedures for Nonretention of Tenured Personnel, will contain the detailed procedures required by law for nonretention of certificated employees, AS 14.20.180. These procedures are consistent with current language except that deadlines for the completion of prehearing tasks have been removed (except those required by statute) in order to provide administrative and board flexibility to set deadlines in each particular case.

- Removing BP 4117.4, adding BP/AR 4117.3-6.

e. Political Activities of Employees

Additional language will be added to BP 4119.25 concerning prohibited activities during an employee's duty day. Language will also be added that the prohibitions of the policy are not applicable to classroom instruction that is part of the approved

curriculum. Finally, language will be added that clarifies the ability of a district and board to disseminate factual information regarding bond projects.

- Modifying BP 4119.25.

f. Employees with Infectious Diseases

It is recommended that the existing policy BP 4119.41 be replaced with a policy addressing infectious diseases. The new policy will reflect current obligations with regard to infectious disease and eliminate the requirement for written reports as to reasonable accommodations regarding individuals with infectious disease. The new policy will more clearly focus on the goal of preventing the outbreak and spread of infectious disease.

- Replacing BP 4119.41.

g. Publication or Creation of Materials

It is recommended that the existing policy BP 4132 be replaced with a new policy. The new policy will reflect updated legal standards for the copyright and ownership of materials prepared by an employee within the course and scope of employment. Districts have seen an increase in copyright claims by license holders of images and publications, and clear guidance and policy will help prevent accidental misuse of licensed images.

- Replacing BP 4132.

h. Load Scheduling/Hours of Employment

Language will be added to BP 4313.1 reflecting the requirement of the Fair Labor Standards Act that exempt employees are not subject to salary deductions for absences of less than a day.

- Modifying BP 4313.1.

i. Electronic Communication between Employees and Students

A policy will be developed to address the public nature of electronic communications and to add additional prohibitions on what may be published by district staff on web pages created for educational purposes. The policy will address appropriate boundaries in electronic communication between students and staff, including the use of social networking for educational purposes. An opt-out will be included for parents in cases where a teacher has obtained approval to use a social networking site for educational purposes.

QUESTIONS?

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LAWS OF ALASKA

2018

Source
CSSB 185(EDC)

Chapter No.

AN ACT

Relating to reemployment of persons who retire under the teachers' retirement system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to reemployment of persons who retire under the teachers' retirement system.

2
3 * **Section 1.** AS 14.20 is amended by adding a new section to read:

4 **Sec. 14.20.136. Reemployment of member of teachers' retirement system.**

5 (a) Subject to (b) - (d) of this section, a school district may reemploy a member who is
6 retired under a retirement plan established in AS 14.25.009 - 14.25.220, or a member
7 who is retired under a retirement plan established in AS 14.25.310 - 14.25.590. In this
8 subsection, "school district" has the meaning given in AS 14.30.350.

9 (b) A member who is retired under AS 14.25.110(a) may not be reemployed
10 under (a) of this section unless the member

11 (1) certifies that the member and the school district did not arrange
12 before the member retired from the school district for the member to be reemployed
13 by the school district after the member retired; and

1 (2) has been retired for at least
 2 (A) 60 days if the member is at least 62 years of age; or
 3 (B) six months if the member is less than 62 years of age.
 4 (c) Before reemploying a retired member under (a) of this section to fill a
 5 position, a school district shall
 6 (1) by resolution, adopt a policy that describes the circumstances of a
 7 shortage or anticipated shortage of applicants, other than retired members, who are
 8 qualified for particular positions and permits rehiring that complies with the
 9 requirements of this section; and
 10 (2) publicly advertise the position for 10 business days and actively
 11 recruit to fill the position by hiring a person other than a member who is retired.
 12 (d) A contract for reemployment under (a) of this section may not exceed 12
 13 consecutive months.
 14 (e) A school district that reemploys a member under this section who is retired
 15 under the defined benefit retirement plan established in AS 14.25.009 - 14.25.220 is
 16 required to
 17 (1) provide the administrator with
 18 (A) a copy of the resolution and policy adopted under (c) of
 19 this section; and
 20 (B) for every retired member who is rehired, a report
 21 identifying the member by name and describing the
 22 (i) circumstances of the shortage that necessitated the
 23 rehire; and
 24 (ii) actions taken by the school district to comply with
 25 school district policy adopted under (c) of this section and the
 26 requirements of this section; and
 27 (2) make contributions under AS 14.25.070.
 28 (f) The requirements of (c), (d), and (e)(1) of this section do not apply to the
 29 rehire of a member who is eligible for restoration of tenure rights under AS 14.20.165.
 30 * **Sec. 2.** AS 14.25.043(a) is amended to read:
 31 (a) **Except as provided in (f) of this section, if** [IF] a retired member again

1 becomes an active member, benefit payments may not be made during the period of
2 reemployment. [THE RETIREMENT BENEFIT MUST BE SUSPENDED FOR THE
3 ENTIRE SCHOOL YEAR IF THE TEACHER IS REEMPLOYED AS AN ACTIVE
4 TEACHER FOR A PERIOD EQUIVALENT TO A YEAR OF SERVICE.] During
5 the period of reemployment, deductions from the member's salary will be made in
6 accordance with AS 14.25.050.

7 * **Sec. 3.** AS 14.25.043(c) is amended to read:

8 (c) **Except as provided in (f) of this section, upon** [UPON] subsequent
9 retirement, the retired member is entitled to receive an additional benefit based on the
10 credited service and the average base salary during the period of reemployment in
11 accordance with AS 14.25.110. If the initial benefit payments to which the retired
12 member is eligible have been actuarially reduced because the member retired early
13 under AS 14.25.110(b), the member shall also receive an incremental benefit based on
14 the amount of the actuarial reduction imposed by AS 14.25.110(j) on the first benefit
15 and the length of time that the employee was reemployed and not receiving retirement
16 benefits. The amount of the incremental benefit is equal to the difference between the
17 normal retirement benefit to which the member would have been entitled had the
18 member taken a normal retirement and the early retirement benefit that the member
19 has been receiving based on the member's initial period of employment multiplied by
20 the total number of months that the member did not receive retirement benefits
21 because of reemployment and that amount actuarially adjusted to be paid over the
22 expected lifetime of the member.

23 * **Sec. 4.** AS 14.25.043 is amended by adding new subsections to read:

24 (f) If a member who retired under AS 14.25.110(a) is reemployed by a school
25 district under AS 14.20.136,

- 26 (1) the member does not become an active member;
27 (2) the member shall continue to receive retirement benefits from the
28 plan as though the member were not reemployed by the school district;
29 (3) deductions from the member's salary may not be made under
30 AS 14.25.050; and
31 (4) the member may not receive credited service in the plan during the

1 period of reemployment.

2 (g) Notwithstanding (f) of this section, a member who is retired under
3 AS 14.25.110(a) and reemployed by a school district under AS 14.20.136 is eligible to
4 receive the group health plan coverage provided to active members employed by that
5 school district.

6 * **Sec. 5.** AS 14.25.070(a) is amended to read:

7 (a) Each employer shall contribute to the system every payroll period an
8 amount calculated by applying a rate of 12.56 percent to the total of all base salaries
9 paid by the employer to active members of the system **and to members who are**
10 **retired from the plan and reemployed under AS 14.20.136**, including any
11 adjustments to contributions required by AS 14.25.173(a).

12 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 APPLICABILITY. This Act applies to contracts made on or after the effective date of
15 this Act.



LAWS OF ALASKA

2018

Source
SCS HB 214(FIN)

Chapter No.

AN ACT

Relating to the Department of Education and Early Development; relating to dating violence and abuse training, awareness, prevention, and notices; and establishing the month of February as Teen Dating Violence Awareness and Prevention Month.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the Department of Education and Early Development; relating to dating violence
2 and abuse training, awareness, prevention, and notices; and establishing the month of
3 February as Teen Dating Violence Awareness and Prevention Month.

4
5 * **Section 1.** AS 14.30.356(a) is repealed and reenacted to read:

6 (a) The department, in consultation with school districts, shall develop and
7 approve a program relating to teen dating violence and abuse awareness and
8 prevention for grades seven through 12. The program must

- 9 (1) include training for employees and students;
10 (2) provide parent notices; and
11 (3) be reviewed periodically by a qualified individual or committee for
12 consistency with generally accepted standards for a teen dating violence and abuse
13 awareness and prevention program.

14 * **Sec. 2.** AS 14.30.356(b) is amended to read:

1 (b) The [POLICY,] training, notices, and instruction adopted under this
2 section must include

3 (1) age-appropriate information;
4 (2) the warning signs of dating violence and abusive behavior;
5 (3) characteristics of healthy relationships;
6 (4) measures to prevent and stop dating violence and abuse;
7 (5) community resources available to victims of dating violence and
8 abuse; and

9 (6) a procedure allowing a student to be excused from participating in
10 training or from receiving notices under this section at the written request of a parent
11 or guardian of the student, or of the student if the student is emancipated or 18 years of
12 age or older.

13 * **Sec. 3.** AS 44.12 is amended by adding a new section to article 2 to read:

14 **Sec. 44.12.160. Teen Dating Violence Awareness and Prevention Month.**

15 The month of February each year is established as Teen Dating Violence Awareness
16 and Prevention Month. Teen Dating Violence Awareness and Prevention Month may
17 be observed by schools, community groups, and other public and private agencies and
18 individuals with appropriate activities that increase the public's awareness of teen
19 dating violence in the state, encourage Alaskans to pursue healthy relationships and
20 learn the signs of teen dating violence, and promote prevention of and action to end
21 teen dating violence.

22 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
23 read:

24 BREE MOORE TEEN DATING VIOLENCE AWARENESS AND PREVENTION
25 PROGRAM. A program approved by the Department of Education and Early Development
26 under AS 14.30.356, as amended by this Act, shall be known as the Bree Moore Teen Dating
27 Violence Awareness and Prevention Program.



LAWS OF ALASKA

2018

Source

SCS CSHB 64(EDC)

Chapter No.

AN ACT

Relating to the establishment of the Legislative Task Force on Reading Proficiency and Dyslexia.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the establishment of the Legislative Task Force on Reading Proficiency and
2 Dyslexia.

3
4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE FINDINGS. The legislature finds that

7 (1) approximately 43,300 students in the state do not meet Alaska English
8 Language Arts standards as indicated by the Alaska Measures of Progress test, and reading
9 proficiency scores on the National Assessment of Educational Progress for students in the
10 state were stagnant from 2003 through 2015;

11 (2) results of student assessments indicate that reading instruction and reading
12 proficiency for students in the state should be improved;

13 (3) dyslexia, the most common specific learning disability, affects between
14 three and 17 percent of the student population and accounts for approximately 80 percent of

1 all specific learning disabilities;

2 (4) the scientific consensus is that, when learning to read, typical and atypical
3 learners have overlapping instructional needs, including the need for highly knowledgeable
4 and skilled reading teachers to improve reading proficiency outcomes;

5 (5) parents and other caregivers are responsible for ensuring that their children
6 learn to read through the public school system or other means of instruction; and

7 (6) the residents of this state also hold the legislature, the governor, and the
8 state Board of Education and Early Development accountable for student reading proficiency
9 outcomes and for leading reforms of the state's public education system.

10 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 **LEGISLATIVE TASK FORCE ON READING PROFICIENCY AND DYSLLEXIA.**

13 (a) The Legislative Task Force on Reading Proficiency and Dyslexia is established as a joint
14 task force of the Alaska State Legislature.

15 (b) The task force established under (a) of this section shall

16 (1) examine

17 (A) the effects of current state statutes and regulations on reading
18 proficiency outcomes;

19 (B) the effects of dyslexia on reading proficiency outcomes in the state
20 and in other jurisdictions;

21 (C) dyslexia education instructional practices and laws in other
22 jurisdictions;

23 (D) educational reforms related to reading that have been implemented
24 in the state and the reasons for the success or failure of those reforms at the local level;

25 (2) evaluate and make recommendations regarding

26 (A) reading instructional practices for all public school students in the
27 state;

28 (B) the diagnosis, treatment, and education of children affected by
29 dyslexia;

30 (C) methods to improve reading proficiency and reading instruction for
31 all public school students in the state;

1 (D) possible legislation or other policy recommendations to improve
2 reading proficiency outcomes;

3 (E) methods to mitigate the effects of dyslexia on reading proficiency,
4 including

5 (i) early screening, early identification, and early intervention
6 for students in preschool through grade three;

7 (ii) screening, identification, and intervention for students in
8 grades four through 12;

9 (iii) training all relevant educational staff in the use of
10 evidence-based screening and identification instruments; and

11 (3) identify evidence-based, multi-sensory, direct, explicit, structured, and
12 sequential approaches to instructing students affected by dyslexia.

13 (c) The task force shall, not later than March 29, 2019, submit a final report
14 summarizing the findings and recommendations of the task force to the governor, the state
15 Board of Education and Early Development, and the senate secretary and chief clerk of the
16 house of representatives and notify the legislature that the report is available.

17 (d) The task force consists of 12 members as follows:

18 (1) three members of the house of representatives appointed by the speaker of
19 the house of representatives, including at least one member of the minority organizational
20 caucus;

21 (2) three members of the senate appointed by the president of the senate,
22 including at least one member of the minority organizational caucus; and

23 (3) six members of the public to be appointed jointly by the speaker of the
24 house of representatives and the president of the senate as follows:

25 (A) one member who is an active or retired teacher in kindergarten
26 through grade three with significant experience teaching reading to students
27 developing typically and atypically in the state;

28 (B) one member representing the Association of Alaska School
29 Boards;

30 (C) one member representing either the Alaska Council of School
31 Administrators or the Alaska Association of Elementary School Principals who is

1 knowledgeable about reading instruction and dyslexia;

2 (D) one member representing a nonprofit organization with a mission
3 related to reading and education;

4 (E) one member who is a parent of a child with a reading disability;
5 and

6 (F) one member who is a student enrolled in good standing in a public
7 high school in the state who demonstrates leadership and has an interest in promoting
8 reading proficiency.

9 (e) The speaker of the house of representatives and the president of the senate shall
10 jointly appoint the chair of the task force from among the legislative members of the task
11 force. A majority of the task force constitutes a quorum. The task force meets at the call of the
12 chair and may meet telephonically.

13 (f) A vacancy on the task force shall be filled in the same manner as the original
14 selection or appointment.

15 (g) The task force may request data and other information from the Department of
16 Education and Early Development, school districts, and other state agencies.

17 (h) The staff of the legislator who chairs the task force shall provide administrative
18 and other support to the task force.

19 (i) Members of the task force serve without compensation and are not entitled to per
20 diem or travel expenses.

21 (j) The task force expires on June 30, 2019.

22 (k) In this section,

23 (1) "dyslexia" means a learning disability that is neurobiological in origin and
24 is characterized by difficulties with accurate or fluent word recognition and by poor spelling
25 and decoding abilities;

26 (2) "relevant educational staff" includes school psychologists, special
27 education teachers, other teachers, principals, and superintendents;

28 (3) "task force" means the Legislative Task Force on Reading Proficiency and
29 Dyslexia.



LAWS OF ALASKA

2018

Source

SCS CSHB 135(FIN)

Chapter No.

AN ACT

Relating to school district participation in the school construction grant program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to school district participation in the school construction grant program.

2
3 * **Section 1.** AS 14.11.008(a) is amended to read:

4 (a) In order to receive a grant under this chapter or an appropriation under
5 AS 37.05.560, a district must provide a percentage share of the project cost, as
6 determined under (b) or (c) of this section. **Except as provided in (d) or (g) of this**
7 **section, a** [A] district shall provide the required participating share within three years
8 after the date that the appropriation bill funding the grant is passed by the legislature.

9 * **Sec. 2.** AS 14.11.008 is amended by adding a new subsection to read:

10 (g) The commissioner may extend the time allowed for a district to provide
11 the required participating share for an additional period of not more than seven years if
12 the district applies to the commissioner in writing to request an extension and
13 demonstrates good cause for the requested extension. The commissioner may find

1 good cause if

2 (1) a request for extension identifies a project constraint that requires a
3 reasonable extension of time;

4 (2) the extension will not jeopardize the successful completion of the
5 project as described in a grant agreement under AS 14.11.017;

6 (3) the extension will not result in an increase of state funding of the
7 project cost; and

8 (4) the district demonstrates a good faith effort to secure funding for its
9 participating share within the time required by (a) of this section and reasonably
10 expects to secure the funding within the additional time requested by the extension.

11 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 APPLICABILITY. AS 14.11.008(a), as amended by sec. 1 of this Act, and
14 AS 14.11.008(g), enacted by sec. 2 of this Act, apply to a grant received under AS 14.11.008 -
15 14.11.020 before, on, or after the effective date of this Act.



LAWS OF ALASKA

2018

Source
CSSB 216(FIN)

Chapter No.

AN ACT

Relating to the calculation of state aid for schools that consolidate; relating to the determination of the number of schools in a district; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the calculation of state aid for schools that consolidate; relating to the
2 determination of the number of schools in a district; and providing for an effective date.

3 _____
4 * **Section 1.** AS 14.17.410(b) is amended to read:

5 (b) Public school funding consists of state aid, a required local contribution,
6 and eligible federal impact aid determined as follows:

7 (1) state aid equals basic need minus a required local contribution and
8 90 percent of eligible federal impact aid for that fiscal year; basic need equals the sum
9 obtained under (D) of this paragraph, multiplied by the base student allocation set out
10 in AS 14.17.470; district adjusted ADM is calculated as follows:

11 (A) the ADM of each school in the district is calculated by
12 applying the school size factor to the student count as set out in AS 14.17.450;

13 (B) the number obtained under (A) of this paragraph is

1 multiplied by the district cost factor described in AS 14.17.460;

2 (C) the ADMs of each school in a district, as adjusted
3 according to (A) and (B) of this paragraph, are added; the sum is then
4 multiplied by the special needs factor set out in AS 14.17.420(a)(1) and the
5 secondary school vocational and technical instruction funding factor set out in
6 AS 14.17.420(a)(3);

7 (D) the number obtained for intensive services under
8 AS 14.17.420(a)(2) and the number obtained for correspondence study under
9 AS 14.17.430 are added to the number obtained under (C) of this paragraph **or**
10 **under (H) and (I) of this paragraph;**

11 (E) notwithstanding (A) - (C) of this paragraph, if a school
12 district's ADM adjusted for school size under (A) of this paragraph decreases
13 by five percent or more from one fiscal year to the next fiscal year, the school
14 district may use the last fiscal year before the decrease as a base fiscal year to
15 offset the decrease, according to the following method:

16 (i) for the first fiscal year after the base fiscal year
17 determined under this subparagraph, the school district's ADM adjusted
18 for school size determined under (A) of this paragraph is calculated as
19 the district's ADM adjusted for school size, plus 75 percent of the
20 difference in the district's ADM adjusted for school size between the
21 base fiscal year and the first fiscal year after the base fiscal year;

22 (ii) for the second fiscal year after the base fiscal year
23 determined under this subparagraph, the school district's ADM adjusted
24 for school size determined under (A) of this paragraph is calculated as
25 the district's ADM adjusted for school size, plus 50 percent of the
26 difference in the district's ADM adjusted for school size between the
27 base fiscal year and the second fiscal year after the base fiscal year;

28 (iii) for the third fiscal year after the base fiscal year
29 determined under this subparagraph, the school district's ADM adjusted
30 for school size determined under (A) of this paragraph is calculated as
31 the district's ADM adjusted for school size, plus 25 percent of the

1 difference in the district's ADM adjusted for school size between the
2 base fiscal year and the third fiscal year after the base fiscal year;

3 (F) the method established in (E) of this paragraph is available
4 to a school district for the three fiscal years following the base fiscal year
5 determined under (E) of this paragraph only if the district's ADM adjusted for
6 school size determined under (A) of this paragraph for each fiscal year is less
7 than the district's ADM adjusted for school size in the base fiscal year;

8 (G) the method established in (E) of this paragraph does not
9 apply to a decrease in the district's ADM adjusted for school size resulting
10 from a loss of enrollment that occurs as a result of a boundary change under
11 AS 29;

12 **(H) notwithstanding (A) - (C) of this paragraph, if one or**
13 **more schools close and consolidate with one or more other schools in the**
14 **same community and district and, as a result of the consolidation, basic**
15 **need generated by the district's ADM of the consolidated schools as**
16 **adjusted under (A) - (C) of this paragraph decreases, the district may use**
17 **the last fiscal year before the consolidation as the base fiscal year to offset**
18 **that decrease for the first four fiscal years following consolidation**
19 **according to the following method:**

20 **(i) for the first two fiscal years after the base fiscal**
21 **year, the district's ADM of the consolidated schools as adjusted**
22 **under (A) - (C) of this paragraph is calculated by dividing the sum**
23 **of the district's ADM of the consolidated schools as adjusted under**
24 **(A) - (C) of this paragraph for the base fiscal year by the sum of the**
25 **district's ADM of the consolidated schools for the base fiscal year**
26 **without adjustment, and subtracting the quotient obtained by**
27 **dividing the district's ADM of the consolidated schools for the**
28 **current fiscal year as adjusted under (A) - (C) of this paragraph by**
29 **the sum of the district's ADM of the consolidated schools for the**
30 **current fiscal year without adjustment, multiplying that number**
31 **by the sum of the district's ADM of the consolidated schools for the**

1 current fiscal year without adjustment, and adding that number to
2 the sum of the district's ADM of the consolidated schools for the
3 current fiscal year as adjusted under (A) - (C) of this paragraph;

4 (ii) for the third fiscal year after the base fiscal year,
5 the district's ADM of the consolidated schools as adjusted under
6 (A) - (C) of this paragraph is calculated by dividing the sum of the
7 district's ADM of the consolidated schools as adjusted under (A) -
8 (C) of this paragraph for the base fiscal year by the sum of the
9 district's ADM of the consolidated schools for the base fiscal year
10 without adjustment, and subtracting the quotient obtained by
11 dividing the sum of the district's ADM of the consolidated schools
12 for the current fiscal year as adjusted under (A) - (C) of this
13 paragraph by the sum of the district's ADM of the consolidated
14 schools for the current fiscal year, multiplying that number by the
15 sum of the district's ADM of the consolidated schools for the
16 current fiscal year without adjustment, multiplying that number
17 by 66 percent, and adding that number to the sum of the district's
18 ADM of the consolidated schools for the current fiscal year as
19 adjusted under (A) - (C) of this paragraph;

20 (iii) for the fourth fiscal year after the base fiscal
21 year, the district's ADM of the consolidated schools as adjusted
22 under (A) - (C) of this paragraph is calculated by dividing the sum
23 of the district's ADM of the consolidated schools as adjusted under
24 (A) - (C) of this paragraph for the base fiscal year by the sum of the
25 district's ADM of the consolidated schools for the base fiscal year
26 without adjustment, and subtracting the quotient obtained by
27 dividing the sum of the district's ADM of the consolidated schools
28 for the current fiscal year as adjusted under (A) - (C) of this
29 paragraph by the sum of the district's ADM of the consolidated
30 schools for the current fiscal year, multiplying that number by the
31 sum of the district's ADM of the consolidated schools for the

1 current fiscal year without adjustment, multiplying that number
2 by 33 percent, and adding that number to the sum of the district's
3 ADM of the consolidated schools for the current fiscal year as
4 adjusted under (A) - (C) of this paragraph;

5 (iv) to calculate the district's basic need for each
6 fiscal year, the number obtained through the calculation in (i), (ii),
7 or (iii) of this subparagraph is added to the number obtained under
8 (C) of this paragraph for the remainder of the district;

9 (I) if the basic need calculated under (H)(i) - (iii) of this
10 paragraph for one of the first four fiscal years after consolidation is less
11 than the basic need calculated under (A) - (C) of this paragraph for that
12 fiscal year, the basic need may not be adjusted under (H) of this
13 paragraph for that fiscal year;

14 (J) a district may not offset a decrease under (H) of this
15 paragraph if

16 (i) a new facility is constructed in the district for the
17 consolidation; or

18 (ii) the district offset a decrease under (E) of this
19 paragraph in the same fiscal year;

20 (K) a district that offsets a decrease under (H) of this
21 paragraph may not reopen a school that was closed for consolidation in
22 the district until

23 (i) seven or more years have passed since the school
24 closure; and

25 (ii) the district provides evidence satisfactory to the
26 department that the schools affected by the consolidation are over
27 capacity;

28 (L) a district may not reopen and reconsolidate a school
29 that was consolidated in the district more than once every seven years for
30 purposes of the calculations made under (H) of this paragraph;

31 (M) a district offsetting a decrease under (H) of this

1 paragraph shall provide the department with the list of schools
2 participating in the consolidation and the corresponding ADM;

3 (2) the required local contribution of a city or borough school district is
4 the equivalent of a 2.65 mill tax levy on the full and true value of the taxable real and
5 personal property in the district as of January 1 of the second preceding fiscal year, as
6 determined by the Department of Commerce, Community, and Economic
7 Development under AS 14.17.510 and AS 29.45.110, not to exceed 45 percent of a
8 district's basic need for the preceding fiscal year as determined under (1) of this
9 subsection.

10 * **Sec. 2.** AS 14.17.905 is amended by adding a new subsection to read:

11 (c) Notwithstanding (a)(2) and (a)(3) of this section, in a community with an
12 ADM of greater than 425 that has only one facility administered as a school for
13 students in grades kindergarten through 12, the number of schools for the community
14 shall be counted under (a)(2) of this section.

15 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 APPLICABILITY. AS 14.17.410(b), as amended by sec. 1 of this Act, applies to
18 schools that consolidate on or after the effective date of this Act.

19 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).



LAWS OF ALASKA

2018

Source

HCS CSSB 104(FIN) am H

Chapter No.

AN ACT

Relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula; relating to a system for managing student information and records related to individualized education programs for children with disabilities; establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the duties of the Department of Education and Early Development; relating to the
2 duties of the state Board of Education and Early Development; relating to school curricula;
3 relating to a system for managing student information and records related to individualized
4 education programs for children with disabilities; establishing the marijuana education and
5 treatment fund; and relating to the duties of the Department of Health and Social Services to
6 administer a comprehensive marijuana use education and treatment program.

7 _____
8 * **Section 1.** AS 14.07.030 is amended by adding a new subsection to read:

9 (b) The department may not require a school district to review textbooks,
10 instructional materials, or curricula more frequently than once every 10 years.

11 * **Sec. 2.** AS 14.07.165 is amended by adding a new subsection to read:

12 (c) Every five years, the board shall review the mathematics and English and

1 language arts curricula used in the state to ensure the curricula are still effective and
2 are being taught using best practices.

3 * **Sec. 3.** AS 14.07 is amended by adding new sections to read:

4 **Sec. 14.07.180. Curricula approval and review; pilot program; incentives.**

5 (a) Notwithstanding any other provision of law, the board shall establish standards and
6 a procedure for the review, ranking, and approval of mathematics and English and
7 language arts curricula for school districts to use in each grade level as provided in this
8 section. The board may include curricula delivered through virtual education in the
9 standards and procedure established under this subsection.

10 (b) The department, in consultation with school districts, shall review
11 mathematics and English and language arts curricula used in schools in the state and in
12 other states and countries and may include in the review curricula delivered through
13 virtual education. Not later than July 1, 2019, the department shall identify the best
14 mathematics and English and language arts curricula and the best teaching practices
15 for each of the curricula. The department may identify the best mathematics and
16 English and language arts curricula delivered through virtual education.

17 (c) The department shall submit the curricula and teaching practices that the
18 department identifies as the best under (b) of this section to the board for approval,
19 including evidence supporting the department's selection, if the department concludes
20 that the curricula and best practices

21 (1) are appropriate;

22 (2) are in compliance with the nondiscrimination standards established
23 under AS 14.18.060(b);

24 (3) are aligned with state education standards; and

25 (4) result in improved academic achievement for students.

26 (d) The board may approve curricula submitted under (c) of this section if the
27 curricula are consistent with the standards established by the board under (a) of this
28 section. The department shall place the curricula approved by the board into two
29 categories as follows:

30 (1) incentivized curricula for the best curricula for each subject, based
31 on evidence provided to the department; the department may place not more than two

1 curricula in this category for each subject;

2 (2) designated effective curricula for the curricula for each subject that
3 are not incentivized curricula but that the department finds appropriate and effective
4 based on factual and other evidence provided to the department.

5 (e) A three-year pilot program is established in the department, starting in the
6 2019-2020 school year, to test the appropriateness and effectiveness of the
7 incentivized curricula approved under (d) of this section. In conducting the program,
8 the department shall

9 (1) establish an application process for school districts to apply for
10 participation in the program;

11 (2) select four school districts from those that apply to participate in
12 the program, including two rural and two urban school districts, basing the selection of
13 the school districts on the readiness and capacity of each district;

14 (3) assign to each participating school district the incentivized
15 mathematics curriculum or the incentivized English and language arts curriculum; the
16 department shall assign the mathematics curriculum to one rural and one urban school
17 district and the English and language arts curriculum to one rural and one urban school
18 district;

19 (4) starting in the 2019-2020 school year, distribute incentive
20 payments, not to exceed \$10,000,000 in total, to the four school districts to assist with
21 the purchase and implementation of the curricula, including best teaching practices
22 and professional development, and purchase of instructional materials.

23 (f) At the completion of the pilot program under (e) of this section, the
24 department shall

25 (1) if the department finds that the incentivized curricula tested in the
26 pilot program are appropriate and effective, submit the findings to the board; and

27 (2) if the board finds that the curricula tested in the pilot program are
28 appropriate and effective, make the curricula and one-time incentive payments under
29 (g) of this section available to all school districts starting in the 2022-2023 school year
30 and ending in the 2024-2025 school year.

31 (g) The department may distribute an incentive payment available to a school

1 district in an amount that is not more than the school district's ADM multiplied by
2 150, subject to availability of funding, if the governing body of the school district

3 (1) selects one of the incentivized curricula for implementation in the
4 school district in an eligible school year under (f)(2) of this section;

5 (2) requests an incentive payment from the department;

6 (3) has not previously implemented the incentivized curricula; and

7 (4) demonstrates to the satisfaction of the department the readiness and
8 capacity of the school district to implement the curricula.

9 (h) In addition to any unexpended money under (e)(4) of this section, the
10 department may distribute not more than \$9,500,000 in incentive payments under (f)
11 and (g) of this section.

12 (i) The department shall publish on the department's Internet website and
13 make available to the public

14 (1) all curricula used by school districts in the state for all subjects,
15 whether or not the curricula are approved; and

16 (2) the curricula approved under (d) of this section.

17 (j) The department shall submit an electronic report to the legislature and
18 make the report available to the public on the department's Internet website. The report
19 must provide information on the pilot program and the curricula that each school
20 district has adopted. On or before January 15, 2019, and each year thereafter, the
21 department shall submit the report required under this subsection to the senate
22 secretary and the chief clerk of the house of representatives and notify the legislature
23 that the report is available.

24 (k) Each school district shall submit to the department the relevant
25 information needed for the department to carry out its duties under this section.

26 (l) Payments for curricula implementation under the pilot program described
27 in (e) of this section and incentive payments under (f) and (g) of this section are
28 subject to appropriation. If insufficient funding is available to distribute payments to
29 all school districts that request funding in a year under (g) of this section, the
30 department may distribute payments to the remaining school districts the following
31 school year.

1 (m) If the applications for participation in the pilot program are insufficient to
2 meet the requirements under (e) of this section, the department may select four school
3 districts from those that apply, taking into consideration geographical diversity.

4 (n) Beginning with the 2025-2026 school year, the department may distribute
5 incentive payments to school districts that use curricula reviewed and approved by the
6 board under AS 14.07.165(c). The department may provide incentive payments,
7 subject to appropriation, to school districts based on the readiness and capacity of the
8 school district as determined by the department.

9 (o) In this section,

10 (1) "rural" has the meaning given in AS 14.43.700;

11 (2) "school district" has the meaning given in AS 14.30.350;

12 (3) "school district's ADM" has the meaning given to "district ADM"
13 in AS 14.17.990;

14 (4) "urban" means a community other than a community described in
15 AS 14.43.700;

16 (5) "virtual education" means instruction delivered through
17 telecommunications or other digital or electronic methods.

18 **Sec. 14.07.182. Curriculum improvement and best practices fund.** (a) The
19 curriculum improvement and best practices fund is established. The fund consists of
20 appropriations, not to exceed \$19,500,000, for distribution to school districts.

21 (b) Money appropriated to the fund may be expended by the department as
22 provided under AS 14.07.180, without further appropriation.

23 (c) Nothing in this section creates a dedicated fund.

24 (d) Appropriations to the fund do not lapse.

25 * **Sec. 4.** AS 14.08.111 is amended to read:

26 **Sec. 14.08.111. Duties.** A regional school board shall

27 (1) provide, during the school term of each year, an educational
28 program for each school age child who is enrolled in or a resident of the district;

29 (2) develop a philosophy of education, principles, and goals for its
30 schools;

31 (3) approve the employment of the professional administrators,

1 teachers, and noncertificated personnel necessary to operate its schools;

2 (4) establish the salaries to be paid its employees;

3 (5) designate the employees authorized to direct disbursements from
4 the school funds of the board;

5 (6) submit the reports prescribed for all school districts;

6 (7) provide for an annual audit in accordance with AS 14.14.050;

7 (8) provide custodial services and routine maintenance of school
8 buildings and facilities;

9 (9) establish procedures for the review and selection of all textbooks
10 and instructional materials **at least once every 10 years**, including textbooks and
11 curriculum materials for statewide correspondence programs, before they are
12 introduced into the school curriculum; the review includes a review for violations of
13 AS 14.18.060; nothing in this paragraph precludes a correspondence study student, or
14 the parent or guardian of a correspondence study student, from privately obtaining or
15 using textbooks or curriculum material not provided by the school district;

16 (10) provide prospective employees with information relating to the
17 availability and cost of housing in rural areas to which they might be assigned, and,
18 when possible, assist them in locating housing; however, nothing in this paragraph
19 requires a regional school board to provide teacher housing, whether owned, leased, or
20 rented or otherwise provided by the regional educational attendance area, nor does it
21 require the board to engage in a subsidy program of any kind with respect to teacher
22 housing;

23 (11) train persons required to report under AS 47.17.020, in the
24 recognition and reporting of child abuse, neglect, and sexual abuse of a minor; and

25 (12) establish procedures for providing the training under
26 AS 14.18.060, AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362,
27 AS 14.33.100, AS 18.66.310, and AS 47.17.022; the procedures established under this
28 paragraph must include a training schedule that ensures that not less than 50 percent of
29 the total certificated staff employed by the district receive all of the training not less
30 than every two years and that all of the certificated staff employed by the district
31 receive all of the training not less than every four years.

1 * **Sec. 5.** AS 14.14.090 is amended to read:

2 **Sec. 14.14.090. Duties of school boards.** In addition to other duties, a school
3 board shall

4 (1) determine and disburse the total amount to be made available for
5 compensation of all school employees and administrative officers;

6 (2) provide for, during the school term of each year, an educational
7 program for each school age child who is enrolled in or a resident of the district;

8 (3) withhold the salary for the last month of service of a teacher or
9 administrator until the teacher or administrator has submitted all summaries, statistics,
10 and reports that the school board may require by bylaws;

11 (4) transmit, when required by the assembly or council but not more
12 often than once a month, a summary report and statement of money expended;

13 (5) keep the minutes of meetings and a record of all proceedings of the
14 school board in a pertinent form;

15 (6) keep the records and files of the school board open to inspection by
16 the public at the principal administrative office of the district during reasonable
17 business hours;

18 (7) establish procedures for the review and selection of all textbooks
19 and instructional materials **at least once every 10 years**, including textbooks and
20 curriculum materials for statewide correspondence programs, before they are
21 introduced into the school curriculum; the review includes a review for violations of
22 AS 14.18.060; nothing in this paragraph precludes a correspondence study student, or
23 the parent or guardian of a correspondence study student, from privately obtaining or
24 using textbooks or curriculum material not provided by the school district;

25 (8) provide prospective employees with information relating to the
26 availability and cost of housing in rural areas to which they might be assigned, and,
27 when possible, assist them in locating housing; however, nothing in this paragraph
28 requires a school district to provide teacher housing, whether district owned, leased,
29 rented, or through other means, nor does it require a school board to engage in a
30 subsidy program of any kind regarding teacher housing;

31 (9) train persons required to report under AS 47.17.020, in the

1 recognition and reporting of child abuse, neglect, and sexual abuse of a minor;

2 (10) provide for the development and implementation of a preventive
3 maintenance program for school facilities; in this paragraph, "preventive maintenance"
4 means scheduled maintenance actions that prevent the premature failure or extend the
5 useful life of a facility, or a facility's systems and components, and that are cost-
6 effective on a life-cycle basis;

7 (11) establish procedures for providing the training under
8 AS 14.18.060, AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362,
9 AS 14.33.100, AS 18.66.310, and AS 47.17.022; the procedures established under this
10 paragraph must include a training schedule that ensures that not less than 50 percent of
11 the total certificated staff employed by the district receive all of the training not less
12 than every two years and that all of the certificated staff employed by the district
13 receive all of the training not less than every four years.

14 * **Sec. 6.** AS 14.16.020 is amended to read:

15 **Sec. 14.16.020. Operation of state boarding schools.** In the management of
16 state boarding schools, the board shall

17 (1) adopt a philosophy of education for state boarding schools;

18 (2) approve the employment of personnel necessary to operate state
19 boarding schools;

20 (3) establish the salaries and benefits to be paid teachers, excluding
21 administrators;

22 (4) designate the employees authorized to direct disbursements from
23 the money appropriated for the operation of state boarding schools and for the
24 construction of facilities;

25 (5) provide custodial services and routine maintenance of physical
26 facilities;

27 (6) establish procedures for the development and implementation of
28 curriculum and the selection and use of textbooks and instructional materials; **the**
29 **procedures must require a review of textbooks and instructional materials at**
30 **least once every 10 years;**

31 (7) prescribe health evaluation and placement screening programs for

1 newly admitted students;

2 (8) establish procedures for staff evaluation; and

3 (9) establish procedures for providing the training under AS 14.18.060,
4 AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362, AS 14.33.100,
5 AS 18.66.310, and AS 47.17.022; the procedures established under this paragraph
6 must include a training schedule that ensures that not less than 50 percent of the total
7 certificated staff employed by the district receive all of the training not less than every
8 two years and that all of the certificated staff employed by the district receive all of the
9 training not less than every four years.

10 * **Sec. 7.** AS 14.30.285 is amended by adding a new subsection to read:

11 (h) The department shall make available to school districts an electronic
12 system for managing student information and tracking records relating to
13 individualized education programs for children with disabilities. The system must, to
14 the extent permitted by federal law, allow school districts to transfer special education
15 records for a student when the student transfers to a different school district. If the
16 governing body of a school district elects to use the system selected by the department,
17 the department shall provide the school district with the system, including any
18 software necessary to implement the system, at no charge to the school district. The
19 department may not require a school district to use the system selected by the
20 department.

21 * **Sec. 8.** AS 43.61.010(d) is amended to read:

22 (d) The legislature may use the annual estimated balance in the **recidivism**
23 **reduction** fund to make appropriations to the Department of Corrections, the
24 Department of Health and Social Services, or the Department of Public Safety for
25 recidivism reduction programs.

26 * **Sec. 9.** AS 43.61.010 is amended by adding a new subsection to read:

27 (f) The marijuana education and treatment fund is established in the general
28 fund. In addition to the accounting under (c) of this section, the Department of
29 Administration shall separately account for 25 percent of the tax collected under this
30 section and deposit it into the marijuana education and treatment fund. The
31 Department of Administration shall deposit interest earned on the fund into the general

1 fund. Money in the fund does not lapse. The legislature may use the annual estimated
2 balance in the fund to make appropriations to the Department of Health and Social
3 Services for the comprehensive marijuana use education and treatment program
4 established under AS 44.29.020(a)(17).

5 * **Sec. 10.** AS 44.29.020(a) is amended to read:

6 (a) The Department of Health and Social Services shall administer the state
7 programs of public health and social services, including

- 8 (1) maternal and child health services;
- 9 (2) preventive medical services;
- 10 (3) public health nursing services;
- 11 (4) nutrition services;
- 12 (5) health education;
- 13 (6) laboratories;
- 14 (7) mental health treatment and diagnosis;
- 15 (8) management of state institutions, except for adult penal institutions;
- 16 (9) medical facilities;
- 17 (10) adult public assistance;
- 18 (11) **the** Alaska temporary assistance program;
- 19 (12) child welfare services;
- 20 (13) general relief;
- 21 (14) a comprehensive smoking education, tobacco use prevention, and
22 tobacco control program; to the maximum extent possible, the department shall
23 administer the program required under this paragraph by grant **to** or contract with one
24 or more organizations in the state; the department's program must include

25 (A) a community-based tobacco use prevention and cessation
26 component addressing the needs of youth and adults that includes use of
27 cessation aids such as a nicotine patch or a nicotine gum tobacco substitute;

28 (B) youth-based efforts that involve youth in the design and
29 implementation of tobacco control efforts;

30 (C) anti-tobacco counter-marketing targeting both youth and
31 adult populations designed to communicate messages to help prevent youth

1 initiation of tobacco use, promote cessation among tobacco users, and educate
2 the public about the lethal effects of exposure to secondhand smoke;

3 (D) tobacco use surveys of youth and adult populations
4 concerning knowledge, awareness, attitude, and use of tobacco products; and

5 (E) an enforcement component;

6 (15) the Alaska Pioneers' Home and the Alaska Veterans' Home;

7 (16) licensure and regulation of child care facilities;

8 **(17) a comprehensive marijuana use education and treatment**
9 **program; to the extent possible, the department shall administer the program**
10 **required under this paragraph by grant to or contract with one or more**
11 **organizations in the state; the department's program must include**

12 **(A) a community-based marijuana misuse prevention**
13 **component; the community-based component must provide for a youth**
14 **services grant program to**

15 **(i) reduce initiation and promote cessation of**
16 **marijuana use by youth, reduce youth access to marijuana**
17 **products, and reduce exposure of youth to impaired driving**
18 **dangers related to marijuana use;**

19 **(ii) provide recreational, educational, and character-**
20 **building programs for youth outside school hours; and**

21 **(iii) address marijuana use prevention through**
22 **outcome-based curricula, adult and peer mentoring, and**
23 **opportunities for positive, prosocial leisure and recreational**
24 **activities;**

25 **(B) marijuana public education designed to communicate**
26 **messages to help prevent youth initiation of marijuana use, educate the**
27 **public about the effects of marijuana use, and educate the public about**
28 **marijuana laws;**

29 **(C) surveys of**

30 **(i) youth and adult populations concerning**
31 **knowledge, awareness, attitude, and use of marijuana products;**

1 (ii) the need for trained professionals working in
2 organizations described in this paragraph;

3 (D) the development of plans to address the need for
4 trained professionals and to assist in implementing a training program for
5 those professionals;

6 (E) monitoring of population health status related to the
7 consequences of marijuana use; and

8 (F) substance abuse screening, brief intervention, and
9 referral to treatment.

10 * **Sec. 11.** AS 14.07.180(e), 14.07.180(f), 14.07.180(g), 14.07.180(h), 14.07.180(j),
11 14.07.180(l), and 14.07.180(m) are repealed July 1, 2025.

12 * **Sec. 12.** 4 AAC 05.080(e) is annulled.