



Frequently Asked Questions about AS 14.48.165

What's the law?

HB185, also known as the Alaska Postsecondary Immunization Act, was a bill offered in an effort to bring about public awareness of meningitis. The Alaska Postsecondary Immunization Act became law on May 18, 2005. The new law requires that all students attending a postsecondary educational institution sign a document provided by the institution indicating that the student has 1) received an immunization against the disease or 2) has been provided information about the disease. Currently no organization is exempt from this requirement.

Alaska Commission on Postsecondary Education (ACPE)'s responsibility

Our responsibility as the state oversight authority for postsecondary education is to disseminate this information to educational providers and ensure that compliance with the intent of statute is met. Even more so, we want to make sure you have a clear understanding of how this effects your organization and where possible we hope to reduce your administrative burden. On that note, we have provided a form in our applications for individuals and institutions to utilize.

What can a school do if they have a question with compliance?

ACPE is here to help with questions. Our ultimate goal is to ensure all training organizations are compliant.

How will ACPE provide oversight?

ACPE reviews that these records at Site Visits for Authorized institutions. Currently we don't plan to extend our record reviews to Exempt organizations but do retain the right to review when necessary. Exempt institutions submit a self-attesting statement stating they will abide by and maintain the documentation.

Record retention

Authorized Institutions: Five years after a student has left the institution. Exempt Institutions: One year after a student has left the institution.

Does this apply to exempt schools?

Yes. ACPE is aware that Exempt institutions cover a wide variety of training programs that are not otherwise commonly related to "schools" or "educational institutions." These include apprenticeships, on-the-job training, non-traditional study and every other form of postsecondary training listed under

statute and regulatory exemptions. ACPE requested clarification of the intent of this statute, and the sponsor of this legislation wanted no school to be exempt where contact is made with others during the course of the training.

Does this apply to distance delivery?

If the program of study is completed without contact during the course of the training, to include visits to administrative offices for enrollment or other actions, field training, etc., then this law is not applicable.

What about subcontracted training through the university?

Although the University system is otherwise exempt by this Chapter, the University is regulated by this legislation. If all administrative functions are accomplished by the University, then the University is responsible compliance. However, if responsibilities of the subcontractor under the MOA include administration of student records, then the subcontractor is responsible for compliance.

We don't have a campus why would this apply?

The statute taken in full context backed by the intent of the legislation clearly requires that all students attending a postsecondary training environment must sign the document. To reiterate this applies to student's receiving training where any type of contact is made, not 100% distance delivery as earlier defined. I don't like the law so what's the venue to change? The venue for change to statute is through your legislator.