

HOUSE BILL NO. 221

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DRUMMOND

Introduced: 4/8/17

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Alaska Commission on Postsecondary Education;**
2 **relating to a statewide workforce and education-related statistics program; relating to**
3 **information obtained by the Department of Labor and Workforce Development; and**
4 **providing for an effective date."**

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

6 * **Section 1.** AS 14.42.030(e) is amended to read:

7 (e) The commission may

8 (1) adopt regulations under AS 44.62 (Administrative Procedure Act)

9 to

10 (A) carry out the purposes of

11 (i) AS 14.43.091 - 14.43.849, 14.43.990, AS 14.44, and
12 AS 14.48; [AND]

13 (ii) AS 14.43.910 and 14.43.920 as they relate to the
14 purposes of AS 14.43.091 - 14.43.849, 14.43.990, AS 14.44, and

1 AS 14.48; **and**

2 **(iii) AS 14.42.035 and (7) and (8) of this subsection;**

3 (B) ensure compliance with the requirements imposed by state
4 and federal statutes and regulations governing the guaranty, insurance,
5 purchase, or other dealings in eligible loans by federal agencies,
6 instrumentalities, or corporations; and

7 (C) establish standards for the

8 (i) administration of hearings conducted under
9 AS 14.43.153; and

10 (ii) administrative enforcement of collection orders
11 under AS 14.43.151 - 14.43.155;

12 (2) delegate to the executive director of the commission or a
13 subcommittee of the commission any duty imposed on or power granted to the
14 commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to
15 adopt regulations and its duty to consider appeals under AS 14.43.100(b) and
16 AS 14.48.120;

17 (3) establish task forces, committees, or subcommittees, not
18 necessarily consisting of commission members, to advise and assist the commission in
19 carrying out its functions;

20 (4) contract with or use existing institutions of postsecondary
21 education or other individuals or organizations to make studies, conduct surveys,
22 submit recommendations, or otherwise contribute to the work of the commission;

23 (5) establish fees for the review of an out-of-state institution that

24 (A) requests approval for participation in the programs under
25 AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

26 (B) is not accredited by a national or regional accreditation
27 association recognized by the Council for Higher Education Accreditation;

28 (6) collect all fees and costs incurred in collection of the amount owed
29 on a loan or repayment obligation if the loan or repayment obligation becomes
30 delinquent or in default; in this paragraph, fees and costs include attorney fees, court
31 costs, and collection fees charged by a collection agency; [AND]

(7) if approved by the department, receive and analyze performance data for students in grades kindergarten through 12 and enter into contracts for the purpose of assessing education outcomes; and

(8) administer a statewide workforce and education-related statistics program under AS 14.42.035.

* **Sec. 2.** AS 14.42.035 is amended by adding new subsections to read:

(b) The commission may maintain a database containing information received under this section, AS 14.42.030(e)(7) and (8), and AS 23.20.110, for the purpose of compiling statewide workforce and education-related statistics and analyzing education and training outcomes. The commission may enter into cooperative agreements with state agencies, the University of Alaska, and other organizations to share data and information related to education and employment. The commission may not provide unit records to the federal government under this subsection.

(c) The commission shall, for the purposes of this section and AS 14.42.030(e)(7) and (8), remove personally identifiable information, including first name, last name, and middle name, social security number, student identification number, residential address, and mailing address, before placing the information in the database under (b) of this section. The commission is not required to remove the month or year of birth from a record under this subsection.

(d) In this section, "unit record" means information pertaining to an individual.

* **Sec. 3.** AS 23.20.110 is amended by adding a new subsection to read:

(s) The department may provide information obtained under this chapter to another state agency if

(1) the disclosure is authorized under 20 C.F.R. 603, as amended;

(2) the disclosure is for the statewide workforce and education-related statistics program described under AS 14.42.035;

(3) the department has entered into a written agreement with the agency receiving the information in which the agency agrees not to disclose the information unless

(A) the subsequent disclosure is for the statewide workforce

1 and education-related statistics program described under AS 14.42.035; and

2 (B) the agency is authorized to make the subsequent disclosure
3 under a written agreement between the agency and the Alaska Commission on
4 Postsecondary Education.

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

7 APPLICABILITY. AS 23.20.110(s), enacted by sec. 3 of this Act, applies to
8 information obtained by the Department of Labor and Workforce Development under
9 AS 23.20 before, on, or after the effective date of this Act.

10 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).