

# FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

Bill Version HB256  
Fiscal Note Number \_\_\_\_\_  
(-) Publish Date \_\_\_\_\_

Identifier (file name)	HB256-EED-SSA-1-20-12	Dept. Affected	Education & Early Development
Title	"An Act repealing the powers of the Department of Education & Early Development to intervene..."	Appropriation	Teaching and Learning Support
Sponsor	Representative Dick	Allocation	Student & School Achievement
Requester	House Education Committee	OMB Component Number	2796

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY13	FY13	FY14	FY15	FY16
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	***	***	***	***	***	***	***

<b>FUND SOURCE</b>		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>		***	***	***	***	***	***

<b>POSITIONS</b>	
Full-time	
Part-time	
Temporary	

<b>CHANGE IN REVENUES</b>	

**Estimated SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY13) costs** \_\_\_\_\_ (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Initial version

Prepared by	Cynthia Curran, Director	Phone 465-2857
Division	Teaching and Learning Support	Date/Time 1/31/2012 4:15pm
Approved by	Mike Hanley	Date 1/31/2012
	Commissioner	

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**Analysis**

The fiscal effect of this bill is indeterminate because the legal effect is not clear. This bill repeals department authority to redirect district funding and to direct the personnel in charge of instructional practices. However, under the decision in *Moore v. State*, the state is still required to exercise oversight and accountability in local school districts. Further, AS 14.03.123 will still require the department to implement federal education law, which requires an accountability system and a state system of support. Federal law also requires the department to implement one or more corrective action in a school district that is identified for corrective action. If HB 256 passes it will be unclear as to what authority the department has to implement the various corrective actions provided for in federal law. In sum, the repeal of department authority, coupled with the requirement to stay compliant with the Alaska Constitution and federal law, may affect the resources needed for school improvement, but it is unclear what the effect will be.