



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

March 18, 1987

MEMORANDUM

TO: Representative Terry Martin

ATTN: John Manly

FROM: Penelope Weyhrauch *[Signature]*
Legislative Analyst

RE: State Costs in Implementing the Tobeluk Consent Decree
Research Request 87.191

You asked for information on the State's costs in implementing the Tobeluk Consent Decree (Decree). In 1976, the State agreed to build or renovate high schools in 126 communities in rural Alaska. This agreement was a part of the out-of-court settlement of Hootch v Lind et al (also known as the Molly Hootch case).

Table 1 (attached) lists the communities included in the Decree, the type of construction that occurred in each community and the status of the construction. One hundred seven communities have had new schools built or school renovation completed as required by the Decree. Five schools are almost complete. Schools in four communities have closed, and seven communities decided not to have a secondary program offered in their community.

According to Sue Miller, with the Department of Education, schools in Stevens Village, Tetlin, and Chalkyitsik, have not yet been built. Contracts have been awarded for the construction of schools in Tetlin and Stevens Village, and the school in Tetlin is anticipated to be constructed this summer. Funds were also appropriated for a school in Chalkyitsik, but additional funds appropriated in 1986 were restricted. The school district is waiting for the funds to be released before it proceeds with any planning or construction.

Table 2 (attached) lists State and federal funds spent on the construction and renovation of high schools in compliance with the Decree. Approximately **\$179 million has been spent to implement the Decree.** In addition, \$2.4 million in State funds has been committed for schools in Stevens Village, Tetlin, and Chalkyitsik.

Steve Hole, Deputy Commissioner of the Department of Education, said that there are several variables that should be considered in regard to the costs associated with implementing the Decree. About the same time as the settlement occurred, the Bureau of Indian Affairs (BIA) decided to pull out of education in Alaska. Because BIA elementary schools were often of sub-standard construction, the State had to reconstruct old elementary schools or build new ones. In some communities, the State decided to construct combined elementary and secondary school facilities. Thus, costs associated with the Decree were increased by the construction of combined elementary and secondary facilities in some communities, rather than simply secondary facilities.

Other Considerations

In discussing the costs of constructing secondary schools in rural Alaska, several considerations should be kept in mind. One consideration is the cost of constructing rural schools as compared with the costs of operating boarding schools. The Decree, which was agreed to by both the State and the plaintiffs, stated that "Though the cost of constructing rural schools has quadrupled since 1966, the per-pupil operating costs of boarding programs is and historically has been far higher than the per-pupil costs of rural schools, since the State must assume the financial burden of housing, feeding and supervising children who do not reside at home. When construction costs for new secondary school facilities are included in the per-pupil costs of providing local secondary schools, the long-range costs remain comparable to, and in many instances lower than, the costs of providing boarding programs."¹

¹Tobeluk Consent Decree, Section 27, September 1976.

The Decree also addressed the failure of correspondence study in meeting the needs of rural students. Correspondence study was unsuccessful because "...for most students, parental interest and supervision are essential if the student is to complete correspondence courses successfully, and most village parents have not had sufficient formal education to supervise such courses effectively." The Decree also stated that "...secondary correspondence courses...have not been sufficiently adapted to the educational needs and the culture of village children. Furthermore, the problem of parental inability to supervise a secondary school course of study continues to limit the effectiveness of the correspondence program for many students."²

One concern of educators and villagers which prompted the Hootch lawsuit was the high drop-out rate of village students sent to boarding schools. A 1985 report on rural schools maintains that the availability of secondary programs in rural Alaska attributed to a substantial increase in high school graduates from 1976 (the year of the Decree), to 1984. This increase is shown on Table 3 (attached). The report states that "The significance of reducing the drop-out rate to about 12 percent shows up best against the backdrop of rates in school settings: Nationally, the number of students dropping out is roughly 25 percent, while in urban areas between 50 and 60 percent of minority children drop out before graduating from high schools. In Anchorage, nearly 50 percent of native students drop out before they graduate."³

Additionally, schools provide more use than just as a public education facility. The report mentioned above states that rural Alaska schools provide a variety of different opportunities to the community. Rural schools furnish spectator and participant sports, community education programs, facilities for community meetings, libraries, and an assortment of recreational and educational activities villages might not otherwise enjoy. Table 4 (attached) shows the percentage of communities that used their new school facility for activities in addition to public education.

* * *

I hope this information is useful to you. If you have any questions or would like additional information, please contact our agency.

Attachments

²Tobeluk Consent Decree, Section 23.

³J. Kleinfeld, G. W. McDiarmid and David Hagstrom, "Alaska's Small Rural High Schools," Institute of Social and Economic Research, October 1985, pp. 47 - 48.

ENROLLMENTS ARE 9-12 only

9/17/87

TOBELUK vs. LIND CONSENT

DECREE FACILITY CONSTRUCTION
FACILITY REPORT

Table I: Total Sites Summary

	ENROLLMENT	CONSTRUCTION STATUS	TYPE OF CONSTRUCTION
ALASKA GATEWAY S.D.			
Dot Lake	7	complete	new school
Mentasta Lake	11	99% complete	new school
Northway	28	complete	new addition
Tetlin	0	0% complete	new school
ALEUTIAN CHAIN S.D.			
Atka	8	100% complete	new school
Belkofski (Closed)	0	school closed	none
False Pass	2	complete	addition
Nelson Lagoon	5	complete	new school
Nikolski	1	complete	new remodel
Akutan	1	complete	extensive remodel
BERING STRAIT S.D.			
Brevig Mission	5	complete	new school
Council	0	school closed	none
Diomedes	11	complete	new school
Elim	22	complete	new school
Gambell	38	complete	new addition
Golovin	13	complete	new school
Koyuk	14	complete	new school/utility building
St. Michael	26	complete	new school
Savoonga	38	complete	new school
Shaktolik	24	complete	new school
Shishmaref	33	complete	new school
Stebbins	42	complete	new school
Teller	7	complete	addition multipurpose
Unalakleet	41	complete	new school
Wales	14	complete	new school
White Mountain	8	complete	new school
CHATHAM S.D.			
Angoon	38	complete	new addition to multi-purpose & kitchen

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ENROLLMENT CONSTRUCTION STATUS TYPE OF CONSTRUCTION

CHUGACH REGION S.D.

Tatitlek	7	complete	new school
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IDITAROD AREA S.D.

Anvik	4	complete	new school
Grayling	13	complete	new school
Holy Cross	8	complete	new addition
Lime Village	0	complete	new school
Nikolai	0	complete	new addition
Shageluk	7	complete	new school
Takotna	7	complete	new addition
Telida	00	complete	new addition

KASHUNAMIUT SCHOOLS

Chevak	38	complete	new addition
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KUSPUK S.D.

Chuathbaluk	4	complete	new addition and multipurpose
Crooked Creek	10	complete	new school
Kalskag (Upper and Lower)	0	complete	new addition and multipurpose
Red Devil	1	closed school	none
Sleetmute	4	complete	new addition and multipurpose
Stony River	3	complete	new school

LAKE AND PENINSULA S.D.

Chignik	5	complete	new addition and multipurpose
Chignik Lagoon	2	opt out	none
Chignik Lake	11	complete	new addition and multipurpose
Egegik	0	opt out	none
Igiugig	0	complete	new school
Ivanof Bay	0	closed	none
Kokhanok	4	complete	new addition and multipurpose
Newhalen	15	complete	new addition and multipurpose
Nondalton	13	complete	new school
Pedro Bay	1	complete	new school
Perryville	6	complete	new school and multipurpose
Pilot Point	3	opt out	none
Port Heiden	4	complete	4 classroom addition.

ENROLLMENT CONSTRUCTION STATUS TYPE OF CONSTRUCTION

LOWER KUSKOKWIM S.D.

Atmautluak	20	complete	new addition
Chefornak	30	complete	new school
Eek	21	complete	new school
Goodnews Bay	11	complete	new school
Kasigluk	0	complete	new school
Kipnuk	31	complete	new school
Kongiganak	16	complete	new school
Kwethluk	46	complete	new school
Kwigillingok	18	complete	new school
Mekoryuk	17	complete	new school
Napakiak	22	complete	new school
Napaskiak	30	complete	new school
Newtok	18	complete	new school
Nightmute	12	complete	new school
Nunapitchuk	33	complete	new school
Oscarville	3	99% complete	new school
Platinum	3	complete	new school
Quinhagak	29	complete	new school
Tooksok Bay	42	complete	new school
Tuntutuliak	24	complete	new school
Tununak	26	complete	new school

LOWER YUKON S.D.

Fortuna Ledge/Marshall	20	complete	new school
Hooper Bay	54	complete	new school
Hooper Bay		complete	library/media
Kotlik	25	complete	new school
Pilot Station	33	complete	new school
Pitka's Point	10	complete	new school
Russian Mission	14	complete	new school
Russian Mission		complete	library/media/science
Scammon Bay	22	complete	new school
Sheldon Point	12	complete	new school

NORTHWEST ARCTIC S.D.

Ambler	28	complete	new school
Buckland	0	complete	new school
Deering	10	complete	new school
Kivalina	19	complete	new school
Kobuk	0	opt out	
Noatak	36	complete	new school
Shungnak	14	complete	new school

ENROLLMENT CONSTRUCTION STATUS TYPE OF CONSTRUCTION

PRIBILOF REGION S.D.			
St. George Island	0	no high school program	
St. Paul Island	20	operating partial program addition and multipurpose	
SOUTHEAST ISLANDS S.D.			
Kasaan	0	complete	new addition
SOUTHWEST REGION S.D.			
Aleknagik	10	complete	new school
Clark's Point	0	95% complete	new school
Ekwok	6	complete	new school
Koliganek	4	complete	multipurpose
Levelock	9	complete	multipurpose
Manokotak	31	complete	classroom addit. multipurpose
New Stuyahok	29	complete	new classrooms
Portage Creek	2	complete	new school
Togiak	43	complete	new school and sprinkler system
Twin Hills	0	complete	new school
YUKON FLATS S.D.			
Arctic Village	5	complete	new school
Beaver	4	99% complete	new school
Birch Creek	1	complete	new school
Birch Creek		complete	Voc Ed addition
Chalkyitsik	5	0%	Voc Ed addition
Circle	6	complete	new school
Rampart	6	complete	new school
Stevens Village	1	contract awarded	new school
Venetie	12	complete	new school
YUKON KOYUKUK S.D.			
Allakaket	5	complete	new multipurpose
Bettles	6	complete	new school
Hughes	0	complete	new school plant
Huslia	15	complete	new school
Kaltag	19	complete	new school
Koyukuk	0	complete	new school
Manly Hot Springs	2	opt out	
Minto	9	complete	new addition
Ruby	11	complete	new school
YUPIIT SCHOOLS			
Akiachak	40	complete	new school
Akiak	21	complete	new school
Tuluksak	28	complete	new school

3/17/87

TOBELUK vs. LIND CONSENT
DECREE FACILITY CONSTRUCTION
FACILITY REPORT

Table II: Completed Sites

	FUNDING Chapter/Amount	TOTAL	COMPLETION STATUS
ALASKA GATEWAY			
Dot Lake Tetlin	122/84 1,600,000 Federal 1,500,000	3,100,000	design
Mentasta Lake Northway	122/84, 1,600,000	1,600,000	
ALEUTIAN CHAIN S.D.			
Atka	134/78, 112,918--82/81 56,390	\$ 169,308	100%
False Pass	134/78, 48,279--82/81 62,964-- 122/84, 785,000--96/85, 324,000	1,220,243	100
Nelson Lagoon	134/78, 1,564,100	1,564,100	100
Nikolski	134/78, 114,863	114,863	100
Akutan	134/78., 94,478--82/81 59,933 122/84, 677,000--96/85, 276,000	1,108,411	100
Belkofski	Closed		
BERING STRAIT S.D.			
Brevig Mission Council	134/78, 1,681,002 Closed	1,681,002	100
Diomede			
Elim	134/78, 1,327,716--137/78, 159,384	1,487,100	100
Gambell	134/78, 1,240,000	1,240,000	100
Golovin	134/78, 1,627,885	1,627,885	100
Koyuk	134/78, 1,390,528	1,390,528	100
St. Michael	134/78, 1,520,702	1,520,702	100
Savoonga	131/76, 593,500; 195/72 539,310 142/74, 1,000,000	2,132,810	142/74 100
Shaktoolik	134/78, 1,087,100; 50/80, 450,000	1,537,100	100
Shishmaref	142/74, 2,492,000	2,492,000	100
Stebbins	134/78, 2,082,908	2,082,908	100
Teller	131/76, 855,000; 134/78, 475,354	1,330,354	100
Wales	122/84, 1,700,000	1,700,000	
White Mountain	131/76, 895,100	895,100	100
CHATHAM S.D.			
Angoon	131/76 1,152,000--134/78 1,830,00	2,982,000	100
CHUGACH REGION			
Tatitlek	80/79 900,000	900,000	100 ✓
IDITAROD AREA S.D.			
Anvik	131/76, 63,947; 134/78, 1,802,917	1,802,917	100
Grayling	134/78, 881,763	881,763	100

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	FUNDING Chapter/Amount	TOTAL	COMPLETION STATUS
Holy Cross	134/78, 1,440,000	1,440,000	
Lime Village			
Nikolai	134/78, 566,495; 80/79 10,000	576,495	100
Shageluk	131/76, 199,103; 134/78, 99,625		100
	134/78, 639,625; 80/79, 280,000		
Takotna	134/78, 217,113	217,113	100
Telida			
KASHUNAMUIT S.D.			
Chevak			
KUSPUK S.D.			
Chuathbaluk	134/78, 471,900; 113/78, 14,000	485,900	100 472
Crooked Creek	134/78, 818,200	1,374,847	100
Kalskag (Upper and Lower)	134/78, 1,374,800	1,374,800	100
Red Devil			
Sleetmute	134/78, 712,000	712,000	100
Stony River	134/78, 279,100	445,000	100
LAKE AND PENINSULA S.D.			
Chignik	134/78, 99,000; 50/80, 2,633	101,633	100% 899
Chignik Lagoon			
Chignik Lake	134/78, 950,000; 80/79, 100,000	1,050,000	100
Egegik			
Igiugig	134/78, 891,800; 142/74 110,000	1,108,887	100 891
Kokhanok	134/78, 1,200,000		
	153/77, 200,000, 121/80 547,000	1,978,930	100
Newhalen	134/78 930,000; 80/79, 190,000	2,007,442	100
Nondalton	134/78, 2,208,000	2,208,000	100
Pedro Bay			
Perryville	134/78, 99,900; 58/80 70,763	170,663	100
Pilot Point			
Port Heiden	134/78, 1,030,000; 50/80 22,145		
	121/80, 192,000	1,142,145	100
LOWER KUSKOKWIM S.D.			
Atmautluak	134/78, 1,381,180; 131/76 495,000	1,876,180	100
Chefornak	134/78, 1,902,774	1,902,774	100
Eek	134/78, 1,324,038	1,324,038	100
Goodnews Bay	134/78, 2,053,586	2,053,586	100
Kasigluk	50/80, 5,957,000	5,957,000	100
Kipnuk	142/74, 1,000,000		
	131/76, 1,730,000	2,730,000	100
Kongiganak	131/76, 1,307,000	1,307,000	100
Kwethluk	134/78, 2,358,106	2,358,106	100
Kwigillingok	131/76, 810,000 134/78, 842,719	1,652,719	100

	FUNDING Chapter/Amount	TOTAL	COMPLETION STATUS
Holy Cross	134/78, 1,440,000	1,440,000	
Lime Village			
Nikolai	134/78, 566,495; 80/79 10,000	576,495	100
Shageluk	131/76, 199,103; 134/78, 99,625		100
	134/78, 639,625; 80/79, 280,000		
Takotna	134/78, 217,113	217,113	100
Telida			
KASHUNAMUIT S.D.			
Chevak			
KUSPUK S.D.			
Chuathbaluk	134/78, 471,900; 113/78, 14,000	485,900	100
Crooked Creek	134/78, 818,200	1,374,847	100
Kalskag (Upper and Lower)	134/78, 1,374,800	1,374,800	100
Red Devil			
Sleetmute	134/78, 712,000	712,000	100
Stony River	134/78, 279,100	445,000	100
LAKE AND PENINSULA S.D.			
Chignik	134/78, 99,000; 50/80, 2,633	101,633	100%
Chignik Lagoon			
Chignik Lake	134/78, 950,000; 80/79, 100,000	1,050,000	100
Egegik			
Igiugig	134/78, 891,800; 142/74 110,000	1,108,887	100
Kokhanok	134/78, 1,200,000		
	153/77, 200,000, 121/80 547,000	1,978,930	100
Newhalen	134/78 930,000; 80/79, 190,000	2,007,442	100
Nondalton	134/78, 2,208,000	2,208,000	100
Pedro Bay			
Perryville	134/78, 99,900; 58/80 70,763	170,663	100
Pilot Point			
Port Heiden	134/78, 1,030,000; 50/80 22,145		
	121/80, 192,000	1,142,145	100
LOWER KUSKOKWIM S.D.			
Atmautluak	134/78, 1,381,180; 131/76 495,000	1,876,180	100
Chefornak	134/78, 1,902,774	1,902,774	100
Eek	134/78, 1,324,038	1,324,038	100
Goodnews Bay	134/78, 2,053,586	2,053,586	100
Kasigluk	50/80, 5,957,000	5,957,000	100
Kipnuk	142/74, 1,000,000		
	131/76, 1,730,000	2,730,000	100
Kongiganak	131/76, 1,307,000	1,307,000	100
Kwethluk	134/78, 2,358,106	2,358,106	100
Kwigillingok	131/76, 810,000 134/78, 842,719	1,652,719	100

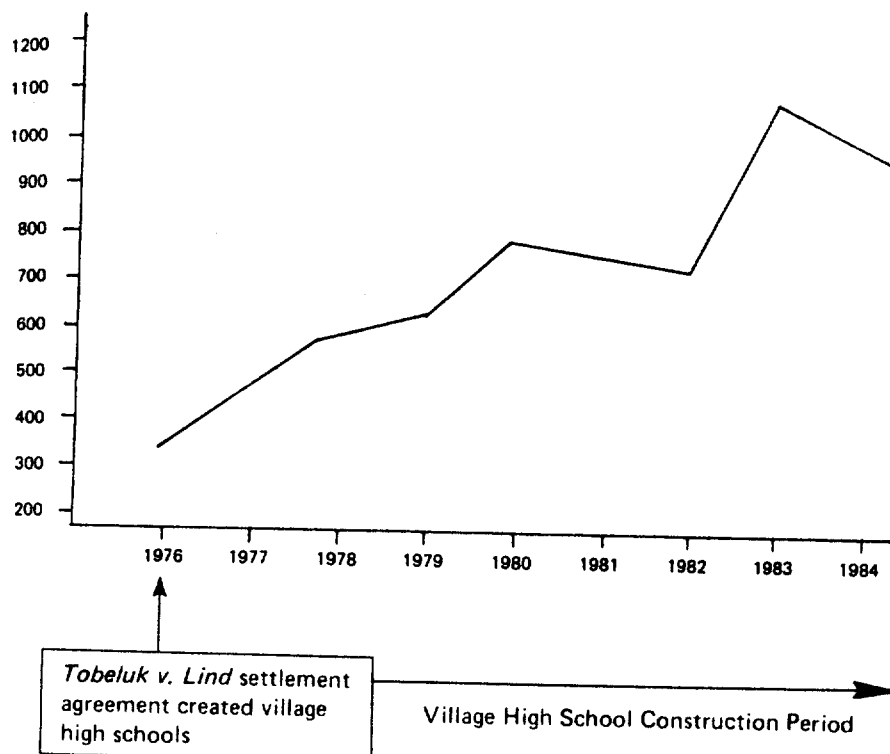
	FUNDING Chapter/Amount	TOTAL	COMPLETION STATUS
Mekoryuk	134/78, 1,602,923; BIA 500,000	2,102,923	100
Napakiak			
Napaskiak	134/78, 2,114,357	2,114,357	100
Newtok	131/76, 285,179; 134/78, 1,443,648	1,728,827	100
Nightmute	134/78, 144,944;	3,009,944	100
	50/80, 2,865,000		100
Nunapitchuk	131/76, 940,900;		100
	134/78, 1,103,290	2,044,190	100
Oscarville	122/84, 275,000 + 843,500 (Fed)	1,118,500	
Platinum	134/78, 199,935	199,935	100
Quinhagak	134/78, 1,957,907	1,957,907	100
Tuntutuliak	134/78, 2,199,974	2,199,974	100
Tununak	134/78, 1,959,253	1,959,253	100
LOWER YUKON S.D.			
Fortuna Ledge/Marshall	131/76, 772,545--134/640,000		
	131/76, 27,046; 134/78, 27,046	1,466,547	100
Hooper Bay	122/84, 600,000	600,000	
Kotlik	134/78, 2,357,595	2,357,595	100
Pilot Station	131/76, 1,567,884;		
	134/78, 352,421	1,920,305	100
Pitka's Point	134/78, 1,280,435	1,280,435	100
Russian Mission	134/78, 1,193,294		
	122/84, 500,000	1,693,294	100
Scammon Bay	134/78, 1,561,699	1,561,699	100
Sheldon Point	134/78, 604,971; 80/79, 1,300,000	1,904,971	100
NORTHWEST ARCTIC S.D.			
Ambler	131/76, 1,761,009		
	134/78, 557,100--80/79 137.9	2,456,009	100
Buckland	131/76, 1,943,013	943,013	100
Deering	131/76, 1,138,470--203/76 450,000	1,588,470	100
Kivalina			
Kobuk			
Noatak	134/78 2,410,000	2,410,000	
Shungnak			
PRIBILOF REGION S.D.			
St. Paul Island	134/750,000	750,000	100%
St. George			
SOUTHEAST ISLANDS S.D.			
Kasaan	131/76 79,000	79,000	100
SOUTHWEST REGION S.D.			
Aleknagik	134/78, 1,300,272	1,300,272	100
Clarks Point			
Ekwok	134/78, 1,813,550	1,813,550	100
Koliganek	134/78, 1,389,553	1,389,553	100
Levelock	131/76, 420,305--142/74 170,000		
	134/78, 91,503	681,808	100
Manokotak	131/76, 816,000; 142/74 400,000	1,216,000	100
New Stuyahok	134/78, 1,385,140	1,385,140	100
Portage Creek			
Twin Hills	134/78, 74,948		
	(315,000 Insurance)	459,948	100
Togiak			

	FUNDING Chapter/Amount	TOTAL	COMPLETION STATUS
YUKON KOYUKUK S.D.			
Allakaket	134/78, 2,000,000; 131/76, 82,140	2,082,140	100
Bettles	134/78, 750,000	750,000	100
Huslia	134/78, 2,000,000	2,000,000	100
Kaltag			
Koyukuk	142/131/134 1,208,796	1,208,796	100
Manley Hot Springs			
Minto	134/78, 1,392,930	1,392,930	100
Ruby	134/78, 1,760,000	1,760,000	100
YUKON FLATS			
Arctic Village	134/78, 747,700; 80/79, 791,953	1,593,653	100
Beaver	122/84, 1,705,000		
	Federal Funds 856,950	2,561,950	95
Birch Creek	122/84, 250,000	250,000	10
Chalkyitsik	122/84, 250,000	250,000	-0-
Circle			
Rampart			
Stevens Village	122/84, 500,000	500,000	-0-
Venetie	80/79, 13,071; 134/78, 1,662,400	1,675,471	100
YUPIIT SCHOOLS			
Akiachak	134/78, 2,255,736	2,255,735	100
Akiak	131/76 Federal funds 1,882,000	1,882,000	100
Tuluksak	134/78, 2,126,419	2,126,419	100
		<u>178,653,000 *</u>	

* ROUNDED TO NEAREST THOUSAND.
 DOES NOT INCLUDE FEDERAL FUNDS.
 DOES NOT INCLUDE FUNDS COMMITTED
 TO TETLIN, CHALKYITSIK AND STEVENS VILLAGE

TABLE 3

**Village High Schools Have Increased the Number
of Rural High School Graduates***



*This increase results from (1) very low drop-out rates in rural high schools, and (2) increased enrollment in rural high schools, rather than urban boarding programs away from home.

Source: Alaska Department of Education, 1984.

TABLE 4

**Small High Schools Add Many Recreational, Educational,
and Other Services to Rural Communities**

Services	Percentage of Communities Receiving New Facility/Services Through Small High School
Gym or pool	85%
Classrooms for community education, libraries	82
Basketball games/other spectator sports	82
Place for community meetings	79
School newspaper, radio, TV program	63
Movies, roller skating, other recreation	62
Homework assistance after school	58
Shower, bathing facilities	56
Engine/appliance repair shop	32
Cafeteria, snack bar	30

N = 147

Source: ISER Small High School Study, 1984.