

STATE COST

	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	
	Increased	Increased	Increased	Increased	Increased	Increased	Increased	Preliminary	Projected	CUMULATIVE
District	State Aid	State Aid	State Aid	State Aid	State Aid	State Aid	State Aid	Increased	Increased	STATE AID
Alaska Gateway	-	-	-	-	-	-	-	-	-	-
Aleutian Region	-	-	-	-	-	-	-	-	-	-
Aleutians East Borough	489	-	-	-	-	-	8,839	38,623	62,434	110,385
Anchorage	1,827,538	5,201,483	7,085,229	11,107,435	13,980,346	18,833,077	26,345,651	34,838,625	38,501,977	157,721,361
Annette Island	-	-	-	-	-	-	-	-	-	-
Bering Strait	-	-	-	-	-	-	-	-	-	-
Bristol Bay Borough	-	-	-	-	-	-	-	-	-	-
Chatham	-	-	-	-	-	-	-	-	-	-
Chugach	-	-	-	-	-	-	-	-	-	-
Copper River	-	-	-	-	-	-	-	-	-	-
Cordova	16,964	34,234	23,774	36,420	48,108	23,725	754	63,592	94,609	342,180
Craig	-	405	-	-	-	-	-	3,655	-	4,060
Delta/Greely	-	-	-	-	-	-	-	-	-	-
Denali Borough	-	60,663	60,156	73,214	73,214	73,214	149,562	212,649	211,954	914,626
Dillingham	3,763	26,086	780	-	15,811	-	85,618	48,030	46,718	226,805
Fairbanks North Star B	252,784	612,396	944,033	1,409,216	2,386,892	3,489,580	5,105,813	7,005,004	8,274,493	29,480,211
Galena	121	20	427	1,210	1,210	1,210	4,982	8,374	23,684	41,239
Haines Borough	11,922	37,397	37,144	42,500	45,171	94,243	149,855	207,498	148,961	774,691
Hoonah	-	24,328	23,014	21,546	21,546	21,546	22,965	36,378	37,754	209,076
Hydaburg	-	493	88	-	-	-	942	1,136	1,503	4,162
Iditarod Area	-	-	-	-	-	-	-	-	-	-
Juneau Borough	276,478	703,573	780,055	881,946	1,211,564	2,056,725	3,510,783	3,723,469	3,841,730	16,986,323
Kake	-	-	280	2,476	2,476	2,476	3,230	3,840	5,349	20,128
Kashunamiut	-	-	-	-	-	-	-	-	-	-
Kenai Peninsula Borou	396,460	955,598	1,639,406	2,584,199	2,921,957	3,431,335	4,244,039	5,596,202	6,988,799	28,757,995
Ketchikan Gateway Bor	61,700	170,635	144,661	47,551	62,446	184,837	338,196	659,278	915,009	2,584,314
Klawock	-	-	-	-	-	-	4,515	4,906	8,707	18,128
Kodiak Island Borough	82,466	82,088	133,940	116,664	190,535	317,507	394,848	510,004	606,712	2,434,764
Kuspuk	-	-	-	-	-	-	-	-	-	-
Lake & Peninsula Boroi	-	2,012	-	-	-	-	-	-	2,845	4,857
Lower Kuskokwim	-	-	-	-	-	-	-	-	-	-
Lower Yukon	-	-	-	-	-	-	-	-	-	-
Mat-Su Borough	554,203	978,270	1,485,659	2,270,976	3,731,858	6,139,250	9,056,429	11,202,265	11,436,170	46,855,080
Nenana	-	-	-	877	356	7,668	9,285	19,738	23,601	61,525
Nome	38,395	32,004	30,436	40,749	28,726	58,717	121,599	120,446	187,995	659,066
North Slope Borough	-	-	-	-	-	-	-	-	-	-
Northwest Arctic Borou	-	-	2,024	1,906	1,906	1,906	8,903	570,611	580,813	1,168,070
Pelican	663	-	-	2,961	3,660	2,695	-	29	-	10,008
Petersburg	20,751	29,850	-	11,096	60,678	116,348	73,391	113,165	172,270	597,549
Pribilof	-	-	-	-	-	-	-	-	-	-
Saint Marys	71	443	-	786	786	786	1,157	1,014	16,562	21,605
Sitka Borough	45,060	85,149	134,767	194,084	269,304	338,359	619,866	860,734	1,061,249	3,608,572
Skagway	-	-	-	-	-	-	-	-	-	-
Southeast Island	-	-	-	-	-	-	-	-	-	-
Southwest Region	-	-	-	-	-	-	-	-	-	-
Tanana	-	-	-	-	-	-	266	281	4,582	5,129
Unalaska	-	-	-	-	5,742	57,658	146,325	175,794	171,587	557,106
Valdez	-	-	-	-	-	-	-	-	-	-
Wrangell	4,884	37,019	1,871	-	550	744	-	-	32,874	77,942
Yakutat	530	5,586	24,739	17,118	19,774	15,539	17,648	51,355	54,806	207,095
Yukon Flats	-	-	-	-	-	-	-	-	-	-
Yukon/Koyukuk	-	-	-	-	-	-	-	-	-	-
Yupit	-	-	-	-	-	-	-	-	-	-
Mt. Edgecumbe High S	-	-	-	-	-	-	-	-	-	-
TOTAL	\$3,595,242	\$9,079,732	\$12,552,486	\$18,864,929	\$25,084,616	\$35,269,145	\$50,425,461	\$66,076,695	\$73,515,747	\$294,464,053

District	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	Projected FY10
Alaska Gateway	-	-	-	-	-	-	-	-	-
Aleutian Region	-	-	-	-	-	-	-	-	-
Aleutians East Borough	4.0	4.0	4.0	4.0	4.0	4.0	3.9	3.7	3.5
Anchorage	3.9	3.7	3.6	3.5	3.4	3.2	3.1	2.9	2.9
Annette Island	-	-	-	-	-	-	-	-	-
Bering Strait	-	-	-	-	-	-	-	-	-
Bristol Bay Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Chatham	-	-	-	-	-	-	-	-	-
Chugach	-	-	-	-	-	-	-	-	-
Copper River	-	-	-	-	-	-	-	-	-
Cordova	3.9	3.8	3.9	3.8	3.7	3.9	4.0	3.7	3.6
Craig	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Delta/Greely	-	-	-	-	-	-	-	-	-
Denali Borough	4.0	3.6	3.6	3.5	3.5	3.5	3.2	3.1	3.1
Dillingham	4.0	3.8	4.0	4.0	3.9	4.0	3.5	3.7	3.7
Fairbanks North Star Borough	3.9	3.9	3.8	3.7	3.6	3.5	3.3	3.1	3.1
Galena	4.0	4.0	4.0	3.9	3.9	3.9	3.8	3.6	3.2
Haines Borough	3.9	3.8	3.8	3.8	3.8	3.6	3.5	3.3	3.2
Hoonah	4.0	3.4	3.4	3.4	3.4	3.4	3.4	3.2	3.1
Hydaburg	4.0	3.9	4.0	4.0	4.0	4.0	3.9	3.9	3.8
Iditarod Area	-	-	-	-	-	-	-	-	-
Juneau Borough	3.9	3.8	3.7	3.7	3.6	3.4	3.2	3.1	3.1
Kake	4.0	4.0	4.0	3.9	3.9	3.9	3.8	3.8	3.7
Kashunamiut	-	-	-	-	-	-	-	-	-
Kenai Peninsula Borough	3.9	3.8	3.7	3.5	3.5	3.4	3.3	3.2	3.1
Ketchikan Gateway Borough	3.9	3.9	3.9	4.0	3.9	3.8	3.7	3.5	3.4
Klawock	4.0	4.0	4.0	4.0	4.0	4.0	3.9	3.9	3.8
Kodiak Island Borough	3.9	3.9	3.9	3.9	3.8	3.7	3.7	3.6	3.5
Kuspuk	-	-	-	-	-	-	-	-	-
Lake & Peninsula Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lower Kuskokwim	-	-	-	-	-	-	-	-	-
Lower Yukon	-	-	-	-	-	-	-	-	-
Mat-Su Borough	3.8	3.7	3.6	3.4	3.2	3.0	2.8	2.7	2.7
Nenana	4.0	4.0	4.0	4.0	4.0	3.7	3.6	3.3	3.2
Nome	3.8	3.8	3.9	3.8	3.9	3.7	3.5	3.5	3.3
North Slope Borough	-	-	-	-	-	-	-	-	-
Northwest Arctic Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.1	3.1
Pelican	3.9	4.0	4.0	3.8	3.7	3.8	4.0	4.0	4.0
Petersburg	3.9	3.9	4.0	4.0	3.8	3.6	3.7	3.6	3.5
Pribilof	-	-	-	-	-	-	-	-	-
Saint Marys	4.0	3.9	4.0	3.8	3.8	3.8	3.8	3.8	2.7
Sitka Borough	3.9	3.9	3.8	3.7	3.7	3.6	3.3	3.2	3.1
Skagway	-	-	-	-	-	-	-	-	-
Southeast Island	-	-	-	-	-	-	-	-	-
Southwest Region	-	-	-	-	-	-	-	-	-
Tanana	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.4
Unalaska	-	-	4.0	4.0	4.0	3.9	3.7	3.6	3.6
Valdez	-	-	-	-	-	-	-	-	-
Wrangell	4.0	3.8	4.0	4.0	4.0	4.0	4.0	4.0	3.8
Yakutat	4.0	3.9	3.6	3.7	3.6	3.7	3.7	3.3	3.2
Yukon Flats	-	-	-	-	-	-	-	-	-
Yukon/Koyukuk	-	-	-	-	-	-	-	-	-
Yupitit	-	-	-	-	-	-	-	-	-
Mt. Edgecumbe High School	-	-	-	-	-	-	-	-	-

Public School Funding Program Overview

Updated January 2009



Table of Contents

Student Based Formula

Adjusted ADM	3
ADM Reporting Requirements	3
School Size Adjustment	3
School Size Table	3
Hold Harmless Provision	4
District Cost Factors	4
Special Needs Funding	4
Intensive Services Funding	4
Correspondence Programs	5
Basic Need	5

Public School Funding Elements

State Aid	5
Required Local Contribution	5
Title VIII Impact Aid	5

Additional Funds above Basic Need

Maximum Local Contribution	6
Quality Schools	6
<i>Example: Nome School District</i>	7

FY2010 Projected Entitlement

	8-9
HB 273 & Formula Changes for FY09-FY13	10

STUDENT BASED FORMULA

District Adjusted Average Daily Membership (ADM)

- Step 1. Adjust: ADM for School Size
 Step 2. Apply: District Cost Factor
 Step 3. Apply: Special Needs Factor
 Step 4. Add: Intensive Services Count
 Step 5. Add: Correspondence Student Counts
 = **District Adjusted (ADM)**

ADM Reporting Requirements

ADM – is the average number of enrolled students during the 20-school day count period. The 20-school day count ends the fourth Friday of October. Reports are due within two weeks after the end of the 20-school day count period.

School Size Adjustment [Step 1]

For each school in the district subtract from the ADM **all** correspondence counts. Adjust the remaining ADM of each school using the school size factor table.

1. A community with an ADM under 10:
 Added to the smallest school with an ADM greater than 10.
2. A community with an ADM from 10 - 100:
 Grades K-12 ADM combined and adjusted once, adjusted as one school.
3. A community with an ADM from 101 – 425:
 ADM for grades K-6 and 7-12 are adjusted separately; adjusted as two schools.
4. A community with an ADM greater than 425:
 - Each facility administered as one school, counted as one school, ADM is adjusted as one school.
 - Alternative schools with an ADM of less than 200 combined are adjusted with the school with the greatest ADM in the district.
 - If an alternative school ADM is greater than 200 and administered as a separate facility, the ADM will be adjusted separately.
 - A Charter school with an ADM of 150 or greater will be adjusted as separate facility.

Using the proper formula from the school size factor table, calculate the adjusted ADM for each school.

School Size Table

Reference:	School Size:	Formula:
1.	10-19.99	39.60
2.	20-29.99	$39.60 + (1.62 * (\text{ADM} - 20))$
3.	30-74.99	$55.80 + (1.49 * (\text{ADM} - 30))$
4.	75-149.99	$122.85 + (1.27 * (\text{ADM} - 75))$
5.	150-249.99	$218.10 + (1.08 * (\text{ADM} - 150))$
6.	250-399.99	$326.10 + (.97 * (\text{ADM} - 250))$
7.	400-749.99	$471.60 + (.92 * (\text{ADM} - 400))$
8.	Over 750	$793.60 + (.84 * (\text{ADM} - 750))$

Correspondence student counts are not adjusted for size.

Hold Harmless [Step 1a]

House Bill 273 established a Hold Harmless [HH] provision for those districts experiencing a reduction in enrollment. To determine eligibility for this provision the district's sum total of the adjustment for school size is compared against the prior fiscal year [FY] to see if a decrease of five percent or greater has occurred. The HH provision is available to eligible districts for up to three years provided the total school size adjustment continues to stay below the base year. The district uses the fiscal year before the decrease as a base fiscal year to offset the decrease, according to the following method:

- ◆ 75% of the school size adjustment difference between the current FY and the base FY.
- ◆ 50% of the school size adjustment difference between the second FY and the base FY.
- ◆ 25% of the school size adjustment difference between the third FY and the base FY.

District Cost Factors [Step 2]

- Cost factors are specific to each school district.
- With the implementation of ISER in HB273, District cost factors will range from 1.000 to 1.948. [FY09 = 50% ISER with 12.5% added each subsequent year for next four years.]
- The department monitors the district cost factors and submits a report to the legislature on January 15 every other fiscal year, beginning in FY01.

The districts school size adjusted ADM is multiplied by the district cost factor.

Special Needs Funding [Step 3]

Vocational education, special education (except intensive special education), gifted/talented education, and bilingual/bicultural education are block funded. A district must file a plan with the department indicating the special needs services that will be provided, Section 14.17.420(2)(b), to qualify for special needs funding.

The districts' previously adjusted ADM is now multiplied by the Special Needs factor of 1.20.

Intensive Services Funding [Step 4]

A school district receives funding for intensive special education students that:

- Are receiving intensive services, and;
- Are enrolled on the last day of the 20 school day count period, and;
- Have an established Individual Education Plan (IEP).
- The districts intensive student count is multiplied by 11. [FY09 is multiplied by nine]

The district's Intensive count is added to previously adjusted ADM.

Correspondence Programs [Step 5]

Funding for correspondence programs is calculated by multiplying the correspondence ADM by 80%.

The district's correspondence count is now added to the previously adjusted ADM to arrive at the Final Adjusted ADM.

Basic Need

Multiply the district Final Adjusted ADM by the Base Student Allocation [BSA] to determine Basic Need. The BSA is \$5,580 for FY10. [FY09 BSA is \$5,480]

PUBLIC SCHOOL FUNDING ELEMENTS

The components of Public School Funding are *State Aid*, *Required Local Contribution*, and *Title VIII Impact Aid*.

State Aid Entitlement

Basic Need minus a required local contribution minus 90% eligible Federal Impact Aid plus the amount of funding 'Floor' plus Quality School Grants equal State Aid Entitlement.

Required Local Contribution

The equivalent of a 4-mill tax levy on the Full and True Value of the taxable real and personal property in the district not to exceed 45% of the district's Basic Need for the preceding fiscal year. *However*, beginning in FY02, only 50% of the *increase* in real and personal property over the 1999 Full and True Value is used for the 4 mill equivalent calculation. If the latest Full and True Value doesn't exceed the 1999 Full and True Value, then the latest value is utilized.

Title VIII Impact Aid

Federal Impact Aid provides funds to school districts for children of parents living and/or working on federal property "in-lieu of local tax revenues." 90% of the eligible funds are used in the calculation of state aid.

ADDITIONAL FUNDS ABOVE BASIC NEED

Maximum Local Contribution

If the City or Borough would like to contribute more than Required then the Maximum Local Contribution applies. To calculate this use the Required Local Contribution plus 23% of Basic Need **or** a 2-mill equivalent of the Full and True Value of the taxable and real property within the district, whichever is *greater*. The additional amount is added to the Required Local Effort to reach the Maximum Local Contribution.

For Example:

Nome's: 23% of *Basic Need* = \$2,096,229 OR
.002 of *Full & True Value* = \$571,848

RESULT:

Required Local Effort: \$ 955,700

Additional Local Contribution: +\$2,096,229 [*23% of Basic Need*]

Maximum Local Contribution: \$3,051,929

Quality School Grants

The districts adjusted ADM multiplied by \$16 generates the amount the school district is eligible to receive.

Example: Nome School District

Column

I. Basic Need Calculation

Projected ADM

676.50

L

Determining School Size Adjustment
[Utilizing Table from page 4]

ADM

Nome Elementary School

355

Anvil City Science Academy

+ 44

[Anvil (Alt.) School is adjusted with Greatest ADM see pg. 3]

399

$$326.10 + (.97 \times (399 - 250)) = 470.63$$

Nome/Beltz Jr. & Senior High = **255**

$$326.10 + (.97 \times (255 - 250)) = 330.95$$

Nome Youth Facility = **14**

$$14 = 39.60$$

FY10 School Size adjusted ADM **841.18**

Less FY09 School Size adjusted ADM 965.08
loss in School Size adjustment over PY (123.90)

Determine 5% eligibility

Divide difference by the base FY09

$$123.90 / 965.08 = 12.84\% \text{ [eligible]}$$

75% of difference added back to FY10 School Size

$$123.90 \times 75\% = 92.93$$

New Adjusted ADM-School Size

$$934.11$$

O

Apply District Cost Factor

$$\times \underline{1.402}$$

$$1,309.62$$

Q

Apply Special Needs Factor

$$\times \underline{1.20}$$

$$1,571.54$$

R

Add Intensive Service Counts

$$(5 \times 11) = 55.00$$

Add Correspondence Counts

$$(8.5 \times .80) = 6.80$$

District Adjusted ADM

$$\underline{6.80}$$

V

Multiply by \$5,580 base allocation

$$\times \$5,580.00$$

Basic Need:

$$\mathbf{\$9,114,037}$$

B

II. Nome's State Aid

Basic Need

$$\$9,114,037$$

B

Required Local Contribution

$$(955,700)$$

C

Impact Aid

$$\underline{(36,967)}$$

F

State Aid

$$\$8,121,370$$

G

III. Quality Schools Grant

District adjusted ADM x \$16

$$1,633.34$$

$$\times \$16.00$$

$$\$26,133$$

I

IV. Components of State Aid

State Aid

$$\$8,121,370$$

G

Quality Schools Grant

$$\underline{26,133}$$

I

Total State Aid Entitlement

$$\mathbf{\$8,147,503}$$

J

January 2009 Updated
FY2010 Projections
Department of Education & Early Development
Foundation

8 January 2009

January 2009 Updated
FY2010 Projections
Department of Education & Early Development
Foundation

9

HB273 & Formula Changes

In addition to the hold harmless provision that was implemented, HB273, enacted in 2008, changed three other components of the formula over a period of five years.

Fiscal Year	District Cost Factor	Intensive Multiplier	Base Student Allocation
FY2009	50% of ISER	x 9	\$5,480
FY2010	62.5% of ISER	x 11	\$5,580
FY2011	75% of ISER	x 13	\$5,680
FY2012	87.5% of ISER		
FY2013	100% ISER		

Area Cost Differential Table										
District	FY09		FY10		FY11		FY12		FY13	
	Education Task Force District Cost Factors									
	50% ISER	62.50% ISER	75.0% ISER	87.50% ISER	100% ISER	100% ISER	100% ISER	100% ISER	100% ISER	100% ISER
Alaska Gateway	1.443	1.481	1.519	1.557	1.594					
Aleutian Region	1.838	1.864	1.890	1.916	1.939					
Aleutians East Borough	1.707	1.778	1.849	1.920	1.991					
Anchorage	1.000	1.000	1.000	1.000	1.000					
Annette Island	1.175	1.216	1.257	1.298	1.338					
Bering Strait	1.762	1.821	1.880	1.939	1.998					
Bristol Bay Borough	1.370	1.397	1.424	1.451	1.478					
Chatham	1.348	1.405	1.462	1.519	1.576					
Chugach	1.395	1.420	1.445	1.470	1.496					
Copper River	1.246	1.264	1.282	1.300	1.316					
Cordova	1.165	1.182	1.199	1.216	1.234					
Craig	1.108	1.133	1.158	1.183	1.206					
Delta/Greely	1.174	1.191	1.208	1.225	1.241					
Denali Borough	1.323	1.326	1.329	1.332	1.332					
Dillingham	1.300	1.312	1.324	1.336	1.346					
Fairbanks North Star Borough	1.055	1.059	1.063	1.067	1.070					
Galena	1.370	1.376	1.382	1.388	1.391					
Haines Borough	1.104	1.128	1.152	1.176	1.200					
Hoonah	1.227	1.270	1.313	1.356	1.399					
Hydaburg	1.295	1.348	1.401	1.454	1.504					
Iditarod Area	1.658	1.705	1.752	1.799	1.846					
Juneau Borough	1.075	1.093	1.111	1.129	1.145					
Kake	1.242	1.296	1.350	1.404	1.459					
Kashunamiut	1.504	1.533	1.562	1.591	1.619					
Kenai Peninsula Borough	1.088	1.109	1.130	1.151	1.171					
Ketchikan Gateway Borough	1.085	1.106	1.127	1.148	1.170					
Klawock	1.160	1.196	1.232	1.268	1.302					
Kodiak Island Borough	1.191	1.216	1.241	1.266	1.289					
Kuspuk	1.584	1.622	1.660	1.698	1.734					
Lake & Peninsula Borough	1.776	1.831	1.886	1.941	1.994					
Lower Kuskokwim	1.577	1.599	1.621	1.643	1.663					
Lower Yukon	1.650	1.703	1.756	1.809	1.861					
Mat-Su Borough	1.040	1.048	1.056	1.064	1.070					
Nenana	1.304	1.313	1.322	1.331	1.338					
Nome	1.385	1.402	1.419	1.436	1.450					
North Slope Borough	1.648	1.684	1.720	1.756	1.791					
Northwest Arctic Borough	1.686	1.720	1.754	1.788	1.823					
Pelican	1.384	1.408	1.432	1.456	1.477					
Petersburg	1.122	1.153	1.184	1.215	1.244					
Pribilof	1.555	1.589	1.623	1.657	1.691					
Saint Mary's	1.488	1.522	1.556	1.590	1.624					
Sitka Borough	1.098	1.123	1.148	1.173	1.195					
Skagway	1.159	1.163	1.167	1.171	1.174					
Southeast Island	1.264	1.299	1.334	1.369	1.403					
Southwest Region	1.554	1.587	1.620	1.653	1.685					
Tanana	1.641	1.677	1.713	1.749	1.786					
Unalaska	1.343	1.368	1.393	1.418	1.441					
Valdez	1.133	1.143	1.153	1.163	1.170					
Wrangell	1.080	1.100	1.120	1.140	1.159					
Yakutat	1.229	1.275	1.321	1.367	1.412					
Yukon Flats	1.892	1.948	2.004	2.060	2.116					
Yukon/Kovukuk	1.669	1.711	1.753	1.795	1.835					
Yupitit	1.596	1.628	1.660	1.692	1.723					
Mt. Edgecumbe High School	1.098	1.123	1.148	1.173	1.195					

September 30, 2008

Mr. Dan Bockhorst, Borough Manager
Ketchikan Gateway Borough
144 Front Street
Ketchikan, AK 99901

Dear Mr. Bockhorst:

This is in response to your July 8 letter to Governor Palin regarding restoring public trust in government as it relates to state assistance to local governments. I appreciate the thorough and comprehensive documentation of laws creating borough governments, challenges that have come from the current structure and also providing options for relief. Please accept my apology for the delay in responding.

The Governor has asked the departments of Law; Commerce, Community, and Economic Development; and Education and Early Development to review your material. As you know, significant work has been done over the past year to address education funding and work is continuing that may address some of the challenges you highlight in your letter. You also raise important questions regarding Title 29 of Alaska Statutes. These are complex policy questions that will require careful analysis to ensure that any changes result in a system that is in the best interests of all Alaskans.

We are working with state agencies to develop the budget and legislative package for consideration by the 26th Alaska State Legislature. We look forward to working with legislators and communities to address critical issues in Alaska.

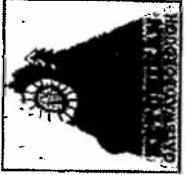
Sincerely,



Lynne Smith
Special Staff Assistant

LS/JM/lc
Code: 0812 Tourism

H:/Correspondence/Commerce
CTS 8009 Dan Bockhorst



KETCHIKAN GATEWAY BOROUGH

344 FRONT STREET • KETCHIKAN, ALASKA 99901
• 907/228-6625 • fax 907/247-6625

OFFICE OF THE BOROUGH MANAGER

July 8, 2008

The Honorable Sarah Palin
Governor
State of Alaska
P.O. Box 110001
Juneau, AK 99811-0001

RE: **Restoring Public Trust in Government**

Dear Governor Palin:

The Palin administration is closely identified with the issue of public trust. In fact, an internet search for the words "Governor Palin public trust" yields, amazingly, "about 316,000" results (see enclosure). The Ketchikan Gateway Borough commends you for your commitment to that important value.

The Ketchikan Gateway Borough respectfully invites you to consider the need to restore public trust in the context of keeping a crucial promise made by the State of Alaska to its citizens.

Forty-five years ago, the Alaska Legislature passed a bill mandating the creation of borough governments in Ketchikan and seven other regions of Alaska. At the time, the bill was considered by its sponsor, Representative John Rader, to be the most controversial bill ever passed by the Legislature. To defuse the contentious nature of that legislation (i.e., imposition of a form of local government having significant duties on selected Alaskans without the consent of those affected), the Alaska Legislature offered the following promise in Section 1 of the bill:

No area incorporated as an organized borough shall be deprived of state services, revenues, or assistance or be otherwise penalized because of incorporation.

The bill ultimately passed the Legislature by a narrow margin. As such, it can be stated with reasonable certainty that a veto by then-Governor William Egan would have ended the legislative mandate to incorporate boroughs. However, Governor Egan neither vetoed

8.009
SAB
LS lead
GOV
OFFICE OF THE GOVERNOR
MAILROOM
JUL 11 2008

the bill nor simply allowed it to become law without his signature. Instead, he embraced the action of the Legislature and signed the bill into law as Chapter 52, SLA 1963.

By signing the bill, Governor Egan joined the Alaska State Legislature in promising that organized boroughs would not be deprived of state services, revenues, or assistance, and that boroughs would not be otherwise penalized by the State of Alaska.

Regrettably, the 1963 promise by the legislative and executive branches of the State of Alaska was breached in a serious manner more than two decades ago. The greatest impact is felt with respect to funding for public education – a constitutional duty of the State of Alaska that has been delegated to borough governments in those parts of Alaska where boroughs exist.

In the current fiscal year alone, the Ketchikan Gateway Borough will be deprived of nearly \$9.5 million in State funding for schools compared to what it would receive had the 1963 promise been upheld. Other mandates applied to the Ketchikan Gateway Borough will add nearly \$2.3 million in additional burdens during the current fiscal year (see enclosure for details). For a community of 13,160 residents, the fiscal impact of the penalties and unfunded mandates is enormous.

When the legislative and executive branches of State government failed to honor the 1963 promise in relation to education funding, the Matanuska-Susitna Borough and its citizens turned for relief during the mid-1980s to the third branch of State government – the Alaska Court System.

Following an 11-year appeal initiated in 1986, the Alaska Supreme Court denied a petition for justice in terms of unequal treatment of borough governments and taxpayers by the State of Alaska. In rejecting the appeal, the Court stressed that "[b]oroughs are not entitled to equal protection under the Alaska Constitution" because "[t]he purpose of the Alaska due process and equal protection clauses is to protect people from abuses of government, not to protect political subdivisions of the state from the actions of other units of state government."¹

With respect to borough taxpayers, the Court concluded in the same case that, "any disparate impact on taxpayers . . . does not rise to the level of an equal protection violation."

¹ *Matanuska-Susitna Borough School Dist. v. State*, 931 P.2d 391, FN2 (Alaska 1997).

Many elected State officials today appear to be either unaware of or unmoved by the breach of the promise made by their predecessors 45 years ago. The 1963 promise has been dismissed by some on the basis that it was “merely a statement of intent” rather than a binding obligation on the part of the State of Alaska. Others have pointed out that even if it were an obligation of the State at the time the law was passed, the 1963 Legislature could not legally bind future legislatures. Still others seem to be willing to accept the status quo simply because the promise has not been honored for such an extended period of time. As noted above, the Alaska Supreme Court dismissed the concerns by concluding that our Constitution does not protect boroughs from abuse by the State and that any disparate treatment of taxpayers is not serious enough to warrant intervention. While any of those arguments may be technically accurate, they certainly do not absolve the legislative and executive branches of government from the moral obligation expressed in 1963.

The effect of the breach of public trust has been chilling in terms of the achieving the constitutional goal of borough formation. On the eve of the 50th anniversary of statehood and 45 years after the Mandatory Borough Act, more than half the geographic area of Alaska remains outside organized boroughs.

Study after study in the post-mandatory-borough era has indicated that the biggest deterrent to voluntary formation of boroughs is the financial penalties that result. The late Jay Hammond expressed the matter well when he stated:

Attractive enough on paper, in practice, the organized borough concept had little appeal to most communities. After all, why should they tax themselves to pay for services received from the state, gratis?²

Less than one year ago, residents in the Deltana region of interior Alaska were among the latest to prove the validity of Governor's Hammond's candid observation. Although the Deltana region has fiscal resources that would be the envy of the Ketchikan Gateway Borough and most every other organized borough, Deltana area voters rejected, by a margin of more than nine to one, a proposal initiated by local voters to incorporate a borough. The following sentiments expressed on the record by one Deltana citizen are apparently shared by many in the region.³

² *Tales of Alaska's Bush Rat Governor*, page 149.

³ *Final Report to the Local Boundary Commission Regarding the Deltana Borough Proposal*, page 33.

The people here did not promise to pay for the educational system that we currently have. The State has paid for most of that. I think it's great that we have it. We could pay a head tax. There are different ways to take care of the necessities that we have as a community other than having a borough. A borough is not the answer to taking care of the community's needs. It might be the State's answer. With a borough, you have borough taxes. I don't want to be that stupid.

Those areas of the state that were compelled by the legislative and executive branches to organize boroughs have, of course, suffered huge fiscal impacts because the 1963 promise was not upheld. With the fiscal burden imposed by the State, the Ketchikan Gateway Borough and many other borough governments in Alaska are hard pressed today to fund needed facilities and services. In stark contrast, the State Treasury is bulging.

Relief could take different forms, including any of the following three options:

1. Repeal laws that provide for disparate education funding for boroughs. AS 14.17.410(b)(2) reduces the level of State education aid to the Ketchikan Gateway Borough by more than \$5 million annually.⁴ Additionally, AS 14.11.008 requires the Ketchikan Gateway Borough to pay 30 percent of major maintenance costs for schools while unorganized areas are required to pay only 2 percent. Moreover, AS 14.11.100 requires the Borough to pay 30 percent of debt service for school construction. School construction in unorganized areas is fully funded by the State.
2. As an alternative to permanently repealing the disparate-funding laws, the Legislature could appropriate funds to compensate boroughs for inequitable funding during times when the State enjoys large-scale surplus revenues as it does today.
3. When evaluating State capital funding requests and appropriations, take into consideration the impact on boroughs that has resulted from the failure to uphold the 1963 promise. In other words, recognize that boroughs would be far better able to fund capital projects in their communities through local appropriations if they were not obligated to close the fiscal gap resulting from the breach of the 1963 promise for equitable funding for boroughs.

⁴ From 1969 to 1986, the State fully funded each district's basic need (see *Public School Financing in Alaska*, pages 5 and 9, House Research Agency, February 1987). However, when State revenues dropped precipitously in the mid-1980s, the State reduced education aid to boroughs by an amount equal to a 4-mill tax levy or 35 percent of basic need (increased later to 45 percent of basic need), whichever was less.

The Honorable Sarah Palin

July 8, 2008

Page 5

Your leadership in addressing this matter would be most welcome. The citizens of the Ketchikan Gateway Borough look forward to your consideration of the concerns raised here. We hope you will share your thoughts concerning this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Dan Bockhorst", written in a cursive style.

Dan Bockhorst
Borough Manager

Enclosures:

- Page showing results of Google™ search for "Governor Palin public trust"
- Details of \$9.5 million penalty regarding FY 2009 State education funding for the Ketchikan Gateway Borough

Summary of Penalties Imposed on the Ketchikan Gateway Borough Regarding Fiscal Year 2009 Funding by the State of Alaska

1. State Funding for Operation of Schools

Education is a fundamental responsibility of the State of Alaska as reflected in Article VII, Section 1 of the Constitution of the State of Alaska, which provides that the State must "establish and maintain a system of public schools."

State law (AS 29.35.160) mandates that the Ketchikan Gateway Borough provide public education on an areawide basis. Moreover, State law (AS 14.17.410(b)(2)) mandates that the Ketchikan Gateway Borough pay a significant portion of the cost of education that would otherwise be borne by the State of Alaska. The requirement in AS 14.17.410(b)(2) is imposed only on organized boroughs and home rule and first class cities in the unorganized borough. Nineteen of the fifty-three school districts in Alaska (35.8 percent) are not subject to the requirement.

In the current fiscal year, the penalty in terms of State funding for operation of schools within the Ketchikan Gateway Borough will amount to \$5,003,574.

2. Major Maintenance Grants for Schools

State law (AS 14.11.008) mandates that the Ketchikan Gateway Borough pay 30 percent of the cost of major maintenance grant projects for its schools. Here again, the nineteen regional school districts in the unorganized borough are treated differently. Those districts are required to contribute only 2 percent of the cost. The contribution required of the Ketchikan Gateway Borough is 15 times greater.

In the upcoming fiscal year, the Ketchikan Gateway Borough will be mandated to pay \$2,885,810 for two major maintenance projects; while the State will pay \$6,733,557. If Ketchikan received education services from a regional educational attendance area, the required local payment would be only \$192,387, while the State payment would be \$9,426,979. Thus, the penalty in this case amounts to \$2,693,422 for FY 2009.

3. School Construction Debt

State law (AS 14.11.100) mandates that the Ketchikan Gateway Borough pay 30 percent of the costs of school construction debt. In the current year, that local share is projected to

be \$1,794,578. In contrast to municipal school districts, no local contribution is required for construction of new schools in regional school districts in the unorganized borough.

4. Property Tax Exemptions

State law mandates a number of exemptions with respect to property taxes levied by local governments. For example, AS 29.45.030(e)) mandates that the Ketchikan Gateway Borough exempt from taxation the first \$150,000 of the assessed value of real property owned and occupied as the primary residence and permanent place of abode by a resident 65 years of age or older; a disabled veteran; or a resident at least 60 years old who is the widow or widower of a person who qualified for an exemption. At one point, the State substantially reimbursed local governments for the fiscal impact of that mandate. However, no reimbursement is currently offered. The fiscal impact to the Ketchikan Gateway Borough of the mandate in AS 29.45.030(e) is projected to be approximately \$635,000 in the current fiscal year.

5. Assessment and Collection of Taxes

State law (AS 29.35.170) mandates that the Ketchikan Gateway Borough assess and collect property, sales, and use taxes that are levied in its boundaries, subject to AS 29.45. In the current fiscal year, \$607,175 has been appropriated to carry out property assessment functions in the Ketchikan Gateway Borough. That cost is separate from the expense of collecting property, sales, and other taxes. The cost of collection, while not identified as a discrete component of the Finance Department, is estimated to be in excess of \$300,000 annually.

6. Planning, Platting, and Land Use Regulation

State law (AS 29.35.180) mandates that the Ketchikan Gateway Borough provide for planning, platting, and land use regulation in accordance with AS 29.40. In the current fiscal year, \$743,063 has been appropriated to carry out planning, platting, and land use regulation in the Ketchikan Gateway Borough.

Summary of Penalties in Terms of FY 2009 State Funding for the Ketchikan Gateway Borough		
	Mandate	Penalty
	Mandatory contribution for schools (does not include \$3,030,000 voluntary contribution)	\$5,003,574
	Disparity in funding for major maintenance for schools (figure may vary sharply from year to year)	\$2,693,422
	School construction debt	\$1,794,578
	Property tax exemptions	\$635,000
	Assessment and collection of taxes	\$907,175
	Planning, platting, and land use regulation	\$743,063
Total		\$11,776,812



PATRICK F. TAYLOR FOUNDATION

THE MISSION OF THE PATRICK F. TAYLOR FOUNDATION IS TO PROMOTE THE COMMON GOOD AND WELL-BEING OF ALL THE PEOPLE OF OUR NATION, PRIMARILY BY PROMOTING UNIVERSAL AND UNLIMITED EDUCATIONAL OPPORTUNITIES BASED SOLELY ON EACH INDIVIDUAL'S ABILITY AND WILLINGNESS TO LEARN.

The Foundation is a 501(c)(3) not-for-profit tax exempt organization.

[Mission](#) | [History](#) | [Scholarships](#) | [Grants](#)
[Taylor Scholars Awards](#) | [Board of Trustees](#)



PATRICK F. TAYLOR

FOUNDATION

TAYLOR PLAN

Patrick F. Taylor Foundation • One Lee Circle • New Orleans, LA 70130 • (504) 589-0555 • tops@taylorplan.com

This site requires the latest Flash Player. If you are having problems viewing the site, please download the latest Flash Player by clicking the image below.



The printable links on this site contain downloadable Adobe PDF files. To ensure proper viewing of these files, please download the latest version of Acrobat by [clicking here](#).

Taylor Plan History

Mr. Patrick F. Taylor conceived the idea of the Taylor Plan in 1988 when he was asked to speak to 183 underachieving inner-city seventh and eighth-grade students at Livingston Middle School in New Orleans East. These students had been held back in school, many more than once. They were not expected to make it past the eighth grade, let alone enter high school. Most had lost all hope in themselves and were planning to drop out of school.

When Mr. Taylor asked the Livingston students whether they wanted to go to college, every hand in the room went up. Curious about this paradox, Mr. Taylor soon learned that the students' parents had given up on their children. Since the parents could not afford to send their children to college, they were not pushing their children to do well in school. Mr. Taylor challenged these middle school kids (who became known as "Taylor's Kids"): if they maintained a B average in school in a college prep curriculum and stayed out of trouble, he would make sure they could go to college.

Approximately half of these original "Taylor's Kids" graduated from high school, and half of those students entered college. Five of the original Taylor's Kids were selected for *Who's Who Among American High School Students*.

The students' response to his challenge caused Mr. Taylor to examine the status of access to higher education in the late 1980s. He discovered numerous national reports and surveys showing that more than 80% of American parents felt they could not afford to send their children to college. Yet survey after survey showed that if kids were given an opportunity to break the financial barrier, many would strive for a college education.

In 1989, Mr. Taylor gathered data on college performance and costs. He learned that virtually every university in Louisiana had an open admissions policy. As a result, students came to college unprepared and dropped out in alarming numbers. This proved an expensive proposition for both the students and the state taxpayers footing the bill for the higher education system in the state. He also found the ACT was below the national average, and students graduating from high school needed remedial instruction in virtually every basic subject at the college level.

After much hard work, Mr. Taylor convinced the Louisiana Legislature to adopt what the news media named the "Taylor Plan." It guaranteed access to college for low and moderate-income students based on their academic achievements, and not on their ability to pay. The first Taylor Plan was signed into law on July 10, 1989.

The original 1989 Taylor Plan required that students earn a 2.5 GPA in a 17.5 unit college prep curriculum and score of 18 on the ACT. Because the program was implemented initially for low-and moderate-income students, the legislature capped the family income requirement at \$25,000 (two year adjusted gross) for families with one dependent child, increasing it by \$5,000 for each additional child up to a maximum of \$35,000. The Taylor Plan awarded qualified students with tuition and fees at any four-year public college or university of their choice in Louisiana.

When longtime CBS newsmen Mike Wallace featured Mr. Taylor with the Taylor's Kids on a *60 Minutes* segment in September 1989, Mr. Taylor's mission took on a national scope, as other states called wondering how to implement a similar program. That same year, Mr. Taylor convinced New Mexico to enact a version of the Taylor Plan program. In 1990, Texas, Florida, and Indiana, voted for state-paid college tuition assistance programs for their children. In 2005, Wyoming became the 22nd state to enact a Taylor Plan.

In Louisiana, the current version of the Taylor Plan is known as "TOPS" (Tuition Opportunity Program for Students). TOPS requires a 2.5 GPA, a 16.5 unit college prep curriculum while in high school and a minimum score of 20 on the ACT. In 1997, at Mr. Taylor's urging, the Louisiana Legislature eliminated family income as a requirement.

To obtain more information on TOPS, students should contact their high school counselor, or the Louisiana Office of Student Financial Assistance at (800) 259-5626, ext. 1012. Students may also visit www.osfa.state.la.us