



LAWS OF ALASKA

1970

Source

Chapter No.

FCCS HCS CSSB 378

238

AN ACT

Relating to the public school foundation program; and providing for an effective date.

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

- * Section 1. AS 14.17.020 - 14.17.075 are repealed.
- * Sec. 2. AS 14.17.100 - 14.17.120 are repealed.
- * Sec. 3. AS 14.17.250(7), (10) and (12) are repealed.
- * Sec. 4. AS 14.17 is amended by adding new sections to read:

Sec. 14.17.021. STATE AID. (a) The amount of state aid for which each school district may qualify is calculated by multiplying the basic need as defined in (b) of this section by the equalized percentage as defined in (c) of this section.

(b) The basic need of each school district is determined by multiplying the instructional unit allotment of the district as defined in sec. 51 of this chapter by the number of instructional units in the district.

(c) The equalized percentage for each school district is computed according to the formula $P_1 = 1 - (1-k) V_1/V_S$ in which

(1) P_1 (equalized percentage) = per cent of need to be provided by the state;

(2) k (level of average state support of basic need) = 90 per cent;

(3) V_1 (valuation per pupil in average daily

membership in the district) = full and true value of taxable real and personal property within the district divided by the average daily membership of the district;

(4) V_s = average of the valuation per pupil in average daily membership for all the districts of the state;

(5) state aid as computed under this section shall constitute at least 90 per cent of the basic need as defined by the department of each school district.

Sec. 14.17.031. INSTRUCTIONAL UNITS. (a) The total number of instructional units within each school district is the sum of

(1) the number of units for elementary schools and the number of units for secondary schools as determined from sec. 41(a) or sec. 41(b) of this chapter;

(2) the number of units for vocational education determined from sec. 41(c) of this chapter as approved by the department;

(3) the number of units from special education determined from sec. 41(d) of this chapter; and

(4) if the district has five or more correspondence pupils, the number of units for correspondence pupils determined by applying the number of correspondence pupils to sec. 41(a) of this chapter.

(b) A school district shall compute separately the number of allowable instructional units for each of its secondary schools.

(c) The commissioner may authorize any school district operating a school in a remote area to calculate the number of units to which that school would be entitled if it were a separate district and to include that number of units in the total number of instructional units within that district.

Sec. 14.17.041. TABLE OF ALLOWABLE INSTRUCTIONAL UNITS.

(a) Elementary and secondary schools in districts with ADM under 1,000:

ADM	No. Instructional Units
under 10	1
10 - 20	2
21 - 32	3
33 - 46	4
47 - 62	5
63 - 80	6
81 - 999	6 plus 1 for each 18 pupils or fraction of 18.

(b) Elementary and secondary schools in districts with ADM of 1,000 or over:

ADM	No. Instructional Units
-----	-------------------------

under 10	1
10 - 20	2
21 - 32	3
33 - 46	4
47 - 62	5
63 - 80	6
81 - 99	7
100 - 3005	7 plus 1 for each 19 pupils or fraction of 19
3006 and over	160 plus 1 for each 23 pupils or fraction of 23.

(c) Vocational education schedule:

ADM	No. Instructional Units
Full-Time Equivalent	
5 - 10	1
11 - 20	2
21 - 50	3
51 - 90	4
91 - 140	5
141 - 190	6
191 - 240	7
241 and over	7 plus 1 for each 50 pupils or fraction of 50 pupils in ADM.

(d) Special education schedule:

ADM	No. Instructional Units
5 - 8	1
9 - 15	2
16 - 23	3
24 - 32	4
33 and over	4 plus 1 for each 9 pupils or fraction of 9.

Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. The instructional unit allotment for each school district is as follows:

(1) If the school district is in the southeastern or southcentral area of the state as defined in AS 14.20.-275 the district shall receive the base instructional unit allotment.

(2) If the school district is in the central area of the state as defined in AS 14.20.275 the district shall receive 105 per cent of the base allotment.

(3) If the school district is in the northwest area of the state as defined in AS 14.20.275 the district shall receive 110 per cent of the base allotment.

(4) The instructional unit allotment as determined by (1) - (3) of this section for any school district which does not have access to Anchorage, Ketchikan, or Fairbanks, by road, railroad, or ferry, shall be increased by a total of five per cent.

Sec. 14.17.056. BASE INSTRUCTIONAL UNIT. The base instructional unit is \$19,250.

Sec. 14.17.061. SUPPLEMENTAL PROGRAMS. (a) In addition to the amounts authorized to be paid to school districts under this chapter, funding of supplemental programs, on the same basis as determined in the computation of state aid for the applicable district, may be recommended by the commissioner.

(b) Applications for supplemental program funds shall be submitted by each school district to the commissioner by September 30 of the pre-fiscal year in the form prescribed by the commissioner.

(c) Federal funds available for aid to local school districts will be included with the state's share in applying the matching ratio.

Sec. 14.17.071. REQUIRED LOCAL EFFORT. (a) Payment of state aid to a local school district under this chapter is contingent upon matching by the district in the amount of the required local effort for that district in the ratio of required local effort: state contribution = $1:P_1/(1-P_1)$.

(b) For purposes of this section, P_1 = equalized percentage as defined in sec. 21(c) of this chapter.

* Sec. 5. AS 14.17.080 is amended to read:

Sec. 14.17.080. COMPUTATION BY DISTRICT. By October 30 of the pre-fiscal year each district shall submit to the commissioner a preliminary report of computations for the following fiscal year of the district's basic need as defined in sec. 21 of this chapter; the amount which it expects to match under the provisions of sec. 71 of this chapter; and the amount for supplemental programs which has been approved for funding consideration by the commissioner. Each district shall make the computations in the manner prescribed by secs. 80 - 150 of this chapter. The computations are the basis for requesting legislative appropriations and for making preliminary payments under the public school foundation program.

* Sec. 6. AS 14.17.140 is amended to read:

Sec. 14.17.140. DETERMINATION OF FULL AND TRUE VALUE BY LOCAL AFFAIRS AGENCY. To determine the equalized percentage to be applied to basic need under sec. 21 of this chapter, and the matching ratio for required local effort under sec. 71 of this chapter, the Local Affairs Agency, in consultation with the assessor for each district, shall determine the full value of the taxable real and personal property in each district. Exemptions granted under ch. 129, SLA 1957, known as the Alaska Industrial Incentive Act (AS 43.35), shall be honored. If there is no local assessor or current local assessment for a district, then the Local Affairs Agency shall make the determination of full value from information available. In making the determination, the Local Affairs Agency shall be guided by AS 29.10.396. The determination of full value shall be

made before October 1 and sent by certified mail, return receipt requested, before that date to the president of the school board in each district. Duplicate copies shall be sent to the commissioner. The governing body of the borough or city which is the district may obtain judicial review of the determination by filing a motion in the superior court of the judicial district in which the district is located within 30 days after receipt of the determination. The superior court may modify the determination of the Local Affairs Agency only upon a finding of abuse of discretion or upon a finding that there is no substantial evidence to support the determination.

* Sec. 7. AS 14.17.150(a) is amended to read:

(a) The commissioner shall examine the preliminary reports submitted by each district to determine that they are correctly computed. If the allotments are incorrectly computed, the commissioner shall either (1) obtain a correct computation from the district, or (2) make a correct computation based on information available to him, and give notice of the corrected computation to the district. The commissioner shall review supplemental program applications and notify the district whether its supplemental program is approved for inclusion in its foundation program computations.

* Sec. 8. AS 14.17.160 is amended to read:

Sec. 14.17.160. ALLOCATION OF FUNDS ON PRELIMINARY COMPUTATION. The commissioner shall determine the state aid for each school district on the basis of the pre-fiscal year computations. Beginning July 15 of the fiscal year and on the 15th of each month, for seven successive months, one-twelfth of each district's state aid shall be distributed.

* Sec. 9. AS 14.17.170 is amended to read:

Sec. 14.17.170. PAYMENT UNDER ADJUSTED COMPUTATIONS. Each district shall make a report at the end of the first nine weeks of school, which contains a new estimate of its average daily membership for the fiscal year and other information which will aid the commissioner in making a more accurate determination of each district's state aid. The commissioner shall, on the basis of this new estimate and information, make a recomputation of each district's state aid. Before December 2, the commissioner shall notify each district of changes made in its state aid. The commissioner shall also determine whether the money in the public school foundation account is sufficient to meet each district's state aid for the fiscal year, and, if the money is not sufficient, he shall immediately inform the governor of the amount of additional appropriation he estimates will be necessary to carry out the public school foundation program for the rest of the fiscal year. Beginning February 15 and on the 15th of each subsequent month, one-fifth of the recomputed balance of each district's state aid shall be distributed. However, one-half of the June payment shall be withheld pending a final determination of the district's state aid.

* Sec. 10. AS 14.17.180 is amended to read:

Sec. 14.17.180. PAYMENT UNDER FINAL COMPUTATION. Before June 16 each district shall transmit to the commissioner a final computation of the district's state aid. The commissioner shall process each district's computation in the manner provided by sec. 150(a) of this chapter. Additional state aid shall be obligated by the commissioner before June 30. If the district received more state aid money than it was entitled to under this chapter, it shall immediately, after notice from the commissioner of the overpayment, remit the amount of overpayment to the commissioner to be returned to the public school foundation account.

* Sec. 11. AS 14.17.250 is amended by adding new paragraphs to read:

(13) "ADM full-time equivalent" means the quotient of the aggregate periods of pupil membership per day in specified classes, divided by the number of class periods in the school day;

(14) "instructional unit" means the aggregate of all direct and indirect services necessary to provide a standard level of instruction for a group of pupils;

(A) "direct services" include, but are not limited to supplying teacher services, textbooks, reference materials, pupil and teacher supplies, as well as utilities and custodial services;

(B) "indirect services" are those auxiliary or supporting functions that complement direct services and include, but are not limited to administration, transportation, food, attendance and activities;

(C) "instructional unit" does not include items of community service, capital outlay or debt service.

* Sec. 12. This Act takes effect on July 1, 1970.