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IN THE

House

BY

Mrs. Kullback

HOUSE BILL NO. 158

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act amending Section 37-2-8 ACLA 1949, as amended, relative to the authority of the Territorial Board of Education to discontinue the operation and maintenance of Territorial Schools; providing for the creation of new School Districts by the Board of Education by petition to the District Court when the local populace refuses to form a School District."

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

Section 1. Section 37-2-8 ACLA 1949, as amended by Chapter 72, Session Laws of Alaska 1951, is hereby amended as follows:

(12) The Territorial Board of Education is hereby authorized to discontinue the operation and maintenance of any school in any unincorporated town, village, or settlement when IN THE JUDGMENT OF THE BOARD THE SCHOOL ENROLLMENT IS LARGE ENOUGH AND THE COMMUNITY FINANCIALLY ABLE TO PARTIALLY SUPPORT ITS OWN SCHOOL AS AN ORGANIZED SCHOOL DISTRICT UNDER THE LAWS FOR SCHOOL DISTRICT ORGANIZATION, the average daily membership thereof reaches one hundred (100) students and in the Board's discretion the community is able to support a school. Before closing a school, the Territorial Board of Education SHALL GIVE GENERAL NOTICE TO THE COMMUNITY OR AREA AFFECTED, IN SUCH MANNER AND FORM

1 AS THE BOARD SHALL DETERMINE; PROVIDED, HOWEVER, THAT SUCH  
2 COMMUNITY SHALL BE ENTITLED TO AT LEAST SIX MONTHS NOTICE  
3 PRIOR TO COMMENCEMENT OF AN ENSUING SCHOOL YEAR TO ENABLE  
4 THE LOCAL POPULACE TO FORM AN INCORPORATED TOWN OR CITY,  
5 INCORPORATED SCHOOL DISTRICT, OR AN INDEPENDENT SCHOOL  
6 DISTRICT IN TIME TO PROVIDE ITS OWN SCHOOL PROGRAM FOR SUCH  
7 ENSUING YEAR UNDER THE TERRITORIAL SCHOOL MAINTENANCE REFUND  
8 SYSTEM, PURSUANT TO WHICH THE BOARD SHALL CONVEY EXISTING  
9 SCHOOL STRUCTURES AND FACILITIES IN SAID AREAS TO SUCH  
10 INCORPORATED CITY OR TOWN, INCORPORATED SCHOOL DISTRICT,  
11 OR INDEPENDENT SCHOOL DISTRICT,7, at any time before March  
12 first of any school year, shall cause to be posted, on the  
13 main door of the school and in two other places in the  
14 community, written notice that the Territory will dis-  
15 continue the operation and maintenance of the school on a  
16 day certain and that the local populace will be given an  
17 opportunity, within thirty (30) days after the posting of  
18 said notice, to take the necessary steps preparatory to  
19 forming an appropriate school district. Upon failure of the  
20 local populace to take such steps within the prescribed time  
21 limit, the Territorial Board of Education may petition the  
22 District Court for an order to establish an incorporated  
23 school district in that community and set the boundaries  
24 therefor. The Court shall thereupon enter an order  
25 authorizing the qualified voters of the proposed school  
26 district to choose a board of five (5) directors.

27 The board petition shall be presented to the District  
28 Court in which the proposed school district is located.  
29 Such petition must be signed by the Commissioner of

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Education pursuant to board authorization and shall specify as nearly as may be, the location, boundaries and number of inhabitants of the proposed school district, and specify the name by which it is to be known.

The general powers of the school board and all other provisions pertaining to the formation of an incorporated school district, not inconsistent herewith, as found in Sections 37-3-11 through 37-3-26 ACLA 1949, as amended, shall be applicable to school districts formed pursuant to this Act.

The Territory shall provide the following financial assistance to school districts formed pursuant to this Act:

(a) For the first fiscal year of operation, the Territory shall pay one hundred percent (100%) of the approved budget;

(b) for the second fiscal year of operation, the Territory shall pay ninety percent (90%) of the approved budget;  
and

(c) for the third fiscal year of operation, and for each and every fiscal year thereafter, the school district shall be placed in the appropriate school maintenance refund group in accordance with then existing Territorial laws.

The Territorial Board of Education shall have authority to convey existing school structures and facilities in the community to the new school district formed pursuant to this Act.