

Introduced: 4/29/72  
Referred: Health, Welfare &  
Education - Finance

1 IN THE SENATE

BY THE HEALTH, WELFARE  
AND EDUCATION COMMITTEE

2 SENATE BILL NO. 428

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing educational service areas in  
7 the unorganized borough; and providing for the govern-  
8 ance of regional school districts."

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

10 \* Section 1. AS 14 is amended by adding a new chapter to read:

11 CHAPTER 11. EDUCATIONAL SERVICE AREAS IN

12 THE UNORGANIZED BOROUGH.

13 Sec. 14.11.005. PURPOSE. (a) It is the purpose of this chapter  
14 in establishing educational service areas and creating regional school  
15 districts to provide for public education in the unorganized borough  
16 thus encouraging maximum public participation in the state's public  
17 education system and ensuring that the system as it operates in rural  
18 Alaska will be responsive and accountable to the constituency it serves.

19 (b) Nothing in this chapter prohibits an organized borough, city  
20 or village or a settlement in an unorganized area of the state from  
21 becoming part of or being formed into an organized subdivision autho-  
22 rized by law.

23 Sec. 14.11.010. ESTABLISHMENT OF EDUCATIONAL SERVICE AREAS. The  
24 department shall establish educational service areas in the unorganized  
25 borough. If practicable, the boundaries of the educational service  
26 areas shall be coterminous with the boundaries of the regional corpora-  
27 tions established under the Alaska Native Claims Settlement Act (Public  
28 Law 92-203).

29 Sec. 14.11.020. REGIONAL SCHOOL DISTRICTS. An educational service

1 area established in the unorganized borough under sec. 10 of this  
2 chapter constitutes a regional school district. A regional school dis-  
3 trict shall be operated on a district-wide basis under the management  
4 and control of a regional school board.

5 Sec. 14.11.030. REGIONAL SCHOOL DISTRICT GOVERNANCE. A regional  
6 school district shall elect a representative regional board of not less  
7 than five nor more than nine members to be elected for the same  
8 term, in the same manner and with the same qualifications as a city or  
9 borough school district board under ch. 12 of this title. The initial  
10 number of regional school board members shall be determined by the  
11 department. However, the qualified voters in a regional school dis-  
12 trict may increase or decrease that number, within the minimum and maxi-  
13 mum number of members established by this section, by placing the  
14 question on the ballot at a regular school district election in the  
15 manner prescribed by law. A regional school district board shall  
16 always consist of five, seven or nine members.

17 Sec. 14.11.040. POWERS AND DUTIES. A regional school district  
18 board has the same powers and duties as a city or borough school  
19 district board under chs. 12 and 14 of this title.

20 \* Sec. 2. AS 14.12.010 is amended to read:

21 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The  
22 districts of the state public school system are as follows:

- 23 (1) each first, second, and third class city in the un-  
24 organized borough is a city school district;
- 25 (2) each organized borough is a borough school district;
- 26 (3) the area outside organized boroughs and outside first,  
27 second, and third class cities shall be divided into educational service  
28 areas in the manner prescribed in ch. 11 of this title [IS THE STATE-  
29 OPERATED SCHOOL DISTRICT].

1 \* Sec. 3. AS 14.12 is amended by adding a new section to read:

2           Sec. 14.12.015. SCHOOLS ON MILITARY RESERVATIONS. The depart-  
3 ment may arrange that schools on military reservations be operated by a  
4 written agreement with a contiguous or adjacent borough school district  
5 whose boundaries wholly encompass those of the military reservation,  
6 or by the Department of Education.

7 \* Sec. 4. AS 14.12.020 is amended to read:

8           Sec. 14.12.020. SUPPORT, MANAGEMENT, AND CONTROL. (a) Operation  
9 of a regional school [THE STATE-OPERATED SCHOOL] district is under the  
10 management and control of the regional school district board [BOARD  
11 OF THE STATE-OPERATED SCHOOLS].

12           (b) Each borough or city school district shall be operated on  
13 a district-wide basis under the management and control of a school  
14 board.

15           (c) The legislature shall provide the state money necessary to  
16 maintain and operate the regional [STATE-OPERATED] school districts  
17 [DISTRICT]. The borough assembly for a borough school district, and  
18 the city council for a city school district, shall provide the money  
19 which must be raised from local sources to maintain and operate the  
20 district.

21           (d) Nothing in this section prohibits a regional school district  
22 from raising supplemental funds for educational purposes.

23 \* Sec. 5. AS 14.20 is amended by adding a new section to read:

24           Sec. 14.20.147. ATTENDANCE AREA TRANSFER, ABSORPTION. When an  
25 attendance area is transferred from a currently operating district to,  
26 or absorbed into, a new or existing school district, the teachers for  
27 the attendance area also shall be transferred unless otherwise mutually  
28 agreed by the teacher or teachers and the chief school administrator  
29 of the new district. Accumulated or earned benefits, including but

1 not limited to, seniority, salary level, tenure, leave, and retire-  
2 ment, accompany the teacher who is transferred.

3 \* Sec. 6. AS 14.08, 14.14.180, 14.14.190 and 14.14.200 are repealed.

4 \* Sec. 7. The property and assets of the state-operated schools are  
5 transferred to the department for redistribution to the regional school  
6 district board in each educational service area in the manner the department  
7 determines. The liabilities of the state-operated schools shall be assumed  
8 by the general fund of the state. All litigation, hearings, investigations  
9 and other proceedings pending under a law amended or functions which may  
10 be transferred by this Act, continue in effect and may be continued and  
11 completed notwithstanding a transfer or amendment provided for in this Act.  
12 Certificates, orders, rules or regulations issued or filed under authority  
13 of a law amended by this Act or functions which may be transferred by this  
14 Act, remain in effect for the term issued, unless revoked, vacated, or other-  
15 wise modified under the provisions of this Act. All contracts or other  
16 obligations created by a law amended by this Act or by virtue of functions  
17 which may be transferred by this Act, and in effect on the effective date  
18 of this Act, remain in effect unless revoked, or modified under the pro-  
19 visions of this Act.  
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