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Referred: Health, Education & Social  
Services and Finance

BY THE RULES COMMITTEE BY REQUEST  
OF THE LEGISLATIVE INTERIM COMMITTEE  
ON HIGHER EDUCATION

1 IN THE HOUSE

2 *CS* HOUSE BILL NO. 541 *am*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act revising the Community College Act; and pro-  
7 viding for an effective date."

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

9 \* Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 6. COMMUNITY COLLEGE ACT.

11 Sec. 14.40.565. PURPOSE. (a) The system of comprehensive com-  
12 munity colleges and extension centers is an integral part of the  
13 statewide University of Alaska and includes degree and nondegree  
14 programs of postsecondary and continuing education established by the  
15 Board of Regents of the University of Alaska in cooperation with the  
16 governing bodies of school districts or municipalities in the state,  
17 or with an agency of the federal government.

18 (b) The comprehensive community college includes flexible,  
19 versatile programs of instruction and other activities designed to  
20 meet the needs of the community it serves, including but not limited  
21 to:

22 (1) academic curricula in the liberal arts, either as a  
23 terminal program, leading to an Associate in Arts or Associate in  
24 Science degree, or as a program that will enable the student to  
25 transfer to a four-year institution of higher education in pursuit of  
26 a baccalaureate degree;

27 (2) academic and nonacademic vocational-technical programs  
28 in career education that will enable the student to develop technical  
29 skills in a chosen trade or career field leading either to a degree or

1 a certificate of completion;

2 (3) nondegree general education courses developed to meet  
3 the needs of a community, to enable a person to expand his knowledge,  
4 improve the quality of his life, or acquire, change or update a skill  
5 that a person lacks or that has become obsolete; and

6 (4) combinations of these.

7 Sec. 14.40.575. ESTABLISHMENT. (a) Since postsecondary and  
8 continuing education is a statewide responsibility, the board, as the  
9 need arises, may enter into a cooperative agreement with an agency of  
10 the federal government, a school district, or a municipality for the  
11 establishment, operation and maintenance of appropriate postsecondary  
12 and continuing educational programs and activities in community  
13 colleges, extension centers or by other means.

14 (b) A community college or an extension center may be estab-  
15 lished by the Board of Regents only when the minimum criteria estab-  
16 lished by this section, and supplemented by regulation of the board,  
17 have been met.

18 (c) Application for the establishment of a community college or  
19 an extension center may be initiated by:

20 (1) the governing body of a municipality, or a school  
21 district;

22 (2) an agency of the federal government;

23 (3) petition of interested citizens in the community or  
24 area to be served; or

25 (4) the board.

26 (d) No community college may be established

27 (1) unless the population of a community or area to be  
28 served equals at least 5,000 inhabitants as determined by the latest  
29 decennial federal census or other reliable population data;

1 (2) until a feasibility study as to the practical need for  
2 its establishment in the community or area to be served has been com-  
3 pleted and approved by the Board of Regents.

4 (e) The feasibility study required in (d) of this section shall  
5 include:

6 (1) an analysis of the population and educational needs of  
7 the municipality, school district or service area in which the proposed  
8 community college is to be located;

9 (2) a description of the boundary of the service area for  
10 the proposed community college;

11 (3) estimated and projected enrollment;

12 (4) proposed core faculty and administrative staffing;

13 (5) sources of financial support required for core faculty  
14 and administrative staff, curriculum and other programs and activities,  
15 and physical facilities; and

16 (6) a plan for governance including provision for citizen  
17 involvement through a community college advisory council established  
18 under sec. 625 of this chapter.

19 (f) No funds may be appropriated by the legislature for a new  
20 community college or a new extension center until the feasibility  
21 study required by (d) of this section has been completed and approved  
22 by the Board of Regents and submitted to the respective finance and  
23 education policy committees of each house of the legislature and to the  
24 Alaska Commission on Postsecondary Education.

25 (g) If any community where a community college has been proposed  
26 lacks the population required by (d)(1) of this section or the level  
27 of demand for postsecondary and continuing education is more limited  
28 than that required for the establishment of a comprehensive community  
29 college program, the board may establish an extension center. However,

1 a feasibility study shall be completed and approved by the board  
2 before an extension center is established.

3 Sec. 14.40.585. RELATIONSHIP WITH MUNICIPALITY OR SCHOOL DIS-  
4 TRICT. (a) A school district or municipality may make an agreement  
5 with the University of Alaska for the establishment, operation and  
6 maintenance of a community college or an extension center.

7 (b) If facilities used by the community college or extension  
8 center are owned by a school district or a municipality, the board,  
9 subject to the availability of appropriated funds, may reimburse the  
10 school district or municipality for all expenses directly related to  
11 facilities for academic and nonacademic degree programs and activities.

12 (c) If separate facilities are financed, constructed or main-  
13 tained from federal, state or private funds for either academic or  
14 nonacademic degree programs and activities of the community college or  
15 extension center, then the board has title to and control of the  
16 separate facilities used for these purposes. If separate facilities  
17 are financed, constructed or maintained from school district or  
18 municipality funds for either degree or nondegree programs and acti-  
19 vities, the school district or municipality has title to and control  
20 of the separate facilities used for these purposes.

21 Sec. 14.40.595. PROGRAM BUDGET; FINANCE. (a) The state is  
22 responsible for the funding for all community college or extension  
23 center programs and activities except those nondegree programs for  
24 which a school district or municipality is responsible under (c) of  
25 this section.

26 (b) The university shall prepare a complete program budget for  
27 each community college and extension center including all programs and  
28 activities regardless of source of funding.

29 (c) The university shall pay instructional and administrative

1 costs, including cost of special equipment and instructional  
2 materials, for academic and nonacademic degree programs and activities  
3 offered at each community college or extension center. The school  
4 district or municipality shall pay instructional and administrative  
5 costs, including cost of special equipment and instructional material,  
6 for nondegree programs and activities offered at each community  
7 college or extension center.

8 (d) All money, including tuition and fees, received from the  
9 operation of a community college or extension center established,  
10 operated and maintained under secs. 565 - 655 of this chapter that is  
11 related or attributable to academic or nonacademic degree or nondegree  
12 programs and activities shall be placed in the community college or  
13 extension center fund of the University of Alaska.

14 Sec. 14.40.605. ADMINISTRATION. (a) The chief administrative  
15 officer of the community college and extension center system of the  
16 University of Alaska is a vice-president with assigned liaison re-  
17 sponsibility for the community colleges and extension centers working  
18 with the community college deans and extension center field coordina-  
19 tors through the regional administrators. The vice-president shall be  
20 appointed by the Board of Regents, on recommendation of the president,  
21 and is subject to the direction of the board and the president.

22 (b) The administrator of each community college is a dean  
23 appointed by the board in the manner prescribed by regulation.

24 (c) Each extension center is under the direction of a field  
25 coordinator appointed by the regional administrator in the manner pre-  
26 scribed by the board by regulation.

27 Sec. 14.40.615. FACULTY; COURSE OF INSTRUCTION. (a) Fulltime  
28 members of the faculty and administrative staff of each community  
29 college and extension center are members of the faculty and

1 administrative staff, respectively, of the University of Alaska for  
2 all purposes.

3 (b) The board is responsible for prescribing the qualifications,  
4 and for establishing the procedure for appointment, of all community  
5 college and extension center faculty and administrative staff, whether  
6 part or full-time.

7 (c) A community college is concerned with the total educational  
8 needs of the community it serves and may coordinate and facilitate all  
9 postsecondary and continuing education in the community.

10 Sec. 14.40.625. COMMUNITY ADVISORY COUNCIL. (a) On recommenda-  
11 tion of the regional administrator, the president of the university  
12 shall appoint a community advisory council for each community college  
13 or extension center consisting of not less than nine nor more than 15  
14 citizens who shall be broadly representative of the community served  
15 by the college or center in the manner prescribed by regulation of the  
16 board.

17 (b) The term of office for an advisory council member is three  
18 years beginning on the first Monday in February of the year in which  
19 the appointment is made. No advisory council member may serve more  
20 than two consecutive terms; however, each advisory council member  
21 serves until his successor is appointed and qualifies. The terms of  
22 office of incumbent members of an advisory council shall be staggered  
23 as determined by lot, and no less than one nor more than five terms  
24 may expire in one year. An advisory council shall select its own  
25 chairman and vice-chairman, and no advisory council member may serve  
26 more than two consecutive years as chairman. Members of an advisory  
27 council may be removed for cause by the president or the Board of  
28 Regents. Vacancies shall be filled in the same manner as original  
29 appointments. Members of an advisory council receive no compensation

1 for their services, but they may be reimbursed for the expenses incurred  
2 in the performance of their duties in the manner prescribed by the  
3 Board of Regents by regulation.

4 (c) An advisory council shall meet at least once a calendar  
5 quarter and may meet more frequently as determined by its chairman, or  
6 by a majority of the members of a council. A majority of the members  
7 may call a special meeting by petition at any time and fix its time  
8 and place in the community served by the college or center. At least  
9 10 days notice of a meeting shall be mailed to a member's usual address,  
10 unless the notice is waived by a majority of the council members. A  
11 majority of the council members constitutes a quorum.

12 (d) An advisory council acts in an advisory capacity to the  
13 administrator of the college or center, and of the region in which the  
14 college or center is located, the vice-president, the president of the  
15 university, and the Board of Regents and serves as a communications  
16 link between the community served by the college or center and the  
17 University of Alaska. An advisory council shall review the proposed  
18 program budget for the community college or extension center for each  
19 fiscal year before it is submitted to the regional or statewide  
20 administration and to the Board of Regents. An advisory council may  
21 make recommendations relating to the general operation and management  
22 of the community college or extension center, including but not  
23 limited to:

24 (1) planning for, and evaluation of, the types of instruc-  
25 tional programs and activities and facilities that the university, or  
26 the governing body of the school district or municipality, should  
27 provide;

28 (2) the level of staffing and funding for these programs,  
29 activities or facilities; and

1 (3) the means of gaining support for the university's  
2 program in that community.

3 Sec. 14.40.635. REGULATIONS. A community college or an extension  
4 center established by the university under secs. 565 - 655 of this  
5 chapter in cooperation with a school district, municipality, or an  
6 agency of the federal government, shall be operated and maintained  
7 under regulations adopted by the board.

8 Sec. 14.40.645. DEFINITIONS. In secs. 565 - 655 of this chapter

9 (1) "board" means Board of Regents of the University of  
10 Alaska;

11 (2) "municipality" means a general law municipal corporation  
12 and political subdivision, which is a first or second class borough or  
13 city, or a third class borough, incorporated under the laws of the  
14 state, including a home rule first class borough or city, or a unifica-  
15 tion of these;

16 (3) "president" means the President of the University of  
17 Alaska;

18 (4) "service area" means one or more school districts or  
19 municipalities, combinations or portions of each, which when combined  
20 are considered a unit for the establishment, operation and maintenance  
21 of a community college or an extension center in cooperation with the  
22 university;

23 (5) "university" means the University of Alaska;

24 (6) "vice-president" means the vice-president of the  
25 University of Alaska assigned liaison responsibility for community  
26 colleges and extension centers.

27 Sec. 14.40.655. SHORT TITLE. Sections 565 - 655 of this chapter  
28 may be cited as the Community College Act.

29 \* Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

1       \* Sec. 3. A cooperative agreement between the Board of Regents of the  
2 University of Alaska and a school district, municipality, or an agency of  
3 the federal government, with respect to the establishment, operation and  
4 maintenance of a community college or an extension center and in effect on  
5 the effective date of this Act shall remain in effect until its agreed  
6 expiration unless, before the agreed expiration, it is mutually cancelled  
7 or modified by the contracting parties in accordance with law.

8       \* Sec. 4. This Act takes effect July 1, 1974.  
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