

Original sponsor: Rules Committee by  
request of the Interim Committee on  
Higher Education

Offered: 3/19/74  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 541

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 state-  
13 wide University of Alaska and includes degree and nondegree programs of  
14 postsecondary and continuing education established by the Board of  
15 Regents of the University of Alaska in cooperation with the governing  
16 bodies of school districts or municipalities in the state, or with an  
17 agency of the federal government.

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

22 (1) courses and curricula that lead to associate degrees, or  
23 that enable the student to transfer to a four-year institution of higher  
24 education in pursuit of a baccalaureate degree;

25 (2) occupational education including vocational-technical  
26 programs that enable the student to develop technical skills in a  
27 chosen trade or occupation and lead either to a degree or a certificate  
28 of completion;

29 (3) general education courses designed to meet the needs

1 of a community, to enable a person to expand his knowledge, improve the  
2 quality of his life, or acquire, change or update a skill that a person  
3 lacks or that has become obsolete; and

4 (4) combinations of (1) - (3) of this subsection.

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

12 (b) A community college may be established by the Board of Regents  
13 only in accordance with the minimum criteria established by this section,  
14 as supplemented by the board by regulation.

15 (c) The establishment of a community college may be proposed by:

16 (1) the governing body of a municipality, or a school  
17 district;

18 (2) an agency of the federal government;

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

21 (4) the board.

22 (d) No community college may be established

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

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

29 (e) The feasibility study required in (d) of this section shall

1 include but is not limited to:

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

5 (2) a description of the boundary of the service area for the  
6 proposed community college;

7 (3) estimated and projected enrollment;

8 (4) proposed core faculty and administrative staffing;

9 (5) a proposed budget for the initial fiscal year of opera-  
10 tion together with a statement of sources of financial support required  
11 for core faculty and administrative staff, curriculum and other programs  
12 and activities, and physical facilities;

13 (6) a plan for citizen involvement through a community  
14 college advisory council established under sec. 625 of this chapter; and

15 (7) a proposed agreement with the school district, munici-  
16 pality or federal agency under sec. 585(a) of this chapter.

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

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

1 approved by the board before an extension center is established.

2 Sec. 14.40.585. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,  
3 FEDERAL AGENCY. (a) A school district, municipality or federal agency  
4 may make an agreement with the University of Alaska for the establish-  
5 ment, operation and maintenance of a community college or an extension  
6 center. The agreement shall include, but is not limited to:

7 (1) recognition that complete operational authority resides  
8 with the university, subject to periodic reviews by the cooperating  
9 school district, municipality or federal agency and appropriate reports  
10 to ensure program articulation and effective cross-utilization of  
11 facilities;

12 (2) provision for cooperative planning of program and  
13 facilities needs and for cross-utilization of facilities;

14 (3) provision that local funding, in addition to student  
15 fees or in-kind contributions, may be provided for support of those  
16 general education courses, described in sec. 565(b)(3) of this chapter,  
17 or secondary school-related courses as the school district, municipality  
18 or federal agency considers appropriate; and

19 (4) provision for periodic review of the agreement.

20 (b) If separate facilities are financed, constructed or main-  
21 tained from federal, state or private funds for programs and activities  
22 of the community college or extension center, then the board has title  
23 to and control of the separate facilities used for these purposes. If  
24 separate facilities are financed, constructed or maintained from school  
25 district or municipality funds for community college or extension  
26 center programs and activities, the school district or municipality has  
27 title to and control of the separate facilities used for these purposes.

28 Sec. 14.40.595. FINANCE. (a) The state is basically responsible  
29 for the funding for all community college or extension center programs

1 and activities. However, nothing in secs. 565 - 655 of this chapter  
2 prohibits a school district, municipality or federal agency from pro-  
3 viding funds for additional courses and programs which may be considered  
4 appropriate under sec. 585(a)(3) of this chapter.

5 (b) The university shall prepare a complete program budget for  
6 each community college and extension center including all courses,  
7 programs and activities regardless of the source of funding, including  
8 but not limited to funds from fees, grants, contracts, or agreements.

9 (c) All funds received for community college or extension center  
10 operation shall be administered in the manner prescribed by the board by  
11 regulation.

12 Sec. 14.40.605. ADMINISTRATION. (a) The president shall assign  
13 to the executive vice president of the university responsibility for  
14 liaison with the community colleges and extension centers working  
15 through the regional administrators.

16 (b) The administrator of each community college is a dean or  
17 director appointed in the manner prescribed by the board by regulation.

18 (c) Each extension center is under the direction of a coordinator  
19 appointed by the regional administrator in the manner prescribed by  
20 the board by regulation.

21 Sec. 14.40.615. FACULTY: COURSE OF INSTRUCTION. (a) Fulltime  
22 members of the faculty and administrative staff of each community college  
23 and extension center are members of the faculty and administrative staff,  
24 respectively, of the University of Alaska for all purposes.

25 (b) The president is responsible for prescribing the qualifications,  
26 and for establishing the procedure for appointment, of all community  
27 college and extension center faculty and administrative staff, whether  
28 part or full-time.

29 (c) A community college is concerned with the total educational

1 needs of the community it serves and may coordinate and facilitate all  
2 public postsecondary and continuing education in the community. Selected  
3 upper division and graduate courses offered by the university through  
4 its various divisions may be coordinated through the office of the dean  
5 or director of a community college or the coordinator of an extension  
6 center.

7 Sec. 14.40.625. COMMUNITY ADVISORY COUNCIL. (a) A community  
8 advisory council for each community college consisting of not less than  
9 seven nor more than 15 members who shall be broadly representative of  
10 the community served shall be appointed in the manner prescribed by  
11 this section and by the board by regulation. An advisory council may  
12 be appointed for an extension center at the discretion of the board.

13 (b) The term of office for an advisory council member is three  
14 years. No advisory council member may serve more than two consecutive  
15 terms; however, each advisory council member serves until his successor  
16 is appointed and qualifies. Members of an advisory council may be  
17 removed by the board or the president for cause. The board, by regula-  
18 tion, shall designate the appointing authority for members of community  
19 advisory councils and shall provide for the filling of vacancies in  
20 advisory councils. Each community advisory council shall adopt by-laws  
21 which shall provide for the election of officers, establishment of  
22 meeting schedules and meeting notices, rules of procedure and quorums.

23 (c) Members of an advisory council receive no compensation for  
24 their services, but they may be reimbursed for the expenses incurred  
25 in the performance of their duties in the manner prescribed by the board  
26 by regulation.

27 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to  
28 meetings of community advisory councils in the same manner and to the  
29 same extent applicable to meetings of the Board of Regents, its

1 committees and subcommittees.

2 (e) An advisory council acts in an advisory capacity to the  
3 administrator of the community college, coordinator of an extension  
4 center and to the administrator of the region in which the college or  
5 center is located, the executive vice president and president of the  
6 university, and to the Board of Regents, and serves as a communications  
7 link between the community served by the college or center and the  
8 University of Alaska. An advisory council shall review and make recom-  
9 mendations concerning the proposed program budget for the community  
10 college or extension center for each fiscal year before it is submitted  
11 to the regional or statewide administration and to the Board of Regents.  
12 An advisory council may make recommendations relating to the general  
13 operation and management of the community college or extension center,  
14 including but not limited to:

15 (1) planning for, and review of, the types of instructional  
16 programs and activities and facilities that the community college or  
17 extension center should provide to meet community needs;

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

20 (3) the means of gaining support for the university's pro-  
21 gram in that community.

22 (f) If a senior college or regional center is located in the  
23 same community or service area as a community college or extension  
24 center, the scope of the community advisory council's authority and  
25 responsibility set forth in (e) of this section may be expanded by the  
26 board by regulation to include comparable authority and responsibility  
27 for reviewing the general operation and management of the senior college  
28 or regional center in the same manner and to the same extent prescribed  
29 for a community college or extension center.

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

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

7           (1) "board" means Board of Regents of the University of  
8 Alaska;

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

14           (3) "president" means the President of the University of  
15 Alaska;

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

21           (5) "university" means the University of Alaska.

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

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

25 \* Sec. 3. A cooperative agreement between the Board of Regents of the  
26 University of Alaska and a school district, municipality, or an agency of the  
27 federal government, with respect to the establishment, operation and mainten-  
28 ance of a community college or an extension center and in effect on the  
29 effective date of this Act shall remain in effect until its agreed expiration

1 and may be modified or extended by mutual agreement unless, before the  
2 agreed expiration, it is mutually cancelled by the contracting parties in  
3 accordance with law.

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