

1 IN THE HOUSE

BY SWANSON

2 HOUSE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized
7 borough; and providing for an effective date."

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

9 * Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 * Sec. 2. AS 14.08 is amended by adding new sections to read:

11 CHAPTER 8. ALASKA STATE-OPERATED SCHOOLS [SCHOOL SYSTEM].

12 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter
13 to provide for public education in the unorganized borough.

14 (b) Nothing in this chapter prohibits an organized borough, city,
15 village, community or settlement in an unorganized area of the state
16 from becoming part of or being formed into an organized political sub-
17 division authorized under AS 29.

18 Sec. 14.08.021. GOVERNANCE. The state Board of Education organized
19 under AS 14.07.075 is the board of directors of the Alaska state-operated
20 schools.

21 Sec. 14.08.031. AUTHORITY. The board has exclusive management and
22 control of all state-operated school matters associated with the state's
23 program of education at the elementary and secondary levels subject to
24 the state laws and the regulations promulgated by the board.

25 Sec. 14.08.041. ADMINISTRATION. (a) There is in the Department
26 of Education a division of state-operated schools. The director of the
27 division of state-operated schools is the chief school administrator of
28 the state-operated school district. The director shall be appointed by
29 the commissioner and serve at his pleasure, subject to the approval of

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1 the board. The director shall appoint assistant directors, supervisors,
2 professional and nonprofessional staff in the manner prescribed by state
3 law or by regulation promulgated by the board.

4 (b) The director shall insure that the programs and policies of the
5 board and of the commissioner are faithfully discharged.

6 (c) The principal offices for the administration of the state-
7 operated schools shall be located at a site prescribed by the board.

8 Sec. 14.08.051. POWERS AND DUTIES. (a) The state Board of Educa-
9 tion, as the board of directors for the state-operated schools, has the
10 same powers and duties as a city or borough school district under chs.
11 12 and 14 of this title.

12 (b) In addition, the board shall

13 (1) develop a philosophy of education, principles, and goals
14 for the state-operated schools;

15 (2) approve the employment of the professional administrators,
16 teachers, and nonprofessional administrative personnel necessary to the
17 operation of the state-operated schools;

18 (3) establish the salaries to be paid the director and its
19 regularly employed, certificated staff members;

20 (4) promulgate regulations governing organization, policies,
21 and procedures, and make printed copies available to all personnel;

22 (5) initiate questions of policy for consideration and report
23 by the director, and pass upon the recommendations of the director in
24 matters of policy, appointment or dismissal of employees, salary schedules
25 or personnel regulations, and other matters pertaining to the welfare of
26 the schools;

27 (6) require reports from the director concerning conditions of
28 efficiency and needs of the schools, and take steps to appraise the
29 effectiveness with which the schools are achieving the educational

1 purposes of the schools;

2 (7) submit an annual budget to the governor for inclusion in
3 the state budget under the Executive Budget Act (AS 37.07);

4 (8) before October 1 of each year, cause the school accounts
5 for the year ending the preceding June to be audited by a certified
6 accountant, and immediately afterwards file a certified copy of the
7 audit report with the commissioner;

8 (9) designate the administrative employees authorized to
9 direct disbursements from the school funds of the board;

10 (10) submit the reports prescribed for all school districts;

11 (11) establish, maintain, operate, discontinue, and combine
12 state-operated schools where it considers necessary;

13 (12) provide for the construction, purchase, rental, mainten-
14 ance, and equipment of the necessary school buildings or classrooms for
15 the state-operated schools;

16 (13) pay tuition and boarding or transportation costs of
17 secondary school students in cases in which the establishment of state-
18 operated secondary schools is unsound for economic or educational reasons.

19 Sec. 14.08.061. CONFLICT OF INTERST; DISQUALIFICATION FROM VOTING.

20 A board member having direct or indirect pecuniary interest in a contract
21 for erection of buildings, heating, ventilation, furnishing or repairing
22 the buildings, or in a contract for the furnishing of supplies, for a
23 state-operated school is disqualified from voting on any question involv-
24 ing his pecuniary interest.

25 Sec. 14.08.071. FINANCE. (a) There is created in the Department
26 of Education the state-operated school fund.

27 (b) All funds appropriated by the legislature for the operation of
28 state-operated schools shall be paid by the Department of Administration
29 upon requisition by the director of state-operated schools. These funds

1 shall be made payable to the board and shall be deposited in the state-
2 operated school fund. The amount received may not be transferred to any
3 other fund unless authorized by the board and state law.

4 Sec. 14.08.081. FEDERAL ASSISTANCE. (a) The director is respon-
5 sible for the submission of applications for federal assistance for the
6 unorganized areas through the commissioner of education, who, after
7 reviewing the applications, shall transmit them to the board for approval
8 and, if approved, to the appropriate federal agency.

9 (b) Federal funds and assistance allocated to unorganized areas
10 shall be deposited in the state-operated school fund and may not be
11 transferred to any other fund unless authorized by the board and state
12 law.

13 Sec. 14.08.091. SUPPLIES AND EQUIPMENT FOR STATE-OPERATED SCHOOLS.
14 The board may

15 (1) order, in advance of the school year for which required,
16 necessary supplies and equipment for the state-operated schools;

17 (2) obligate funds required for these purchases in advance of
18 the fiscal year for which appropriated or authorized.

19 Sec. 14.08.101. BILINGUAL EDUCATION. (a) A state-operated school
20 which is attended by at least 15 pupils whose primary language is other
21 than English shall have at least one teacher who is fluent in the native
22 language of the area where the school is located. Written and other
23 educational materials, when language is a factor, shall be presented
24 in the language native to the area.

25 (b) The board shall promulgate regulations to carry out the
26 purposes of this section.

27 Sec. 14.08.111. BILINGUAL EDUCATION FUND. There is in the Depart-
28 ment of Education a bilingual education fund which is an account in the
29 general fund to receive money appropriated by the legislature for bilingual

1 education and to be used for bilingual education program implementation.

2 Sec. 14.08.121. DEFINITIONS. In this chapter

3 (1) "board" means the state Board of Education acting as the
4 board of directors of the state-operated school district;

5 (2) "commissioner" means the commissioner of education;

6 (3) "department" means the Department of Education;

7 (4) "director" means the director of the division of state-
8 operated schools acting as the chief school administrator for the state-
9 operated school district.

10 * Sec. 3. AS 14.12.010 is amended to read:

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

13 (1) each first [, SECOND, AND THIRD] class city in the
14 unorganized borough is a city school district;

15 (2) each organized borough is a borough school district;

16 (3) the area outside organized boroughs and outside first
17 [, SECOND, AND THIRD] class cities is the state-operated school district.

18 * Sec. 4. The property and assets of the state-operated schools are
19 transferred to the Department of Education in the manner the department deter-
20 mines. The liabilities of the state-operated schools shall be assumed by the
21 general fund of the state. All litigation, hearings, investigations and other
22 proceedings pending under a law amended or functions which may be transferred
23 by this Act, continue in effect and may be continued and completed notwith-
24 standing a transfer or amendment provided for in this Act. Certificates,
25 orders, rules or regulations issued or filed under authority of a law amended
26 by this Act or functions which may be transferred by this Act, remain in
27 effect for the term issued, unless revoked, vacated, or otherwise modified
28 under the provisions of this Act. All contracts or other obligations created
29 by a law amended by this Act or by virtue of functions which may be transferred

1 by this Act, and in effect on the effective date of this Act, remain in effect
2 unless revoked, or modified under the provisions of this Act.

3 * Sec. 5. This Act takes effect July 1, 1975.
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