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Referred: Health, Education &
Social Services and Finance

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

1 IN THE HOUSE

2 SCS CS HOUSE BILL NO. 144 (FIN)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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, to expand the opportunity for
18 obtaining a postsecondary education throughout the state beyond the
19 confines of the established campuses of the university.

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

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

27 (2) occupational education including vocational-technical
28 programs and cooperative education in conjunction with employment in
29 business and industry that enable the student to develop technical

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1 skills in a chosen trade or occupation and lead either to a degree or
2 a certificate of completion;

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

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

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

15 (b) A community college or an extension center may be established
16 by the Board of Regents only in accordance with the minimum criteria
17 established by this section, as supplemented by the board by regulation.

18 (c) The establishment of a community college or an extension
19 center may be proposed 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;

25 (4) the Alaska Commission on Postsecondary Education or the
26 state advisory council on community colleges created under secs. 901 -
27 915 of this chapter;

28 (5) the legislature by concurrent resolution; or

29 (6) the board.

1 (d) A new community college or a new extension center may not
2 be established until a feasibility study as to the need for its estab-
3 lishment in the community or area to be served has been completed
4 either as directed by the board, or by a proponent under (c) of this
5 section, and approved by the board. The feasibility study shall be
6 submitted to the respective finance and education policy committees of
7 each house of the legislature and to the Alaska Commission on Post-
8 secondary Education.

9 (e) The feasibility study required in (d) of this section shall
10 include but is not limited to:

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

14 (2) a description of the boundary of the service area for the
15 proposed community college;

16 (3) estimated and projected enrollment;

17 (4) proposed core faculty and administrative staffing;

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

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

24 (7) a proposed agreement with the school district, munic-
25 ipality or federal agency under sec. 585(a) of this chapter.

26 (f) If in any community where a community college has been
27 proposed, the level of demand for postsecondary and continuing educa-
28 tion as determined by the feasibility study required under (d) of
29 this section is more limited than that required for the establishment

1 of a comprehensive community college program, the board may establish
2 an extension center.

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

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

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

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

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

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

29 Sec. 14.40.595. FINANCE. (a) The state is basically responsible

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

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

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

13 Sec. 14.40.605. ADMINISTRATION. (a) The chief administrative
14 officer of the community college and extension center system of the
15 university is a vice-president for community colleges whose responsi-
16 bility is the community colleges and extension centers, working with
17 the community college administrators, extension center coordinators
18 and regional administrators. The vice-president shall be appointed by
19 the president and is subject to the direction of the president and the
20 board.

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

23 (c) Each extension center is under the direction of a coordinator
24 appointed by the regional administrator in the manner prescribed by
25 the board by regulation.

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

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

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

8 Selected upper division and graduate courses offered by the university
9 through its various divisions may be coordinated through the office of
10 the dean or director of a community college or the coordinator of an
11 extension center.

12 Sec. 14.40.625. COMMUNITY ADVISORY COUNCIL. (a) A community
13 advisory council for each community college consisting of not less
14 than seven nor more than 15 members who shall be broadly representative
15 of the community served, including faculty and student representation,
16 shall be appointed in the manner prescribed by this section and by the
17 board by regulation. An advisory council may be appointed for an
18 extension center at the discretion of the board.

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

29 (c) Members of an advisory council receive no compensation for

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

4 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to
5 meetings of community advisory councils in the same manner and to the
6 same extent applicable to meetings of the Board of Regents, its
7 committees and subcommittees.

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

21 (1) planning for, and review of, the types and uses of
22 instructional programs and activities and types and uses of facilities
23 that the community college or extension center should provide to meet
24 community needs;

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

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

29 (f) If a senior college or regional center is located in the

1 same community or service area as a community college or extension
2 center, the scope of the community advisory council's authority and
3 responsibility set out in (e) of this section may be expanded by the
4 board by regulation to include comparable authority and responsibility
5 for reviewing the general operation and management of the senior college
6 or regional center in the same manner and to the same extent prescribed
7 for a community college or extension center.

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

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

14 (1) "board" means Board of Regents of the University of
15 Alaska;

16 (2) "municipality" means a home rule or general law borough
17 or city including but not limited to a unified municipality organized
18 under AS 29.68;

19 (3) "president" means the president of the University of
20 Alaska;

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

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

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 the
3 federal government, with respect to the establishment, operation and mainte-
4 nance of a community college or an extension center and in effect on the
5 effective date of this Act shall remain in effect until its agreed expiration
6 and may be modified or extended by mutual agreement unless, before the
7 agreed expiration, it is mutually cancelled by the contracting parties in
8 accordance with law. Nothing in sec. 1 of this Act affects the status of
9 a community college or extension center established, maintained and in
10 operation under a cooperative agreement between the Board of Regents and
11 a school district, municipality or an agency of the federal government on
12 the effective date of this Act.

13 * Sec. 4. This Act takes effect July 1, 1975.
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