

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

Offered: 5/17/75
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 144 (Finance)

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, extension centers and outreach programs is an integral
13 part of the statewide University of Alaska and includes degree and
14 nondegree programs of postsecondary and continuing education established
15 by the Board of Regents of the University of Alaska in cooperation with
16 the governing bodies of school districts or municipalities in the state,
17 with an agency of the federal government, or with a nonprofit corpora-
18 tion or association to expand the opportunity for obtaining a post-
19 secondary education throughout the state beyond the confines of the
20 established campuses of the university.

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

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

28 (2) occupational education including vocational-technical
29 programs and cooperative education in conjunction with employment in

1 business and industry that enable the student to develop technical
2 skills in a chosen trade or occupation and lead either to a degree or a
3 certificate of completion;

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

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

9 (c) The university also shall develop an educational delivery
10 system the principal objective of which is the outreach of the univer-
11 sity into rural Alaska. The statewide system of community colleges,
12 extension centers and outreach programs shall administer and conduct
13 postsecondary educational programs, including but not limited to off-
14 campus study and credit and noncredit courses that may or may not lead
15 to associate, baccalaureate or advanced degrees.

16 Sec. 14.40.575. ESTABLISHMENT. (a) Since postsecondary and
17 continuing education is a statewide responsibility, the university, as
18 the need arises, may enter into a cooperative agreement with an agency
19 of the federal government, a school district, a municipality or a
20 nonprofit corporation or association for the establishment, operation
21 and maintenance of appropriate public postsecondary and continuing
22 educational programs and activities in community colleges, extension
23 centers or by other means.

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

27 (c) The establishment of a community college or an extension
28 center may be proposed by

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

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(2) an agency of the federal government;

(3) petition of interested citizens in the community or area to be served; a nonprofit corporation or association;

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

(5) the legislature by concurrent resolution; or

(6) the board.

(d) A new community college or a new extension center may not be established until a feasibility study as to the need for its establishment in the community or area to be served has been completed either as directed by the board, or by a proponent under (c) of this section, and approved by the board. The feasibility study shall be submitted to the respective finance and education policy committees of each house of the legislature and to the Alaska Commission on Postsecondary Education.

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

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

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

(3) estimated and projected enrollment;

(4) proposed core faculty and administrative staffing;

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

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

3 (7) a proposed agreement with the school district, munic-
4 pality or federal agency or a nonprofit corporation or association under
5 sec. 585(a) of this chapter.

6 (f) If in any community where a community college has been proposed,
7 the level of demand for postsecondary and continuing education as deter-
8 mined by the feasibility study required under (d) of this section is
9 more limited than that required for the establishment of a comprehensive
10 community college program, the board may establish an extension center
11 or an outreach program.

12 Sec. 14.40.585. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
13 FEDERAL AGENCY. (a) A school district, municipality, federal agency or
14 nonprofit corporation or association may make an agreement with the
15 University of Alaska for the establishment, operation and maintenance of
16 a community college, an extension center or off-campus instruction
17 through an outreach program. The agreement shall include, but is not
18 limited to:

19 (1) recognition that complete operational authority resides
20 with the university, subject to periodic reviews by the cooperating
21 school district, municipality, federal agency or nonprofit corporation
22 or association and appropriate reports to ensure program articulation
23 and effective cross-utilization of facilities;

24 (2) provision for cooperative planning of program and facili-
25 ties needs and for cross-utilization of facilities;

26 (3) provision that local funding, in addition to student fees
27 or in-kind contributions, may be provided for support of those general
28 education courses, described in sec. 565(b)(3) of this chapter, or
29 secondary school-related courses as the school district, municipality,

1 federal agency or nonprofit corporation or association considers appro-
2 priate; and

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

4 (b) If separate facilities are financed, constructed or maintained
5 from federal, state or private funds for programs and activities of the
6 community college, extension center or outreach program, then the board
7 has title to and control of the separate facilities used for these
8 purposes. If separate facilities are financed, constructed or maintained
9 from school district, municipality or nonprofit corporation or associa-
10 tion funds for community college or extension center or outreach programs
11 and activities, the school district, municipality or nonprofit corpora-
12 tion or association has title to and control of the separate facilities
13 used for these purposes.

14 Sec. 14.40.595. FINANCE. (a) The state is basically responsible
15 for the funding for all community college, extension center or outreach
16 programs and activities. However, nothing in secs. 565 - 655 of this
17 chapter prohibits a school district, municipality, federal agency or
18 nonprofit corporation or association from providing funds for additional
19 courses and programs which may be considered appropriate under sec.
20 585(a)(3) of this chapter.

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

26 (c) All funds received for community college, extension center or
27 outreach programs operations shall be administered in the manner pre-
28 scribed by the board by regulation.

29 Sec. 14.40.605. ADMINISTRATION. (a) The president of the univer-

1 sity shall appoint a chief administrative officer for the community
2 college and extension center system whose primary responsibility is the
3 community colleges, extension centers and outreach programs statewide,
4 working with the community college administrators, extension center
5 coordinators and regional administrators. The chief administrative
6 officer is responsible directly to the president. In addition to his
7 responsibility for the administration of on-campus programs for the
8 community colleges and extension centers, the chief administrative
9 officer shall develop and administer off-campus educational delivery
10 systems and outreach programs for rural areas of the state.

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

13 (c) Each extension center is under the direction of a coordinator
14 appointed by the regional administrator in the manner prescribed by the
15 board by regulation.

16 (d) A central service organization for the community colleges,
17 extension centers and for the outreach programs shall be created and
18 regional service centers shall be established to administer the outreach
19 programs and to provide postsecondary educational services to the
20 residents of the rural areas of the state in each service area for which
21 a regional center is established. In a service area where a community
22 college or extension center is located, the regional service center
23 shall be integrated with the operation of the community college or exten-
24 sion center.

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

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

5 (c) A community college, extension center or outreach program is
6 concerned with the total educational needs of the area it serves and may
7 coordinate and facilitate all public postsecondary and continuing educa-
8 tion in the area. Selected upper division and graduate courses offered
9 by the university through its various divisions may be coordinated
10 through the office of the dean or director of a community college, the
11 coordinator of an extension center, or the administrator of an outreach
12 program.

13 Sec. 14.40.625. COMMUNITY POLICY COUNCIL. (a) A community policy
14 council, the majority of whose members shall be persons served by the
15 programs developed and administered under secs. 565 - 655 of this
16 chapter, shall be established for each community college and for the
17 central service organization. The council shall consist of not less
18 than seven nor more than 15 members who shall be broadly representative
19 of the area served, including faculty and student representation.
20 A policy council shall be appointed for an extension center and for each
21 regional service center, when the center is not integrated with a com-
22 munity college or extension center, at the discretion of the board.

23 (b) The board, by regulation, shall designate the appointing
24 authority for members of community policy councils, prescribe the term
25 of office, procedure for removal and for the filling of vacancies on
26 the councils. Each community policy council shall adopt bylaws which
27 shall provide for the election of officers, establishment of meeting
28 schedules and meeting notices, rules of procedure and quorums.

29 (c) Members of a policy council receive no compensation for their

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

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

8 (e) A community policy council acts in a policy-making capacity
9 with respect to the administrator of the community college, coordinator
10 of an extension center or administrator of an outreach program. It acts
11 in an advisory capacity to the administrator of the region in which the
12 college, center or program is located, to the chief administrative
13 officer for community colleges, extension centers and outreach programs,
14 and to the president of the university and the Board of Regents.

15 (f) The community policy council serves as a communications link
16 between the area served by the community college, extension center or
17 outreach program and the University of Alaska. Requests and recommenda-
18 tions by a community policy council shall be answered in writing by the
19 addressee.

20 (g) A community policy council shall review and make recommenda-
21 tions

22 (1) concerning the selection of the administrator of the
23 community college, extension center or outreach program;

24 (2) concerning the proposed program budget for the community
25 college, extension center or outreach program for each fiscal year
26 before it is submitted to the regional or statewide administration and
27 to the Board of Regents; and

28 (3) relating to the general operation and management of the
29 community college, extension center or outreach program, including but

1 not limited to:

2 (A) planning for, and review of, the types and uses of
3 instructional programs and activities and types and uses of facili-
4 ties that the community college, extension center or outreach
5 program should provide to meet area needs;

6 (B) the level of staffing and funding for these pro-
7 grams, activities or facilities; and

8 (C) the means of gaining support for the university's
9 program in that area.

10 Sec. 14.40.635. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established by the university under secs. 565 - 655 of
13 this chapter in cooperation with a school district, municipality, an
14 agency of the federal government or a nonprofit corporation or associa-
15 tion, shall be operated and maintained under regulations prescribed by
16 the board.

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

18 (1) "board" means Board of Regents of the University of
19 Alaska;

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

23 (3) "outreach program" means either an off-campus educational
24 delivery system or program, whether or not conducted in a physical
25 facility, designed for the conduct of instruction in localities in the
26 rural areas of the state where there is no community college or exten-
27 sion center;

28 (4) "president" means the president of the University of
29 Alaska;

1 (5) "service area" means one or more school districts or
2 municipalities, combinations or portions of each or of the unorganized
3 borough, which when combined are considered an educationally serviceable
4 unit for the establishment, operation and maintenance of a community
5 college, an extension center or an outreach program in cooperation with
6 the university;

7 (6) "university" means the University of Alaska.

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

10 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

11 * Sec. 3. AS 14.40.100 is amended to read:

12 Sec. 14.40.100. [COLLEGE] EXTENSION SERVICE. The regents shall
13 [MAY] conduct an [A COLLEGE] extension service, the principal objectives
14 [LEADING OBJECT] of which are the outreach of the university into rural
15 Alaska and the development and administration of off-campus educational
16 delivery systems and programs, including but not limited to off-campus
17 study and credit and noncredit courses that may or may not lead to
18 associate, baccalaureate or advanced degrees [IS TO CARRY INFORMATION ON
19 RURAL LIFE SUBJECTS TO THE PEOPLE OF THE STATE].

20 * Sec. 4. A cooperative agreement between the Board of Regents of the
21 University of Alaska and a school district, municipality, or an agency of the
22 federal government, with respect to the establishment, operation and mainte-
23 nance of a community college or an extension center and in effect on the
24 effective date of this Act shall remain in effect until its agreed expiration
25 and may be modified or extended by mutual agreement unless, before the
26 agreed expiration, it is mutually cancelled by the contracting parties in
27 accordance with law. Nothing in sec. 1 of this Act affects the status of a
28 community college or extension center established, maintained and in operation
29 under a cooperative agreement between the Board of Regents and a school

1 district, municipality or an agency of the federal government on the effective
2 date of this Act.

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