

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

Offered: 5/22/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 144
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community colleges; and providing
7 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, off-campus centers and outreach programs is an integral
13 part of the statewide university system and includes degree and non-
14 degree programs of postsecondary and continuing education established by
15 the Board of Regents of the University of Alaska either independently or
16 in cooperation with the governing bodies of school districts or munici-
17 palities in the state, with an agency of the federal government, or with
18 a nonprofit corporation or association to expand the opportunity for
19 obtaining a postsecondary education throughout the state beyond the
20 confines of the 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) academic courses and curricula that lead to associate
26 degrees, or that enable the student to transfer to a four-year insti-
27 tution of higher 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 statewide system of community colleges, off-campus centers
10 and outreach programs also shall develop an educational delivery system
11 the principal objective of which is the outreach of the university into
12 rural Alaska. It shall administer and conduct postsecondary educational
13 programs, including but not limited to off-campus study and credit and
14 noncredit courses that may or may not lead to associate, baccalaureate
15 or advanced degrees.

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

24 (b) A community college or an off-campus 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 off-campus
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 off-campus 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 for information purposes 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 or off-campus center is to be located;

(2) a description of the boundary of the service area for the proposed community college or off-campus center;

(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 policy 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 pro-
7 posed, the level of demand for postsecondary and continuing education as
8 determined by the feasibility study required under (d) of this section
9 is more limited than that required for the establishment of a compre-
10 hensive community college program, the board may establish an off-campus
11 center 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 off-campus 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, off-campus 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 main-
9 tained from school district, municipality or nonprofit corporation or
10 association funds for community college or off-campus center or outreach
11 programs and activities, the school district, municipality or nonprofit
12 corporation or association has title to and control of the separate
13 facilities used for these purposes.

14 Sec. 14.40.595. FINANCE. (a) The state is basically responsible
15 for the funding for all community college, off-campus 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 chancellor shall prepare a complete program budget for
22 each community college, off-campus center and outreach program in his
23 division including all courses, programs and activities regardless of
24 the source of funding, including but not limited to funds from fees,
25 gifts, bequests, grants, contracts, or agreements.

26 (c) All funds received for community college, off-campus 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 Board of Regents shall

1 establish two administrative divisions within the university for the
2 administration of the community colleges, off-campus centers and out-
3 reach programs statewide: an urban education division and a rural
4 education division. The urban education division consists of the com-
5 munity colleges, off-campus centers and outreach programs designated by
6 the board that are located in the major urban centers of, or in any
7 other geographically identifiable and self-contained region in, the
8 state. The rural education division consists of the community colleges,
9 off-campus centers and outreach programs designated by the board that
10 are located outside the major urban centers of the state.

11 (b) The chief administrative officer for each division shall be a
12 chancellor. Each chancellor shall be appointed by and is responsible
13 directly to Board of Regents. In addition to his responsibility for the
14 administration of programs for the community colleges and off-campus
15 centers assigned to his division, each chancellor shall develop and
16 administer off-campus educational delivery systems and outreach programs
17 for the urban or rural areas of the state appropriate to each division.

18 (c) Each chancellor shall

19 (1) subject to the approval of the board, and on recommenda-
20 tion of the appropriate community policy council, appoint the administra-
21 tor for each community college, off-campus center or outreach program in
22 his division;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) coordinate and give general direction to the work of the
26 colleges, centers and programs in his division in accordance with the
27 policies established by the board.

28 (d) The chancellor for each appropriate division may appoint the
29 faculty and other officers and employees of each community college,

1 off-campus center or outreach program, on recommendation of the adminis-
2 trator of each; however, with the approval of the board, the chancellor
3 may delegate the authority to appoint faculty, officers and employees to
4 the administrator of each college, center or program.

5 (e) A central service organization for the system of community
6 colleges, off-campus centers and for the outreach programs in each divi-
7 sion may be created and regional service centers may be established to
8 administer the outreach programs and to provide postsecondary educa-
9 tional services to the residents of the urban or rural areas of the
10 state in each service area for which a regional center is established.
11 In a service area where a community college or off-campus center is
12 located, the regional service center shall be integrated with the opera-
13 tion of the community college or off-campus center.

14 Sec. 14.40.615. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
15 members of the faculty and administrative staff of each division, com-
16 munity college and off-campus center are members of the faculty and
17 administrative staff, respectively, of the University of Alaska for all
18 purposes.

19 (b) The chancellor for each division is responsible for prescrib-
20 ing the qualifications, and for establishing the procedure for appoint-
21 ment, of all division, community college and off-campus center faculty
22 and administrative staff, whether part or full-time.

23 (c) A community college, off-campus center or outreach program is
24 concerned with the total educational needs of the area it serves and may
25 coordinate and facilitate all public postsecondary and continuing educa-
26 tion in the area. With the approval of the appropriate chancellor,
27 selected upper division and graduate courses offered by the university
28 may be coordinated through the office of the administrator of a community
29 college, an off-campus center, or an outreach program.

1 Sec. 14.40.625. COMMUNITY POLICY COUNCIL. (a) A community policy
2 council, the majority of whose members shall be persons served by the
3 programs developed and administered under secs. 565 - 655 of this
4 chapter, shall be established for each community college. Each council
5 shall consist of not less than seven nor more than 15 members who shall
6 be broadly representative of the area served, including faculty and
7 student representation. A policy council shall be appointed for an off-
8 campus center and for each regional service center, when the center is
9 not integrated with a community college or off-campus center, at the
10 discretion of the board.

11 (b) The board, by regulation, shall designate the appointing
12 authority for members of community policy councils, prescribe the term
13 of office, procedure for removal and for the filling of vacancies on the
14 councils. Each community policy council shall adopt bylaws which shall
15 provide for the election of officers, establishment of meeting schedules
16 and meeting notices, rules of procedure and quorums.

17 (c) Members of a policy council receive no compensation for their
18 services, but they may be reimbursed for the expenses incurred in the
19 performance of their duties in the manner prescribed by the board by
20 regulation.

21 (d) The provisions of AS 14.40.160 and AS 44.62.310 apply to
22 meetings of community policy councils in the same manner and to the same
23 extent applicable to meetings of the Board of Regents, its committees
24 and subcommittees.

25 (e) A community policy council acts in a policy-making capacity
26 with respect to the administrator of the community college, coordinator
27 of an off-campus center or administrator of an outreach program. It
28 acts in an advisory capacity to the chancellor for the appropriate
29 division and to the Board of Regents.

1 (f) The community policy council serves as a communications link
2 between the area served by the community college, off-campus center or
3 outreach program and the division chancellor and Board of Regents of the
4 University of Alaska. Requests and recommendations by a community
5 policy council shall be answered in writing by the addressee.

6 (g) A community policy council shall review and make recommenda-
7 tions

8 (1) concerning the selection of the administrator of the
9 community college, off-campus center or outreach program;

10 (2) concerning the proposed program budget for the community
11 college, off-campus center or outreach program for each fiscal year
12 before it is submitted to the division administration and to the Board
13 of Regents; and

14 (3) relating to the general operation and management of the
15 community college, off-campus center or outreach program, including but
16 not limited to:

17 (A) planning for, and review of, the types and uses of
18 instructional programs and activities and types and uses of facili-
19 ties that the community college, off-campus center or outreach
20 program should provide to meet area needs;

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

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

25 Sec. 14.40.635. REGULATIONS. A community college, an off-campus
26 center, an outreach program, or a central or regional service center for
27 that program, established by the Board of Regents under secs. 565 - 655
28 of this chapter in cooperation with a school district, municipality, an
29 agency of the federal government or a nonprofit corporation or

1 association, shall be operated and maintained under regulations pre-
2 scribed by the board.

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

4 (1) "board" means Board of Regents of the University of
5 Alaska;

6 (2) "chancellor" means the chief administrative offices of
7 either the urban education or rural education divisions of the university;

8 (3) "municipality" means a home rule or general law borough
9 or city including but not limited to a unified municipality organized
10 under AS 29.68;

11 (4) "outreach program" means either an off-campus educational
12 delivery system or program, whether or not conducted in a physical
13 facility, designed for the conduct of instruction in localities in the
14 rural areas of the state where there is no community college or off-
15 campus center;

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

18 (6) "service area" means one or more school districts or
19 municipalities, combinations or portions of each or of the unorganized
20 borough, which when combined are considered an educationally serviceable
21 unit for the establishment, operation and maintenance of a community
22 college, an off-campus center or an outreach program in cooperation with
23 the university;

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

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

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

28 * Sec. 3. AS 14.40.170(a)(1), (2) and (4) are amended to read:

29 (1) appoint the president of the university and the chancellors

1 of the urban education and rural education divisions established under
2 sec. 605 of this chapter by a majority vote of the whole board, and the
3 president and the chancellors may attend meetings of the board;

4 (2) fix the compensation of the president of the university,
5 the chancellors, all heads of departments, professors, teachers, in-
6 structors and other officers;

7 * Sec. 4. AS 14.40.170(b)(2) is amended to read:

8 (2) determine and regulate the course of instruction in the
9 university with the advise of the president and the chancellors.

10 * Sec. 5. AS 14.40.240 is amended to read:

11 Sec. 14.40.240. POWER OF PRESIDENT, CHANCELLORS TO SUSPEND AND
12 EXPEL STUDENTS. The power to suspend and expel a student for misconduct
13 or other cause and to reinstate him is vested [SOLELY] in the president
14 of the university and in the chancellors of the divisions established
15 under sec. 605 of this chapter.

16 * Sec. 6. AS 14.40.260(1) is amended to read:

17 (1) make a continuing study of the principles and appli-
18 cability of the comprehensive community [JUNIOR] college to the state;

19 * Sec. 7. A cooperative agreement between the Board of Regents of the
20 University of Alaska and a school district, municipality, or an agency of the
21 federal government, with respect to the establishment, operation and mainte-
22 nance of a community college or an off-campus center and in effect on the
23 effective date of this Act shall remain in effect until its agreed expiration
24 and may be modified or extended by mutual agreement unless, before the agreed
25 expiration, it is mutually cancelled by the contracting parties in accordance
26 with law. Nothing in sec. 1 of this Act affects the status of a community
27 college or off-campus center established, maintained and in operation under a
28 cooperative agreement between the Board of Regents and a school district,
29 municipality or an agency of the federal government on the effective date of

1 this Act.

2 * Sec. 8. This Act takes effect July 1, 1976.

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