

Introduced: 3/15/78
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 (S) HOUSE BILL NO. 891 (FINANCE)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the reorganization of the Uni-
7 versity of Alaska; and providing for an effective date."

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

9 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds

10 (1) that the accelerated growth of the University of Alaska in
11 recent years has reached the point at which the highly centralized governance
12 and administrative structure of earlier years is no longer adequate;

13 (2) that the traditional Alaskan characteristics of independence,
14 self-reliance and initiative, and the wide variety of needs and interests
15 at the various campuses, make a decentralization of control and operations
16 both desirable and feasible; and

17 (3) that decentralization of the university will also free the
18 Board of Regents to fulfill the governance functions which it alone can per-
19 form: the establishment and monitoring of policy and long-range planning.

20 (b) It is the purpose of this Act to ensure that authority and commen-
21 surate responsibility are delegated to the lowest level capable of assuming
22 them, that citizens served by a branch of the University of Alaska have an
23 opportunity to influence decisions which concern them, and that, within
24 funding limitations, all citizens of the state be served.

25 * Sec. 2. AS 14.40 is amended by adding new sections to read:

26 Sec. 14.40.011. UNIVERSITY OF ALASKA. (a) The University of
27 Alaska is established as a statewide system. The purpose of the uni-
28 versity system is to provide teaching, research, and public service
29 postsecondary programs for the entire state.

1 (b) The components of the statewide university system are:

2 (1) the University of Alaska at Fairbanks, which is authorized
3 to conduct degree programs on the baccalaureate, master's, and doctoral
4 levels and to offer non-credit and off-campus courses and programs as
5 may be delegated under policies of the Board of Regents;

6 (2) the University of Alaska at Anchorage, which is author-
7 ized to conduct degree programs on the baccalaureate, master's and
8 doctoral levels and to offer non-credit and off-campus courses and pro-
9 grams as may be delegated under policies of the Board of Regents;

10 (3) the University of Alaska at Juneau, which is authorized
11 to conduct degree programs on the baccalaureate and master's levels
12 designated by the Board of Regents and to offer non-credit and off-
13 campus courses and programs as may be delegated under policies of the
14 Board of Regents; and

15 (4) the community college division, comprised of those com-
16 munity colleges in existence on the effective date of this Act, which
17 are authorized to conduct lower division programs leading to asso-
18 ciate degrees as designated for each community college by the Board of
19 Regents, and to provide non-credit and community service courses and
20 specific certificate programs authorized under policies of the Board
21 of Regents; each community college, in cooperation with a university,
22 may sponsor and conduct courses which receive credit through a univer-
23 sity.

24 * Sec. 3. AS 14.40 is amended by adding a new section to read:

25 Sec. 14.40.015. NEW CAMPUSES. In addition to the components of
26 the university specified in sec. 11(b) of this chapter, a new campus
27 of the University of Alaska may be established by the Board of Regents
28 after approval by the legislature of a plan which shall contain, as a
29 minimum,

- 1 (1) a needs assessment;
- 2 (2) a description of the key elements of the educational pro-
- 3 grams to be offered; and
- 4 (3) a budget for the first year of operation of the campus
- 5 and projected budgets for the second and third years of operation.

6 * Sec. 4. AS 14.40.020 is amended to read:

7 Sec. 14.40.020. SITE OF UNIVERSITY. The University of Alaska is

8 the beneficiary under the provisions of the Act of Congress approved

9 August 30, 1890, designating the Alaska Agricultural College and School

10 of Mines as beneficiary and the four sections of land specified by the

11 Act of Congress approved March 4, 1915, and used as a site for the

12 Alaska Agricultural College and School of Mines are the site for the

13 University of Alaska at Fairbanks.

14 * Sec. 5. AS 14.40.100 is amended to read:

15 Sec. 14.40.100. COLLEGE EXTENSION SERVICE. The regents may

16 conduct, at the University of Alaska at Fairbanks, a college extension

17 service, the leading object of which is to carry information on rural

18 life subjects to the people of the state.

19 * Sec. 6. AS 14.40 is amended by adding new sections to read:

20 Sec. 14.40.105. RESEARCH CENTERS AND OUTREACH ACTIVITIES. The

21 Board of Regents, upon recommendation of the president, may assign to

22 appropriate campuses or the community college division the responsibility

23 for operation of research centers and institutes and for off-campus

24 teaching, research, and public service activities which may include but

25 are not limited to the establishment of learning centers, itinerant

26 instruction, instruction on military bases, courses taught by radio or

27 television, and correspondence courses.

28 Sec. 14.40.107. INTERCAMPUS PROGRAMS. The Board of Regents, upon

29 recommendation of the president, may establish intercampus programs

1 which it considers necessary, if funds can be made available to the
2 affected campuses.

3 Sec. 14.40.155. IMMUNITY OF REGENTS FROM PERSONAL LIABILITY.
4 Members of the Board of Regents are immune from personal liability
5 with respect to all acts done or actions taken in good faith within
6 the scope of their authority during regular and special meetings of the
7 board.

8 * Sec. 7. AS 14.40.170(a)(2) and (3) are amended to read:

9 (2) fix the compensation of the president of the university,
10 the comptroller of the university, and the chancellors, and adopt com-
11 penetration schedules or patterns for all other staff [ALL HEADS OF DE-
12 PARTMENTS, PROFESSORS, TEACHERS, INSTRUCTORS AND OTHER OFFICERS];

13 (3) approve the establishment of degree programs and deter-
14 mine their location; confer [SUCH APPROPRIATE] degrees upon completion
15 of requirements [AS IT MAY DETERMINE AND PRESCRIBE];

16 * Sec. 8. AS 14.40.170(a) is amended by adding new paragraphs to read:

17 (7) review budgets and transmit recommendations on the
18 budgets to the governor and legislature;

19 (8) approve the staffing pattern and functional responsibili-
20 ties of the president's staff;

21 (9) adopt regulations for standard administration of the
22 university system; the regulations adopted shall include, but need not
23 be limited to,

24 (A) stipulation of degrees to be offered, the degree
25 requirements and the clock hour requirements for credit courses;

26 (B) student admission standards;

27 (C) qualifications, promotion, tenure and dismissal
28 standards, and pay and fringe benefits for faculty;

29 (D) personnel policies and pay and fringe benefit

1 provisions for staff other than faculty;

2 (E) uniform accounting and business procedures;

3 (F) uniform budgeting procedures; and

4 (G) standard systemwide management information data sys-
5 tems;

6 (10) establish fee schedules for the statewide system;

7 (11) provide for both short- and long-range planning of pro-
8 grams and campus development;

9 (12) provide for both internal and external audit functions,
10 and transmit an annual audit report to the governor and legislative
11 auditor, together with its comments;

12 (13) establish policies for fiscal and management control;

13 (14) constitute the final board of appeal in all matters which
14 are within its jurisdiction, and provide for an appeal process;

15 (15) carry out other duties as prescribed by law.

16 * Sec. 9. AS 14.40.170(b) is amended by adding a new paragraph to read:

17 (3) establish policy advisory groups, both internal and
18 external, as it considers necessary.

19 * Sec. 10. AS 14.40.190 is amended to read:

20 Sec. 14.40.190. REPORT TO THE LEGISLATURE. The Board of Regents
21 shall make a written report to the legislature at the beginning of its
22 regular sessions of the condition of the university property, of all
23 receipts and expenditures, including but not limited to the administra-
24 tion and disposition of appropriated and restricted funds, and of the
25 educational and other work performed. The report shall include annually
26 updated five-year plans for program development and facilities develop-
27 ment submitted in summary form.

28 * Sec. 11. AS 14.40.210 is amended to read:

29 Sec. 14.40.210. DUTIES [POWERS] OF THE PRESIDENT OF THE UNIVERSITY.

1 The president of the University of Alaska shall [MAY]

2 (1) give general direction to the work of the institution in
3 all its departments subject to the approval of the Board of Regents;

4 (2) with the approval of the Board of Regents, appoint the
5 chancellors and the staff of the president's office; [DEANS, HEADS OF
6 DEPARTMENTS, PROFESSORS, ASSISTANTS, INSTRUCTORS, TUTORS AND OTHER
7 OFFICERS OF THE UNIVERSITY TO THE POSITIONS ESTABLISHED BY THE BOARD OF
8 REGENTS]

9 (3) provide the staff work and recommendations upon which the
10 Board of Regents may base adoption of policy and by which the board may
11 carry out its responsibility for monitoring and evaluating policy im-
12 plementation;

13 (4) provide leadership and direction for implementation of
14 policies of the Board of Regents, and provide staff assistance to the
15 chancellors to enhance and facilitate program operations;

16 (5) provide intra-system coordination, monitor and evaluate
17 the conduct of all university programs, and report periodically to the
18 Board of Regents;

19 (6) review and approve the functional organization and
20 staffing patterns submitted by the chancellors;

21 (7) provide for the compilation, publication, distribution
22 and consistent updating of the policies of the Board of Regents and regu-
23 lations of the president; and

24 (8) meet regularly with the chancellors and president's staff
25 and consult with them on the conduct of their functions.

26 * Sec. 12. AS 14.40.230 is amended to read:

27 Sec. 14.40.230. POWERS OF REGENTS TO REMOVE OFFICERS. (a) The
28 Board of Regents may remove from office any officer of the institution
29 by a majority vote of the whole board [WHEN IN ITS JUDGMENT THE GOOD OF

1 THE UNIVERSITY REQUIRES IT]. An officer removed under this section shall
2 be notified of his removal and of his opportunity to apply to the board
3 for a hearing and reconsideration of its decision.

4 (b) Upon application filed with the Board of Regents within 10
5 days of receipt of notice of removal under (a) of this section, an offi-
6 cer is entitled to a hearing before the board on the validity of the
7 cause specified in the notice of removal. The hearing shall occur within
8 30 days of the date of filing of application. Upon consideration of
9 all evidence, including evidence provided at the hearing provided in
10 accordance with this subsection, the board shall uphold or reverse the
11 decision made under (a) of this section.

12 * Sec. 13. AS 14.40 is amended by adding new sections to read:

13 ARTICLE 2A. ADMINISTRATION OF THE CAMPUSES.

14 Sec. 14.40.272. CAMPUS ADMINISTRATION AUTHORIZED. (a) Each of the
15 campuses designated in sec. 11(b)(1) - (3) and the community college
16 division established in sec. 11(b)(4) of this chapter shall be under
17 the administrative direction of a chancellor. The chancellor of each
18 campus and the chancellor of the community college division shall have
19 full authority and operational responsibility under the direction of the
20 president of the university and in compliance with the systemwide poli-
21 cies established by the Board of Regents and the regulations of the
22 president which have received the approval of the Board of Regents.

23 (b) The organizational structure of each campus, and the organiza-
24 tional structure of the community college division, shall be determined
25 by the chancellor of each campus, or the chancellor of the community
26 college division, subject to approval by the president of the university.

27 Sec. 14.40.274. DUTIES OF CHANCELLORS. The chancellor of each
28 campus, and the chancellor of the community college division, shall,
29 in relation to the unit under his administration, implement the policies

1 established by the Board of Regents and, under these policies and the
2 regulations adopted by the president, is responsible for the following
3 functions:

4 (1) leadership and supervision of all teaching, research and
5 public service programs conducted on his campus or within his division;

6 (2) presentation and submission to the Board of Regents,
7 through the president, of a complete program budget, including all
8 courses, programs and activities, regardless of their sources of funding,
9 and of requests for funds to initiate or complete construction of capital
10 improvements;

11 (3) conduct of all administrative and business services
12 essential to the operation of the campus or division, and the maintenance
13 of accurate and complete books of accounts;

14 (4) employment of faculty and support services staff and
15 provision for payroll completion and personnel services;

16 (5) provision of management information data as required by
17 the Board of Regents or the president;

18 (6) provision of an annual report to the Board of Regents,
19 through the president, relating to the conduct of programs and the
20 administration of the campus or division under his supervision;

21 (7) completion of other periodic reports which may be re-
22 quested by the president or the Board of Regents.

23 Sec. 14.40.276. DELEGATION OF COMMUNITY COLLEGE DIVISION AUTHORITY
24 TO CAMPUS PRESIDENTS. The chancellor of the community college division
25 shall delegate the administration of the administrative and supervisory
26 functions described in sec. 274 of this chapter to the presidents of the
27 community college campuses within the division, to the maximum extent
28 practicable.

29 Sec. 14.40.305. DUTIES OF THE COMPTROLLER. (a) The comptroller

1 of the university shall disburse all funds provided under secs. 290 and
2 295 of this chapter to the campuses designated in sec. 11(b)(1) - (3)
3 of this chapter, to the community college division established in sec.
4 11(b)(4) of this chapter, and to other divisions of the university for
5 their use and control in accordance with budgets approved by and appro-
6 priations provided by the legislature.

7 (b) The comptroller shall provide internal audit and control and
8 budget analysis services for the Board of Regents.

9 Sec. 14.40.315. FISCAL PROCEDURES. (a) Budgets for the compo-
10 nents of the statewide system shall be prepared in accordance with
11 general requirements set out in the Executive Budget Act (AS 37.07).
12 Budget submissions shall be completed by each chancellor or campus pre-
13 sident based upon opportunity for maximum involvement in the budget
14 preparation process by persons responsible for programs, shall reflect
15 the objectives of the programs, and shall contain supporting data and
16 justifications.

17 (b) Within the process of preparation and review of budget
18 submissions, the requests of the deans, directors and department
19 heads and the actions of community college campus presidents and chan-
20 cellors shall be clearly delineated to the members of the Board of
21 Regents.

22 (c) Recommendations of the Board of Regents shall be delineated
23 and documented in the budget prepared and forwarded to the governor in
24 accordance with AS 37.07.050. Copies of the original request from the
25 campus presidents and chancellors, together with the record of all
26 requests, changes and recommendations, shall be forwarded by the presi-
27 dent of the university to the governor and the legislature.

28 (d) The budget submission for the Board of Regents and for state-
29 wide functions and purposes shall be prepared by the president and

1 provided to the Board of Regents for its review. The budget submission
2 shall be transmitted to the governor in accordance with AS 37.07.050.

3 (e) Appropriations to the statewide university system shall specify
4 the amount appropriated to each campus designated in sec. 11(b)(1) - (3)
5 of this chapter and to each community college within the community col-
6 lege division. There shall be no transfers of funds between or among
7 the campuses designated in sec. 11(b)(1) - (3) of this section, between
8 any of those campuses and the community college division, or between
9 community colleges within the community college division. Transfers
10 between allocations for a campus may be made by the chancellor, and
11 transfers between allocations for a community college may be made by
12 the president of the community college. Transfers between allocations
13 shall be reported to the president of the university, the Board of
14 Regents, the division of budget and management in the Office of the
15 Governor, and the Legislative Budget and Audit Committee.

16 * Sec. 14. AS 14.40.440 is amended to read:

17 Sec. 14.40.440. UNIVERSITY DESIGNATED BENEFICIARY OF SMITH-LEVER
18 ACT AND EMPOWERED TO CARRY ON AGRICULTURAL EXTENSION WORK. The Univer-
19 sity of Alaska is designated as the beneficiary under the provisions of
20 the Smith-Lever Act, and may administer and carry on agricultural ex-
21 tension work in the state in cooperation with the United States Depart-
22 ment of Agriculture at the university campus in Fairbanks.

23 * Sec. 15. ASSISTANCE OF ALASKA POSTSECONDARY EDUCATION COMMISSION. The
24 Alaska Postsecondary Education Commission is directed to initiate a study to
25 develop, in cooperation with the community college division chancellor and
26 the presidents of the community colleges, a plan for financial support for
27 community colleges comparable in principle to the method of providing finan-
28 cial support for elementary and secondary education. The study and plan
29 developed shall be reviewed by the Board of Regents and forwarded to the

1 division of budget and management, Office of the Governor, and the Legislative
2 Budget and Audit Committee not later than December 1, 1978.

3 * Sec. 16. TRANSITIONAL MEASURES. (a) Except as provided in AS 14.40.-
4 020, amended by sec. 4 of this Act, in AS 14.40.100, amended by sec. 5 of
5 this Act, and AS 14.40.440, amended in sec. 14 of this Act, institutes,
6 centers or activities which are under the jurisdiction of a particular campus
7 or the jurisdiction of the division of community colleges shall continue under
8 the respective jurisdiction until changed or altered by action of the Board
9 of Regents.

10 (b) Personnel and financial services, including responsibility for campus
11 administration set out in AS 14.40.272 - 14.40.276, added by sec. 13 of this
12 Act, and fiscal procedures, set out in AS 14.40.315, added by sec. 14 of this
13 Act, shall be decentralized not later than July 1, 1979. To achieve a re-
14 sponsible transition, exceptions to the requirements imposed by AS 14.40.-
15 272 - 14.40.276 and AS 14.40.315 may be made upon specific authorization by
16 the Board of Regents and approval by the Legislative Budget and Audit Com-
17 mittee.

18 * Sec. 17. AS 14.40.560 - 14.40.640 are repealed. Community colleges
19 in existence on the effective date of this section shall continue, and all
20 agreements between a unit of a community college and a school district or
21 political subdivision entered into under authority of AS 14.40.570 - 14.40.-
22 580, repealed by this section, shall continue in force until the expiration
23 date provided in the agreement or until mutually cancelled.

24 * Sec. 18. AS 14.40.010 is repealed.

25 * Sec. 19. Section 3 of this Act takes effect July 1, 1980. Sections 1,
26 2, and 4 - 18 of this Act take effect July 1, 1978.

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