

Original sponsor: Health, Education
and Social Services Committee

Offered: 4/14/78
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 891

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
8 date."

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

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

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(1) that the accelerated growth of the University of Alaska in

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recent years has reached the point at which the highly centralized governance
13 and administrative structure of earlier years is no longer adequate;

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(2) that the traditional Alaskan characteristics of independence,

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self-reliance and initiative, and the wide variety of needs and interests at
16 the various campuses, make a decentralization of control and operations both

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desirable and feasible; and

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(3) that decentralization of the university will also free the

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Board of Regents to fulfill the governance functions which it alone can per-
20 form: the establishment and monitoring of policy and long-range planning.

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

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

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Sec. 14.40.011. UNIVERSITY OF ALASKA. (a) The University of

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Alaska is established as a statewide system, with its statewide offices
29 located at the state capital. The purpose of the university system is

1 to provide teaching, research, and public service postsecondary programs
2 for the entire state.

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

4 (1) the University of Alaska at Fairbanks, which is autho-
5 rized to conduct degree programs on the baccalaureate, master's, and
6 doctoral levels and to offer non-credit and off-campus courses and
7 programs of research and community service, subject to regulations of
8 general applicability to institutions offering baccalaureate and grad-
9 uate degrees which may be adopted by the Board of Regents;

10 (2) the University of Alaska at Anchorage, which is author-
11 ized to conduct degree programs on the baccalaureate, master's and
12 doctoral levels and to offer non-credit and off-campus courses and pro-
13 grams of research and community service, subject to regulations of
14 general applicability to institutions offering baccalaureate and grad-
15 uate degrees which may be adopted by the Board of Regents;

16 (3) the University of Alaska at Juneau, which is authorized
17 to conduct degree programs on the baccalaureate and master's levels
18 designated by the Board of Regents and to offer non-credit and off-
19 campus courses and programs of research and community service, subject
20 to regulations of general applicability to institutions offering bacca-
21 laureate and graduate degrees which may be adopted by the Board of
22 Regents; and

23 (4) the community college division, comprised of those com-
24 munity colleges in existence on the effective date of this Act, which
25 are authorized to conduct lower division programs leading to associate
26 degrees as designated for each community college by the Board of Re-
27 gents, and to provide non-credit and community service courses and
28 specific certificate programs authorized under policies of the Board of
29 Regents; each community college, in cooperation with a university, may

1 sponsor and conduct upper division and graduate level courses which
2 receive credit through a university.

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

4 Sec. 14.40.015. NEW CAMPUSES. In addition to the components of the
5 university specified in sec. 11(b) of this chapter, a new campus of the
6 University of Alaska may be established by the Board of Regents after
7 approval by the legislature of a plan which shall contain, as a mini-
8 mum,

9 (1) a needs assessment;

10 (2) a description of the key elements of the educational pro-
11 grams to be offered; and

12 (3) a budget for the first year of operation of the campus
13 and projected budgets for the second and third years of operation.

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

15 Sec. 14.40.020. SITE OF UNIVERSITY. The University of Alaska is
16 the beneficiary under the provisions of the Act of Congress approved
17 August 30, 1890, designating the Alaska Agricultural College and School
18 of Mines as beneficiary and the four sections of land specified by the
19 Act of Congress approved March 4, 1915, and used as a site for the
20 Alaska Agricultural College and School of Mines are the site for the
21 University of Alaska at Fairbanks.

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

23 Sec. 14.40.100. COOPERATIVE [COLLEGE] EXTENSION SERVICE. The
24 regents may conduct a cooperative [COLLEGE] extension service, the
25 leading object of which is to carry information on rural life subjects
26 to the people of the state.

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

28 Sec. 14.40.105. RESEARCH CENTERS AND OUTREACH ACTIVITIES. The
29 Board of Regents may assign to appropriate campuses or the community

1 college division the responsibility for operation of research centers
2 and institutes and for off-campus teaching, research, and public service
3 activities which may include but are not limited to the establishment of
4 learning centers, itinerant instruction, instruction on military bases,
5 courses taught by radio or television, and correspondence courses.

6 Sec. 14.40.107. INTERCAMPUS PROGRAMS. The Board of Regents may
7 establish intercampus programs which it considers necessary, and assign
8 management responsibility to the appropriate campus.

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

13 * Sec. 7. AS 14.40.170(a)(2) - (4) are amended to read:

14 (2) fix the compensation of the president of the university,
15 the comptroller of the university, and the chancellors, and adopt com-
16 penetration schedules or patterns for all other employees [ALL HEADS OF
17 DEPARTMENTS, PROFESSORS, TEACHERS, INSTRUCTORS AND OTHER OFFICERS];

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

21 (4) have the care, control and management of all the real and
22 personal property and all money of the university; provide for the
23 delegation of administrative responsibility for the property reasonably
24 necessary for the administration of each of the university components
25 set out in sec. 11(b) of this chapter to the chancellor of the respec-
26 tive component;

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

28 (7) review budgets and transmit recommendations on the
29 budgets to the governor and legislature;

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

3 (9) adopt regulations for standard administration of the
4 university system; the regulations adopted shall include, but need not
5 be limited to,

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

8 (B) student admission standards;

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

11 (D) personnel policies and pay and fringe benefit pro-
12 visions for employees other than faculty;

13 (E) uniform accounting and business procedures;

14 (F) uniform budgeting procedures; and

15 (G) standard systemwide management information data sys-
16 tems;

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

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

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

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

24 (14) approve or disapprove a recommendation of a campus
25 advisory council seeking the dismissal, demotion, or retirement of a
26 chancellor or campus president;

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

29 (16) carry out other duties as prescribed by law.

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

2 (3) in addition to the campus advisory councils authorized
3 by sec. 278 of this chapter, establish policy advisory groups, both
4 internal and external, as it considers necessary.

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

6 Sec. 14.40.190. REPORT TO THE LEGISLATURE. The Board of Regents
7 shall make a written report to the legislature at the beginning of its
8 regular sessions of the condition of the university property, of all
9 receipts and expenditures, including but not limited to the administra-
10 tion and disposition of appropriated and restricted funds, and of the
11 educational and other work performed. The report shall include annually
12 updated five-year plans for program development and facilities develop-
13 ment submitted in summary form.

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

15 Sec. 14.40.210. DUTIES [POWERS] OF THE PRESIDENT OF THE UNIVERSITY.
16 The president of the University of Alaska shall [MAY]

17 (1) serve as the executive officer [GIVE GENERAL DIRECTION TO
18 THE WORK OF THE INSTITUTION IN ALL ITS DEPARTMENTS SUBJECT TO THE AP-
19 PROVAL] of the Board of Regents;

20 (2) with the approval of the Board of Regents, appoint the
21 chancellors and the staff of the president's office; [DEANS, HEADS OF DE-
22 PARTMENTS, PROFESSORS, ASSISTANTS, INSTRUCTORS, TUTORS AND OTHER OFFICERS
23 OF THE UNIVERSITY TO THE POSITIONS ESTABLISHED BY THE BOARD OF REGENTS]

24 (3) provide the staff work and recommendations upon which the
25 Board of Regents may base adoption of policy and by which the board may
26 carry out its responsibility for monitoring and evaluating policy im-
27 plementation;

28 (4) provide leadership and direction for implementation of
29 policies of the Board of Regents;

1 (5) monitor and evaluate the conduct of all university pro-
2 grams, and report periodically to the Board of Regents;

3 (6) review the functional organization and staffing patterns
4 submitted by the chancellors;

5 (7) provide for the compilation, publication, distribution
6 and consistent updating of the policies of the Board of Regents;

7 (8) appoint the members of the campus advisory councils
8 established under sec. 278 of this chapter; and

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

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

12 Sec. 14.40.230. POWERS OF REGENTS TO REMOVE OFFICERS. (a) The
13 Board of Regents may remove from office any officer of the institution
14 by a majority vote of the whole board [WHEN IN ITS JUDGMENT THE GOOD OF
15 THE UNIVERSITY REQUIRES IT]. An officer removed under this section
16 shall be notified of his removal and of his opportunity to apply to the
17 board for a hearing and reconsideration of its decision.

18 (b) Upon application filed with the Board of Regents within 10
19 days of receipt of notice of removal under (a) of this section, an offi-
20 cer is entitled to a hearing before the board on the validity of the
21 cause specified in the notice of removal. The hearing shall occur
22 within 30 days of the date of filing of application. Upon consideration
23 of all evidence, including evidence provided at the hearing provided in
24 accordance with this subsection, the board shall uphold or reverse the
25 decision made under (a) of this section.

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

27 ARTICLE 2A. ADMINISTRATION OF THE CAMPUSES.

28 Sec. 14.40.272. CAMPUS ADMINISTRATION AUTHORIZED. (a) Each of
29 the campuses designated in sec. 11(b)(1) - (3) and the community college

1 division established in sec. 11(b)(4) of this chapter shall be under the
2 administrative direction of a chancellor. The chancellor of each campus
3 and the chancellor of the community college division shall have full
4 authority and operational responsibility under the direction of the
5 president of the university and in compliance with the systemwide poli-
6 cies established by the Board of Regents and the regulations of the
7 president which have received the approval of the Board of Regents.

8 (b) The organizational structure of each campus, and the organiza-
9 tional structure of the community college division, shall be determined
10 by the chancellor of each campus, or the chancellor of the community
11 college division.

12 Sec. 14.40.274. DUTIES OF CHANCELLORS. The chancellor of each
13 campus, and the chancellor of the community college division, shall, in
14 relation to the unit under his administration, implement the policies
15 established by the Board of Regents and, under these policies, is re-
16 sponsible for the following functions:

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

19 (2) preparation and presentation to the legislature, after
20 review by the Board of Regents, of a complete program budget, including
21 all courses, programs and activities, regardless of their sources of
22 funding, and of requests for funds to initiate or complete construction
23 of capital improvements;

24 (3) management and administration of the property of the uni-
25 versity reasonably necessary for the administration of his unit;

26 (4) conduct of all administrative, student, and business
27 services essential to the operation of the campus or division, and the
28 maintenance of accurate and complete books of accounts;

29 (5) employment of faculty and support services staff and

1 provision for payroll completion and personnel services;

2 (6) provision of management information data as required by
3 the Board of Regents or the president;

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

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

9 Sec. 14.40.276. CAMPUS PRESIDENTS. The chancellor of the com-
10 munity college division shall

11 (1) with the approval of the Board of Regents and the members
12 of the campus advisory council, appoint the president of each community
13 college;

14 (2) delegate the administration of the administrative and
15 supervisory functions described in sec. 274 of this chapter to the
16 presidents of the community college campuses within the division, to the
17 maximum extent practicable.

18 Sec. 14.40.278. CAMPUS ADVISORY COUNCILS. (a) An advisory coun-
19 cil is established for each campus of the University of Alaska. Each
20 advisory council consists of nine members. The membership of an ad-
21 visory council shall be broadly representative of the geographical area
22 in which the campus is located.

23 (b) Members of each advisory council shall be appointed by the
24 president of the university. Members shall be appointed from lists of
25 names of candidates submitted to the president by borough assemblies,
26 city councils, school boards and civic organizations within the area
27 served by the campus. In making appointments to an advisory council,
28 the president shall give due consideration to an equitable ethnic and
29 sex distribution.

1 (c) Appointments of the president to campus advisory councils are
2 subject to approval by the Board of Regents.

3 (d) The term of a member of a campus advisory council is three
4 years. Members shall serve overlapping terms, with three members first
5 appointed serving one-year terms, three members first appointed serving
6 two-year terms, and three members first appointed serving three-year
7 terms. Members first appointed shall determine the length of their
8 respective terms by lot.

9 (e) Each advisory council shall elect a chairman from among its
10 members. The term of chairman is one year.

11 (f) The members of the campus advisory councils receive no com-
12 pensation for their services, but are entitled to travel expenses and
13 per diem when necessary to attend meetings of the council. Per diem
14 payments shall be made to members of campus advisory councils at the
15 same rate as provided for members of other state boards and commissions.
16 Payment of travel expenses and per diem to a council member is authorized
17 for not more than four meetings of a campus advisory council during each
18 calendar year.

19 (g) Each advisory council shall

20 (1) adopt bylaws necessary for its operation;

21 (2) by a two-thirds vote of its membership

22 (A) confirm the appointment of a chancellor or community
23 college president; and

24 (B) recommend to the Board of Regents the dismissal,
25 demotion, or retirement of the chancellor of the campus or campus
26 president.

27 (h) A campus advisory council may, by resolution, advise the Board
28 of Regents with respect to institutional program direction, campus
29 management and organizational systems, campus budget submissions, and

1 other policy issues as appropriate.

2 * Sec. 14. AS 14.40.290 is amended by adding a new subsection to read:

3 (d) There is created a special contingency fund for the University
4 of Alaska. The legislature may annually appropriate to the contingency
5 fund an amount not to exceed one per cent of the total funds appropriated
6 from the general fund for operations of the university. Amounts appro-
7 priated to the special contingency fund for the university may be allo-
8 cated by the Board of Regents to meet unfunded necessary expenses of the
9 university system. Transfers from the special contingency fund to the
10 account of any campus or for any other purpose shall be reported by the
11 president to the division of budget and management, Office of the Gover-
12 nor, and to the Legislative Budget and Audit Committee.

13 * Sec. 15. AS 14.40 is amended by adding new sections to read:

14 Sec. 14.40.305. DUTIES OF THE COMPTROLLER. (a) The comptroller
15 of the university shall disburse all funds provided under secs. 290 and
16 295 of this chapter to the campuses designated in sec. 11(b)(1) - (3) of
17 this chapter, to the community college division established in sec.
18 11(b)(4) of this chapter, and to other divisions of the university for
19 their use and control in accordance with budgets approved by and appro-
20 priations provided by the legislature.

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

23 Sec. 14.40.315. FISCAL PROCEDURES. (a) Budgets for the compo-
24 nents of the statewide system shall be prepared in accordance with
25 general requirements set out in the Executive Budget Act (AS 37.07).
26 Budget submissions shall be completed by each chancellor or campus pre-
27 sident based upon opportunity for maximum involvement in the budget
28 preparation process by persons responsible for programs, shall reflect
29 the objectives of the programs, and shall contain supporting data and

1 justifications.

2 (b) Within the process of preparation and review of budget sub-
3 missions, the requests of the deans, directors and department heads and
4 the actions of community college campus presidents and chancellors shall
5 be clearly delineated.

6 (c) Recommendations of the Board of Regents shall be delineated
7 and documented in comments on the budget prepared by the chancellors and
8 forwarded to the governor in accordance with AS 37.07.050. Copies of
9 the original request from the campus presidents, deans and directors,
10 together with the record of all requests, changes and recommendations,
11 shall be forwarded by the president of the university to the governor
12 and the legislature.

13 (d) The budget submission for the Board of Regents and for the
14 office of president of the university shall be prepared by the president
15 and provided to the Board of Regents for its review. The budget sub-
16 mission shall be transmitted to the governor in accordance with AS
17 37.07.050.

18 (e) Appropriations to the statewide university system shall speci-
19 fy the amount appropriated to each campus designated in sec. 11(b)(1) -
20 (3) of this chapter and to each community college within the community
21 college division. There shall be no transfers of funds between or among
22 the campuses designated in sec. 11(b)(1) - (3) of this section, between
23 any of those campuses and the community college division, or between
24 community colleges within the community college division. Transfers
25 between allocations for a university campus may be made by the chancel-
26 lor, and transfers between allocations for a community college may be
27 made by the president of the community college. Transfers between
28 allocations shall be reported to the president of the university, the
29 Board of Regents, the division of budget and management in the Office of

1 the Governor, and the Legislative Budget and Audit Committee.

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

3 Sec. 14.40.440. UNIVERSITY DESIGNATED BENEFICIARY OF SMITH-LEVER
4 ACT AND EMPOWERED TO CARRY ON COOPERATIVE [AGRICULTURAL] EXTENSION WORK.

5 The University of Alaska is designated as the beneficiary under the
6 provisions of the Smith-Lever Act, and may administer and carry on
7 cooperative [AGRICULTURAL] extension work in the state in cooperation
8 with the United States Department of Agriculture.

9 * Sec. 17. ASSISTANCE OF ALASKA POSTSECONDARY EDUCATION COMMISSION. The
10 Alaska Postsecondary Education Commission is directed to initiate a study to
11 develop, in cooperation with the community college division chancellor and
12 the presidents of the community colleges, a plan for financial support for
13 community colleges comparable in principle to the method of providing finan-
14 cial support for elementary and secondary education. The study and plan
15 developed shall be reviewed by the Board of Regents and forwarded to the
16 division of budget and management, Office of the Governor, and the Legisla-
17 tive Budget and Audit Committee not later than December 1, 1978.

18 * Sec. 18. TRANSITIONAL MEASURES. (a) Except as provided in AS 14.40.-
19 020, amended by sec. 4 of this Act, in AS 14.40.100, amended by sec. 5 of
20 this Act, and AS 14.40.440, amended in sec. 16 of this Act, institutes,
21 centers or activities which are under the jurisdiction of a particular campus
22 or the jurisdiction of the division of community colleges shall continue
23 under the respective jurisdiction until changed or altered by action of the
24 Board of Regents.

25 (b) Personnel, financial and student support services, including re-
26 sponsibility for campus administration set out in AS 14.40.272 - 14.40.276,
27 added by sec. 13 of this Act, and fiscal procedures, set out in AS 14.40.315,
28 added by sec. 15 of this Act, shall be decentralized not later than July 1,
29 1979. To achieve a responsible transition, the Board of Regents shall pre-

1 pare an interim report on decentralization and transition and submit the
2 report during the first week of the First Session of the Eleventh Legisla-
3 ture, together with any recommendations which the board may have for addi-
4 tional legislation or for amendment of any portion of this Act.

5 * Sec. 19. AS 14.40.560 - 14.40.640 are repealed. Community colleges in
6 existence on the effective date of this section shall continue, and all
7 agreements between a unit of a community college and a school district or
8 political subdivision entered into under authority of AS 14.40.570 - 14.40.-
9 580, repealed by this section, shall continue in force until the expiration
10 date provided in the agreement or until mutually cancelled.

11 * Sec. 20. AS 14.40.010 is repealed.

12 * Sec. 21. Section 3 of this Act takes effect July 1, 1980. Sections 1,
13 2, and 4 - 20 of this Act take effect July 1, 1978.

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