

Introduced: 4/18/79
Referred: Health, Education &
Social Services and Judiciary

BY BUCHHOLDT, COTTEN, MCKINNON,
MALONE, MILLER, MUNSON, PARKER
AND PARR

1 IN THE HOUSE

2 HOUSE BILL NO. 468

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the closing of schools; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 14.14 is amended by adding a new section to read:

10 Sec. 14.14.122. CLOSING OF SCHOOL. (a) A school board may not
11 order the closure of an elementary or secondary school unless the board,
12 not later than 180 days before the anticipated date of closure of the
13 school, prepares and publishes a report examining the anticipated effect
14 of the school closure. The report required under this subsection shall
15 include

16 (1) a summary of the reasons which the board finds are
17 sufficient to warrant closing the school;

18 (2) the effect of the school closure on those children who
19 would, except for the closure, be expected to attend the school, includ-
20 ing but not limited to,

21 (A) evaluation of the alternatives for the education of
22 these children;

23 (B) additional or incremental transportation arrange-
24 ments necessary to accommodate the transfer of these children to
25 other educational facilities; and

26 (C) the treatment or disposition of any special educa-
27 tional or supplementary educational programs provided at the
28 school;

29 (3) the effect of the school closure on the community or

1 neighborhood, including but not limited to,

2 (A) an evaluation by the board of those services and
3 facilities provided by the school which relate to the educational
4 program and those services and facilities which are provided by the
5 school outside its educational program;

6 (B) the impact of the loss of the services or facilities
7 if they are no longer provided at the school facility;

8 (C) the effect of the school closure on the stability
9 and continued vitality of the community or neighborhood; and

10 (D) the ability of the community or neighborhood to
11 continue to attract residents of varying income, age, racial and
12 social background;

13 (4) the effect of the school closure on the local taxpayers,
14 specifically identifying anticipated additional expenditures and pro-
15 jected savings to result from the proposed closure;

16 (5) the effect of the school closure on the school district,
17 including but not limited to,

18 (A) the accommodation of provisions of collective bar-
19 gaining agreements with school district employees; and

20 (B) the impact on faculty and staff assigned to the
21 school which is to be closed;

22 (6) the effect of the school closure on state finances and
23 programs, including but not limited to to the additional expense, if
24 any, which the state may be required to meet because of transfer of
25 students to other schools; and

26 (7) the recommended alternative use of the facility or, if no
27 alternative use is suggested, the arrangements for maintenance of the
28 facility and grounds.

29 (b) The board shall publish its report in a newspaper of general

1 circulation in the community or neighborhood in which the school is
2 located, and shall distribute a copy of the report to the parents and
3 guardians of each child who would, except for the closure, be expected
4 to attend the school.

5 (c) The board shall provide for at least one public hearing con-
6 cerning the report. The hearing shall be held not less than 30 days
7 after publication and distribution of the report as provided in (b) of
8 this section, and shall be held at the school or at a public place in or
9 proximate to the community or neighborhood served by the school proposed
10 to be closed. Notice of the hearing shall be given to the commissioner
11 of education. The commissioner, or a member of the administrative staff
12 of the Department of Education, shall attend the hearing.

13 * Sec. 2. AS 14.08 is amended by adding a new section to read:

14 Sec. 14.08.153. CLOSING OF SCHOOL. (a) A regional school board
15 may not order the closure of an elementary or secondary school unless
16 the board, not later than 180 days before the anticipated date of
17 closure of the school, prepares and publishes a report examining the
18 anticipated effect of the school closure. The report required under
19 this subsection shall include

20 (1) a summary of the reasons which the board finds is suffi-
21 cient to warrant closing the school;

22 (2) the effect of the school closure on those children who
23 would, except for the closure, be expected to attend the school, includ-
24 ing but not limited to,

25 (A) evaluation of the alternatives for the education of
26 these children;

27 (B) additional or incremental transportation arrange-
28 ments necessary to accommodate the transfer of these children to
29 other educational facilities; and

1 (C) the treatment or disposition of any special educa-
2 tional or supplementary educational programs provided at the
3 school;

4 (3) the effect of the school closure on the community or
5 neighborhood, including but not limited to,

6 (A) an evaluation by the board of those services and
7 facilities provided by the school which relate to the educational
8 program and those services and facilities which are provided by the
9 school outside its educational program;

10 (B) the impact of the loss of the services or facilities
11 if they are no longer provided at the school facility;

12 (C) the effect of the school closure on the stability
13 and continued vitality of the community or neighborhood; and

14 (D) the ability of the community or neighborhood to
15 continue to attract residents of varying income, age, racial and
16 social background;

17 (4) the effect of the school closure on the regional educa-
18 tional attendance area, including but not limited to,

19 (A) the accommodation of provisions of collective bar-
20 gaining agreements with regional attendance area employees; and

21 (B) the impact on faculty and staff assigned to the
22 school which is to be closed;

23 (5) the effect of the school closure on state finances and
24 programs, including but not limited to the additional expense, if any,
25 which the state may be required to meet because of transfer of students
26 to other schools; and

27 (6) the recommended alternative use of the facility or, if no
28 alternative use is suggested, the arrangements for maintenance of the
29 facility and grounds.

1 (b) The board shall publish its report in a newspaper of general
2 circulation in the community or neighborhood in which the school is
3 located, and shall distribute a copy of the report to the parents and
4 guardians of each child who would, except for the closure, be expected
5 to attend the school.

6 (c) The board shall provide for at least one public hearing con-
7 cerning the report. The hearing shall be held not less than 30 days
8 after publication and distribution of the report in the manner provided
9 in (b) of this section, and shall be held at the school or at a public
10 place in or proximate to the community or neighborhood served by the
11 school proposed to be closed. Notice of the hearing shall be given to
12 the commissioner of education. The commissioner, or a member of the
13 administrative staff of the Department of Education, shall attend the
14 hearing.

15 * Sec. 3. This Act is retroactive to January 1, 1979.

16 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

18
19
20
21
22
23
24
25
26
27
28
29