

Introduced: 4/16/81
Referred: Health, Education &
Social Services, State Affairs
and Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 463

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska State Teachers College;
7 and providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that a high rate of turn-
10 over exists among teachers in primary and secondary education throughout
11 rural Alaska. The legislature further finds there exists no institution of
12 higher education to educate and train individuals to teach in the unique and
13 demanding environment of rural Alaska. In order to assist in the development
14 and orientation of individuals who desire to teach in rural Alaska, the leg-
15 islature finds that a state teachers college shall be established.

16 CHAPTER 42. ALASKA STATE TEACHERS COLLEGE.

17 Sec. 14.42.010. ALASKA STATE TEACHERS COLLEGE ESTABLISHED. Alaska
18 State Teachers College shall consist of the College of Education and
19 departments which may be established, including departments of telecom-
20 munications and bi-cultural/bi-lingual education.

21 Sec. 14.42.020. SITE OF COLLEGE. Alaska State Teachers College
22 site shall be located in Unalakleet.

23 Sec. 14.42.030. GENERAL POWERS OF THE COLLEGE. There is created
24 and established a corporation to be called the Alaska State Teachers
25 College. It may in that name

- 26 (1) sue and be sued;
27 (2) receive and hold real and personal property;
28 (3) contract and be contracted with;
29 (4) adopt, use and alter a corporate seal;

1 (5) do and have done all matters necessary for the purpose
2 of any function set forth in this chapter.

3 Sec. 14.42.040. DISCRIMINATION. Discrimination because of sex,
4 color or nationality is prohibited. No person shall be deprived of
5 the privileges of the college because of sex, color or nationality.

6 Sec. 14.42.050. COLLEGE CURRICULUM. The Alaska State Teachers
7 College shall use the property and funds acquired for the purpose of
8 conducting a college where the leading objects shall be, without ex-
9 cluding other scientific and classical studies to teach and train
10 branches of learning related to teaching education. In order to pro-
11 mote a practical education for teachers who will be teachers, the
12 curriculum shall have culture emphasis.

13 Sec. 14.42.060. CORRESPONDENCE COURSES FOR EDUCATORS. (a) The
14 college shall establish and offer to bona fide Alaska educators in the
15 state a correspondence course equal and parallel to the rural extension
16 courses being taught at present.

17 (b) The college may establish the minimum charge necessary to
18 defray costs of material, books and postage used in the course.

19 Sec. 14.42.070. COLLEGE EXTENSION SERVICE. The members may con-
20 duct a college extension service, the leading object of which is to
21 carry information on rural life subjects to the people of the state.

22 Sec. 14.42.080. COLLEGE GOVERNED BY BOARD OF CONTROL. The
23 Alaska State Teachers College shall be governed by a Board of Control
24 consisting of 11 members.

25 Sec. 14.42.090. QUALIFICATIONS OF MEMBERS. Each member shall
26 be a citizen of the United States and a resident of the state.

27 Sec. 14.42.100. QUALIFICATIONS OF STUDENT MEMBERS. (a) Each mem-
28 ber shall be a citizen of the United States and a resident of the state.

29 (b) In addition to satisfying the requirements of (a) of this
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1 section, the member appointed under AS 14.42.120(c) must

2 (1) be enrolled as a full-time student at the Alaska State
3 Teachers College at the time of appointment;

4 (2) remain a full-time student while serving.

5 (c) Failure of the member appointed under AS 14.42.120(c) to
6 remain enrolled as a full-time student at the Alaska State Teachers
7 College during his term results in forfeiture of that office.

8 (d) The governor shall appoint a successor from those students
9 appearing upon the list of nominees submitted to him under AS 14.42.-
10 120(c) within 60 days of a forfeiture or vacancy in the office.

11 (e) The term of office of a student member is two years.

12 (f) For purposes of this section the term "full-time student"
13 shall be defined in the Alaska State Teachers College Academic Regu-
14 lations.

15 Sec. 14.42.110. TERM OF OFFICE. Except for a student member
16 as specified in AS 14.42.100(e) of this chapter, the term of office
17 begins on the first Monday in February of the year in which the ap-
18 pointment is made. Each member serves until his or her successor is
19 appointed and qualifies.

20 Sec. 14.42.120. APPOINTMENT OF MEMBERS. (a) The governor shall
21 appoint the members subject to confirmation by a majority of all the
22 members of the legislature in joint session. The names of those ap-
23 pointed shall be sent to the legislature within five days after the
24 opening of the session, for confirmation or rejection. If a person ap-
25 pointed is not confirmed by a majority vote of all the members of the
26 legislature, his appointment ceases and the name of another person shall
27 be submitted within three days after the rejection. If the legislature
28 adjourns without confirming the nominee, or if an interim vacancy occurs,
29 the governor may appoint a qualified person to fill the vacancy. How-

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1 ever, the person who has failed to be confirmed may not be appointed.
2 The term of office of the appointee expires on the fifth day of the
3 session of the legislature following the appointments.

4 (b) The Board of Control shall consist of five (5) members. Mem-
5 bers shall be from the following geographic areas

- 6 (1) one member shall be from Northwest Alaska;
- 7 (2) one member shall be from Arctic Alaska;
- 8 (3) one member shall be from Western Alaska;
- 9 (4) one member shall be from Southwest Alaska;
- 10 (5) one member shall be from Southeast Alaska.

11 (c) At least one member of the Board of Control shall be a full-
12 time student, appointed from a list of two students submitted to the
13 governor from the campus site of the Alaska State Teachers College af-
14 ter an election is held at the campus site. Elections shall be conduct-
15 ed under rules established by the Office of the Governor. The term of
16 office of a student member is two years.

17 Sec. 14.42.130. BOARD MEETING PUBLIC; MEETING NOTICE; PUBLIC
18 FACILITIES. (a) The provision of AS 44.62.310 applies to meetings of
19 the Board of Control. All meetings of the board, its committees or
20 subcommittees, are open to the public and press except as otherwise
21 provided in AS 44.62.310(c). The findings of an executive session
22 shall be made a part of the record of the proceedings of the Board of
23 Control. All records of the meetings and proceedings shall be open to
24 inspection by the public and the press at reasonable times.

25 (b) The board may determine the time and place of its meetings.
26 However, 30 days notice is required for all regular meetings and 10
27 days notice is required for special meetings of the board, its commit-
28 tees or subcommittees called under the bylaws of rules of procedures
29 of the board. Emergency meetings may be called without notice.

1 (c) The Board of Control shall provide adequate facilities for
2 members of the public to attend the meetings of the board, its commit-
3 tees or subcommittees.

4 Sec. 14.42.140. DUTIES OF THE BOARD OF CONTROL. (a) The Board
5 of Control shall

6 (1) appoint the president of the college by a majority of
7 the whole board, and the president may attend meetings of the board;

8 (2) fix the compensation of the president of the college,
9 all heads of departments, professors, teachers, instructors and other
10 officers;

11 (3) confer such appropriate degrees as it may determine and
12 prescribe;

13 (4) have the care, control and management of all the real
14 and personal property and all the money of the college;

15 (5) keep a correct and easily understood record of the
16 minutes of every meeting and all acts done by it in pursuance of its
17 duties;

18 (6) have kept a complete record of all money received and
19 disbursed;

20 (7) adopt reasonable rules, orders and plans with reasonable
21 penalties for the good government of the college and for the regulation
22 of the Board of Control;

23 (8) determine and regulate the course of teacher educational
24 instruction in the college with the advice of the president.

25 Sec. 14.42.150. RELIGIOUS OR PARTISAN INSTRUCTION, TESTS AND
26 APPOINTMENTS. No instruction either sectarian in religion or partisan
27 in politics shall be permitted in any department of the college and no
28 sectarian or partisan test shall be allowed or exercised in the appoint-
29 ment of members, instructors, or other offices of the college or in the

1 admission of students or for any purpose.

2 Sec. 14.42.160. REPORT TO LEGISLATURE. The Board of Control
3 shall make a written report to the legislature at the beginning of its
4 regular sessions of the condition of the college property, of all re-
5 cepts and expenditures and of the educational and other work performed.

6 Sec. 14.42.170. QUORUM. No corporate business may be transacted
7 at any meeting of the Board of Control unless at least three members
8 are present, the majority of the whole board to approve the same.

9 Sec. 14.42.180. POWERS OF PRESIDENT OF THE COLLEGE. The presi-
10 dent of the Alaska State Teachers College may

11 (1) give general direction to the work of the institution
12 in all its departments subject to the approval of the Board of Control;

13 (2) appoint the deans, heads of departments, professors,
14 assistants, instructors, tutors and other officers of the college sub-
15 ject to the approval of the Board of Control.

16 Sec. 14.42.190. DUTY OF PRESIDENT TO DEFINE DUTIES AND SUPERVISE
17 APPOINTEES. The president shall define the duties and supervise the
18 performance of those persons whom he appoints to positions established
19 by the Board of Control.

20 Sec. 14.42.200. POWERS OF MEMBERS TO REMOVE OFFICERS. The Board
21 of Control shall remove from office any officer of the institution by
22 a majority vote of the whole board when in its judgement the good of
23 the college requires it.

24 Sec. 14.42.210. POWER OF PRESIDENT TO SUSPEND AND EXPEL STUDENTS.
25 The power to suspend and expel a student for misconduct or other cause
26 and to reinstate him is vested solely in the president of the college.

27 Sec. 14.42.220. MEMBERS TO ACT AS TRUSTEES AND ADMINISTER MONEY
28 OR PROPERTY FROM SOURCES OTHER THAN LEGISLATURE OR FEDERAL APPROPRIA-
29 TION. The Board of Control may receive, manage, and invest money or
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1 other real, personal or mixed property in any manner received from
2 sources other than the state legislature or federal appropriation for
3 the purpose of the college, its improvement or adornment, or the aid
4 or advantage of students or faculty, and, in general, may act as trustee
5 on behalf of the college for any of these purposes.

6 Sec. 14.42.230. EXPANSION OF COURSES. To expand educational
7 and cultural opportunities in the state, and to provide education facilities
8 of particular interest to residents of the state, the Board
9 of Control shall

10 (1) establish additional extension courses and such other
11 expansion of accredited courses for students as it considers advisable;

12 (2) provide facilities suitable for carrying out rural education
13 programs;

14 (3) employ personnel;

15 (4) procure supplies; and

16 (5) take all other appropriate measures to carry out the
17 intent and purpose set forth in this section.

18 Sec. 14.42.240. EXTENSION OF COMPLIANCE ACTS. Laws of the state
19 designed to meet requirements of the United States government for the
20 state's acceptance of federal grants and allotments for educational
21 and kindred purposes are extended to cover the establishment and operation
22 of the college expansion program set forth in AS 14.42.230 of
23 this chapter.

24 Sec. 14.42.250. ENDOWMENTS AND DONATIONS. All monetary gifts,
25 bequests or endowments, other than state appropriations and federal allotments,
26 received for the college expansion program or their use shall
27 be turned over to the Department of Revenue. The Department of Revenue
28 shall deposit them in the separate fund. Title and control or possession
29 to land and personal property, other than money, which is devised
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1 bequeathed or given to the college shall be taken to the college in its
2 corporate capacity acting by and through the members or an authorized
3 agent, and shall be entered in the perpetual inventory of the college.

4 Sec. 14.42.260. PROPERTY AND FUNDS GENERALLY. (a) The Alaska
5 State Teachers College shall hold all property acquired by it. The
6 Department of Administration, upon requisitions by the Board of Control
7 signed by its president and secretary shall pay to the treasurer of the
8 Board of Control all appropriate federal college funds coming into the
9 possession of the State of Alaska and subject to requisition by the
10 Board of Control.

11 (b) All funds appropriated by the legislature for the building,
12 conduct, maintenance and support of the Alaska State Teachers College
13 shall, on requisition by the Board of Control signed by its president
14 and secretary, be paid by the Department of Administration to the
15 treasurer of the Board of Control. The treasurer of the Board of Con-
16 trol shall disburse these funds on properly drawn vouchers signed by
17 its president and secretary or by such other administrative office as
18 the Board of Control delegates to perform these services.

19 Sec. 14.42.270. WORKING CAPITAL RESERVE FUND. (a) There is es-
20 tablished in the treasury of the Alaska State Teachers College the
21 Alaska State Teachers College of Alaska working capital reserve fund.
22 The fund consists of money appropriated by the legislature for the pur-
23 pose of providing non lapsing current working capital for the Alaska
24 State Teachers College and is not available for appropriation by the
25 Board of Control.

26 (b) A quarterly report of all activity of the working capital
27 reserve fund shall be submitted to the Legislative Budget and Audit
28 Committee.

29 Sec. 14.42.280. CREATION AND APPOINTMENT OF COMPTROLLER. The

1 Board of Control shall create the office of comptroller of the college,
2 fix the salary and determine the duties of the office. The Board of
3 Control shall fill the office.

4 Sec. 14.42.290. FISCAL YEAR. The fiscal year of the Alaska State
5 Teachers College begins on July 1 and closes at midnight on the follow-
6 ing June 30.

7 Sec. 14.42.300. INVENTORY OF PROPERTY. The Board of Control shall
8 maintain or cause to be maintained a perpetual inventory of all perma-
9 nent property of the college.

10 Sec. 14.42.310. APPLICABILITY OF BID PRACTICES TO ALASKA STATE
11 TEACHERS COLLEGE OF ALASKA. The competitive bid practices set forth
12 in AS 37.05.230 apply to the Alaska State Teachers College, except that
13 the provisions of that Act do not apply in those cases where the work is
14 to be performed substantially by students enrolled in the university.
15 Where the term "purchasing agent" is used in AS 37.05, it means the
16 comptroller of the Alaska State Teachers College.

17 Sec. 14.42.320. BOOKS OF ACCOUNT AND STATEMENT OF TRUST FUNDS.
18 The Board of Control shall have suitable books of accounts kept in which
19 there shall be recorded each gift, the essential facts of the management
20 of the gift, and the expenditures of the income. A statement of all
21 trust funds shall be included in the annual report to the governor.

22 Sec. 14.42.330. STUDENTS ENTITLED TO SCHOLARSHIP. The high school
23 student in each graduating class in each high school in the state, who,
24 upon the completion of four years of high school work in a high school
25 in the state, obtains the highest average standing for all the credits
26 earned, and who is graduate at an annual commencement is entitled to re-
27 ceive, during dormitory residence at the Alaska State Teachers College,
28 a scholarship covering dormitory rent for a period of two years follow-
29 ing the year of graduation upon presenting the registrar of the college

1 a certificate signed by the superintendent or principal of the high
2 school from which he graduated stating that the graduate named is
3 entitled to receive the benefits of the scholarship. Dormitory res-
4 idence is governed by the rules and regulations established by the
5 Board of Regents.

6 Sec. 14.42.340. ALTERNATE UPON REFUSAL OR FAILURE TO ACCEPT. If
7 a person entitled to receive the benefit of AS 14.42.330 of this chap-
8 ter declines or fails to accept it, the graduate next in line in class
9 standing is entitled to receive the benefit.

10 Sec. 14.42.350. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CER-
11 TIFICATES. A certificate shall be applied for and issued to a grad-
12 uate before August 2 of each year and shall be made immediately to the
13 registrar of the college by the superintendent or principal issuing it.

14 Sec. 14.42.360. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to
15 do passing work in more than one subject during a semester, or with-
16 drawal or expulsion from the college, constitutes a forfeiture during
17 the following semester or semesters of the benefits of AS 14.42.330
18 and AS 14.42.400 of this chapter.

19 Sec. 14.42.370. PAYMENT OF SCHOLARSHIP. Payment of the schol-
20 arships shall be made monthly to the college upon vouchers drawn upon
21 the Department of Administration and duly certified by the treasurer
22 and the president of the Board of Control. No payments may be made in
23 excess of amounts specifically appropriated for this purpose.

24 Sec. 14.42.380. PURPOSE OF AS 14.42.380 - 14.42.420 OF THIS
25 CHAPTER. Because of language difficulty and economic conditions of
26 the Native peoples of the state, and the necessity for integrating the
27 Native cultures with the state economy, it is the purpose of the leg-
28 islature to provide assistance to Natives who wish to pursue a higher
29 education beyond the attainments possible in the free public school

1 system.

2 Sec. 14.42.390. SCHOLARSHIPS. The Board of Control of the Alaska
3 State Teachers College shall offer not more than 15 new scholarships
4 for each academic year to Alaska Natives desiring to attend the Alaska
5 State Teachers College of Alaska. The board shall give preference to
6 Natives residing in the rural areas of the state who desire to receive
7 training in the field of education. If there are more than 15 appli-
8 cations the board shall award 15 scholarships to those applicants who
9 have the highest scholastic record or who the board determines are the
10 most qualified among the applicants and who are financially unable to
11 obtain a higher education without assistance. The college shall provide
12 such minimum financial assistance to these students as is necessary in
13 each individual case, but not exceeding fees, room and board.

14 Sec. 14.42.400. CONTINUATION OF SCHOLARSHIPS. The award of free
15 room and board shall be made from any funds available to the university.
16 Each Native who receives a scholarship under AS 14.42.380 - 14.42.420
17 of this chapter is entitled to retain the scholarship and to receive
18 free room and board during his attendance at the university as long as
19 he maintains a grade average equivalent to a "C" or better. However,
20 no Native is entitled to the scholarship for more than four years, or
21 for more than the number of years necessary to receive a bachelor's
22 degree.

23 Sec. 14.42.410. SCHOLARSHIPS IN ADDITION TO OTHER SCHOLARSHIPS.
24 The scholarships are supplemental and in addition to any other schol-
25 arships to which an applicant is entitled or may receive.

26 Sec. 14.42.420. DEFINITION OF NATIVE. For the purposes of AS 14.
27 42.380 - 14.42.420 of this chapter, "Native" means any person who is
28 a descendant of a member of the aboriginal races inhabiting the state
29 when annexed to the United States, or who is a descendant of an Indian

1 or Eskimo who, since the year 1967 and prior to June 30, 1952, migrated
2 into the state from Canada, and who is a descendant having at least
3 one-quarter blood derived from these ancestors.

4 Sec. 14.42.430. DEFINITIONS. In this chapter the areas are de-
5 fined as follows

6 (1) "Northwest" means the border of the NANA Regional Corpo-
7 ration;

8 (2) "Western" means the borders of the Bering Straits Region-
9 al Corporation;

10 (3) "Arctic" means the borders of the Arctic Slope Regional
11 Corporation;

12 (4) "Southeast" means the borders of the Calista Regional
13 Corporation and the Bristol Bay Native Corporation;

14 (5) "Southeast" means the borders of the Sealaska Regional
15 Corporation.

16 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).