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Referred: Health, Education and
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1 IN THE SENATE

BY ZHAROFF AND RODEY

2

SENATE BILL NO. 319

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to a special education cooperative
7 service unit."

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

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* Section 1. PURPOSE. It is the purpose of this Act to

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(1) make special education and related services available to all

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exceptional children, as that term is defined in AS 14.30.350(4);

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(2) encourage cooperation in making special educational programs

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and services available to these children;

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(3) ensure that free appropriate public education services are

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provided for all exceptional children in the state.

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* Sec. 2. AS 14.30 is amended by adding new sections to read:

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ARTICLE 8. SPECIAL EDUCATION COOPERATIVE SERVICE UNIT.

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Sec. 14.30.600. UNIT ESTABLISHED. There is established in the

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department, as a separate entity, a special education cooperative

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service unit. The unit may establish regional units if necessary to

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carry out its purposes.

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Sec. 14.30.610. GOVERNING BOARD. (a) The unit shall be gov-

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erned by an 11 member board appointed by the commissioner of education

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with the approval of the state board of education. The board consists

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of

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(1) one member from the Governor's Council for the Handi-

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capped and Gifted;

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(2) one member from the Department of Education;

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(3) five members who are special education teachers or

1 directors, school administrators, or higher education or teacher
2 training representatives;

3 (4) two members who are parents of children requiring
4 special education outreach services;

5 (5) one member from the Department of Health and Social
6 Services;

7 (6) one member chosen from the public at large.

8 (b) The seven members appointed under (a)(3) - (4) of this
9 section shall be chosen with due regard to geographically balanced
10 representation of areas of the state and to representation of persons
11 with a variety of different special education needs.

12 Sec. 14.30.620. TERMS, VACANCIES, AND COMPENSATION. (a) The
13 term of office of a board member is three years.

14 (b) A vacancy occurring during a term of office shall be filled
15 in the same manner as the original appointment. A member appointed to
16 fill a vacancy serves for the unexpired term of the member the new
17 appointee succeeded.

18 (c) Board members receive no salary but are entitled to per diem
19 and travel expenses authorized by law for other boards and commis-
20 sions.

21 Sec. 14.30.630. BYLAWS. The board, in consultation with the
22 department and on the approval of a majority of the members of the
23 board, shall adopt and amend bylaws for the operation of the unit and
24 the board.

25 Sec. 14.30.640. EMPLOYEES. Employees of the unit are in the
26 exempt service under AS 39.25.110. However, employees of the unit
27 shall be members of either the Teachers' Retirement System (AS 14.25)
28 or the Public Employees' Retirement System (AS 39.35).

29 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

1 (1) receive and expend public and private funds to carry
2 out the purposes of the unit;

3 (2) contract with the department and other public or pri-
4 vate agencies for the provision of special education or related ser-
5 vices;

6 (3) do whatever is necessary to carry out the purposes of
7 AS 14.30.600 - 14.30.680.

8 (b) The board shall

9 (1) provide special education services including

10 (A) itinerant outreach services to deaf, deaf-blind,
11 mentally retarded, hearing impaired, blind and visually impaired,
12 orthopedically handicapped, other health impaired, severely
13 emotionally disturbed, and multi-handicapped students;

14 (B) special education instructional support and train-
15 ing of local school district special education personnel; and

16 (C) other services the board determines to be appro-
17 priate to special education needs;

18 (2) hire an executive director and approve the employment
19 of personnel necessary to operate the unit;

20 (3) provide for an annual audit of the unit;

21 (4) provide the department with a three-year plan of opera-
22 tion including a description of the services to be offered by the
23 unit, the method by which the services will be evaluated, information
24 on the number of students and school district personnel to be served,
25 a schedule of funds available to the unit from all sources, and other
26 information that may be required by the department by regulation;

27 (5) present an annual budget to the department.

28 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the
29 unit shall be available to school districts that serve children whose

1 special education needs occur infrequently, who require specialized
2 services not normally available in the school district, and who cannot
3 be easily served by local school district personnel because of the low
4 number of students in the district in need of the particular service.
5 The unit may provide services to exceptional children, as that term is
6 defined in AS 14.30.350.

7 Sec. 14.30.670. FUNDING. Each fiscal year the department shall
8 allocate to the unit from the public school foundation account (AS 14.
9 17.010) \$100 for each special education student in the state in aver-
10 age daily membership or two percent of the funds appropriated to the
11 account for that fiscal year, whichever is greater.

12 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,
13 unless the context otherwise requires,

14 (1) "board" means the governing board of the special educa-
15 tion cooperative service unit;

16 (2) "unit" means the special education cooperative service
17 unit.

18 * Sec. 3. AS 39.25.110 is amended by adding a new paragraph to read:

19 (23) employees of the special education cooperative service
20 unit.

21 * Sec. 4. Of the initial members of the governing board of the special
22 education cooperative service unit, four shall serve a term of four years,
23 five shall serve a term of three years, and two shall serve a term of two
24 years. The initial terms shall be assigned to initial board members by the
25 commissioner by lot.