

COMMITTEE REPORT

HOUSE

*Handwritten notes:*  
Finance  
11/11/75

Mr. Speaker:

Date May 5, 1975

The Committee on FINANCE has had SSRB 24

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR SSRB 24 AND THAT  
2nd Finance  
/ CS FOR SSRB 24 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:

\_\_\_\_\_ Chairman

"An Act relating to public education in the unorganized borough; and providing for an effective date."

# COMMITTEE REPORT

4/7/75

HOUSE

Mr. Speaker:

Date 4/24/75

The Committee on FINANCE has had SSHB 24

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR <sup>FIN.</sup> SSSB HB 24 AND THAT

FIN. CS FOR SSSB HB 24 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

Original sponsor: Swanson, Ose  
and Davis

Offered: 5/5/75  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 24 (2d Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized  
7 borough; and providing for an effective date."

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

9 \* Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 \* Sec. 2. AS 14.08 is amended by adding new sections to read:

11 CHAPTER 8. EDUCATION IN THE UNORGANIZED BOROUGH [ALASKA  
12 STATE-OPERATED SCHOOL SYSTEM].

13 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter  
14 to provide for public education in the unorganized borough and the  
15 military reservations in the state.

16 (b) Nothing in this chapter prohibits an organized borough, city,  
17 village, community or settlement in an unorganized area of the state  
18 from becoming part of or being formed into an organized political sub-  
19 division authorized under AS 29.

20 Sec. 14.08.021. AUTHORITY. The legislature delegates to school  
21 boards for each regional educational attendance area the authority to  
22 operate the public schools in those areas in accordance with the provi-  
23 sions of this chapter, subject to the provisions of this title and the  
24 regulations promulgated under it that apply to all school districts in  
25 the state.

26 Sec. 14.08.031. REGIONAL EDUCATIONAL ATTENDANCE AREAS. (a) The  
27 Department of Education in consultation with the Department of Community  
28 and Regional Affairs and local communities shall divide the unorganized  
29 borough into educational service areas.

1 (b) An educational service area established in the unorganized  
2 borough under (a) of this section constitutes a regional educational  
3 attendance area. Insofar as practicable, each regional educational  
4 attendance area shall contain a relatively integrated socio-economic,  
5 linguistically and culturally homogeneous area. In the formation of the  
6 regional educational attendance areas, consideration shall be given to  
7 the transportation and communication network to facilitate the adminis-  
8 tration of education and communication between communities that comprise  
9 the area. Whenever possible, municipalities, other governmental or  
10 regional corporate entities, drainage basins and other identifiable  
11 geographic features shall be used in describing the boundaries of the  
12 regional school attendance areas.

13 (c) Military reservation schools shall be included in a regional  
14 educational attendance area. However, operation of military reservation  
15 schools by a city or borough school district may be required by the  
16 department under AS 14.12.020(a) and AS 14.14.110. Where the operation  
17 of the military reservation schools in a regional educational attendance  
18 area by a city or borough school district is required by the department,  
19 the military reservation shall not be considered part of the regional  
20 educational attendance area for the purposes of regional school board  
21 membership or elections.

22 (d) U. S. Bureau of Indian Affairs schools may be included in a  
23 regional educational attendance area.

24 Sec. 14.08.041. REGIONAL SCHOOL BOARDS. (a) A regional education-  
25 al attendance area shall be operated on an areawide basis under the  
26 management and control of a regional school board.

27 (b) The qualified voters in each regional educational attendance  
28 area shall elect a regional school board of not less than five nor more  
29 than eleven members to be elected for the same term, in the same manner

1 and with the same qualifications as a city or borough school district  
2 board under ch. 12 of this title. The initial number of regional school  
3 board members shall be determined by the department in consultation with  
4 the local communities in the regional educational attendance areas.  
5 However, the qualified voters in a regional educational attendance area  
6 may increase or decrease the number of regional school board members  
7 established under this section by placing the question on the ballot at  
8 a regular school board election in the manner prescribed by law. A  
9 change in the number of school board members shall not be effective  
10 until the next regular school board election.

11 (c) A regional school board shall consist of five, seven, nine or  
12 11 members.

13 (d) Regional school board members shall be elected at large by the  
14 qualified voters of the entire regional educational attendance area.  
15 However, each seat on the school board shall be designated by letter or  
16 number, and a candidate for regional school board must indicate the seat  
17 for which he is a candidate on his declaration of candidacy or other  
18 nomination papers when he files for office.

19 (e) A vacancy on a regional school board shall be filled in ac-  
20 cordance with AS 14.12.070.

21 Sec. 14.08.051. SCHOOL BOARD SECTIONS. (a) The commissioner in  
22 consultation with the Department of Community and Regional Affairs and  
23 the local communities may divide a regional educational attendance area  
24 into sections for the purpose of nominating and electing regional  
25 school board members. If a regional educational attendance area is  
26 divided into sections each school board member shall represent, as  
27 nearly as practicable, an equal number of persons. The basis for the  
28 division of a regional educational attendance area into sections shall  
29 be the total population of the area as reported in the most recent de-

1 cennial federal census. If the census is five years old or older, then  
2 other reliable population data, including but not limited to population  
3 estimates based on public school enrollments, public utility connections,  
4 registered voters or certified employment payrolls, shall be used as the  
5 basis for the division of the area into sections. Each section within  
6 a regional educational attendance area shall consist of compact, con-  
7 tiguous territory and, insofar as practicable, each section shall contain  
8 a relatively integrated socio-economic, linguistically and culturally  
9 homogeneous area. In the division of the regional school attendance  
10 area into sections, consideration shall be given to the transportation  
11 and communication network to facilitate the administration of education  
12 and communication between communities that comprise the area. Whenever  
13 possible, municipalities, other governmental or regional corporate en-  
14 tities, drainage basins and other identifiable geographic features shall  
15 be used in describing the boundaries of the sections.

16 (b) The division of a regional educational attendance area into  
17 sections, or subsequent recasting of the section boundaries, may be pro-  
18 posed by the regional school board or by a petition containing signatures  
19 of qualified voters in the area equal to 15 per cent of the total vote  
20 cast in the most recent regional school board election. The division of  
21 the area into sections, or subsequent recasting of section boundaries,  
22 is subject to approval by a majority of the qualified voters voting on  
23 the question in the regional educational attendance area at the next  
24 regular school board election or a special election called for that  
25 purpose, and takes effect at the next regular school board election.

26 (c) If a regional educational attendance area has been divided  
27 into sections, the commissioner shall recast the boundaries of the  
28 sections within 90 days following the official reporting of the de-  
29 cennial federal census in accordance with (a) of this section.

1 (d) Multi-member sections may be created. However,

2 (1) the commissioner shall designate each seat within a  
3 multi-member section by letter or number, and a candidate for regional  
4 school board within that section must indicate the seat for which he is  
5 a candidate on his declaration of candidacy or other nomination papers  
6 when he files for office; and

7 (2) no section may be represented by more than

8 (A) three members, if a board consists of five members;

9 (B) four members, if a board consists of seven members;

10 (C) five members, if a board consists of nine members;

11 or

12 (D) six members, if a board consists of 11 members.

13 (e) If a regional educational attendance area has been divided  
14 into sections, board members shall be residents of the section from  
15 which they are elected, but they shall be elected by the qualified  
16 voters of the entire regional educational attendance area.

17 Sec. 14.08.061. TERM OF OFFICE. (a) Members elected to a regional  
18 school board shall serve staggered three-year terms. However,

19 (1) the term of office of all of the members of a regional  
20 school board elected from the same multi-member section may not expire  
21 at the same time; and

22 (2) for the first board elected, the term of office of each  
23 member shall be determined by lot, according to the following schedule:

24 (A) the members of the first five-member school board  
25 shall hold office for terms as follows: one member for a one-year  
26 term; two for a two-year term and two for a three-year term;

27 (B) the members of the first seven-member school board  
28 hold office for terms as follows: two members for a one-year term,  
29 two for a two-year term and three for a three-year term;

1 (C) the members of the first nine-member school board  
2 hold office for terms as follows: three for a one-year term; three  
3 for a two-year term and three for a three-year term;

4 (D) the members of the first 11-member school board hold  
5 office for terms as follows: three for a one-year term, four for a  
6 two-year term and four for a three-year term.

7 (b) If a regional educational attendance area is divided into  
8 sections under sec. 51 of this chapter where the school board formerly,  
9 was elected at large, or if the number of regional school board members  
10 is increased or decreased by the qualified voters in the regional educa-  
11 tional attendance area under sec. 41(b) of this chapter, then the term  
12 of office of all members of the existing board shall terminate on the  
13 date on which the new board members take office, and the provisions of  
14 (a) of this section are applicable to the determination of the terms of  
15 office of the new members of the regional school boards.

16 (c) Nothing in this section precludes a board member from being re-  
17 elected.

18 Sec. 14.08.071. ELECTIONS. (a) In each regional educational  
19 attendance area in the unorganized borough, the lieutenant governor,  
20 within not less than 60, nor more than 90 days after the establishment  
21 of the regional educational attendance area, shall provide for the  
22 election of a regional school board.

23 (b) Except for the first election of regional school board members  
24 under (a) of this section, election shall be held annually on the first  
25 Tuesday in October. Elections shall be supervised by the director of  
26 elections in the office of the lieutenant governor, but shall be admin-  
27 istered within second class cities as part of the regular municipal  
28 election. The lieutenant governor shall promulgate regulations for the  
29 conduct of the election of regional school board members comparable,

1 insofar as practicable, to those prescribed for election of school board  
2 members under ch. 12 of this title and AS 29.28.

3 (c) The cost of each regional school board election, or recall  
4 election under sec. 81 of this chapter, shall be borne by the state.

5 Sec. 14.08.081. RECALL. The members of a regional school board  
6 are subject to recall in accordance with AS 29.28.130 - 29.28.250, except  
7 that the commissioner of education shall perform the functions of a  
8 municipal clerk, and the state Board of Education shall perform the  
9 functions of the assembly or council under those sections.

10 Sec. 14.08.091. ADMINISTRATION. (a) The regional school boards  
11 shall be organized in accordance with AS 14.14.070, and, before taking  
12 office, each school board member shall take and sign the oath or affir-  
13 mation prescribed by AS 14.12.090.

14 (b) The officer of the board responsible for the custody of re-  
15 gional educational attendance area funds shall execute a bond of \$50,000  
16 with the commissioner.

17 Sec. 14.08.101. POWERS. A regional school board may;

18 (1) sue and be sued;

19 (2) contract and be contracted with, including contracting  
20 with the department, the Bureau of Indian Affairs, or any other school  
21 district, agency, or regional board for the provision of services, faci-  
22 lities, supplies or utilities;

23 (3) determine its own policies and procedures for the purchase  
24 of supplies and equipment, separate from the state purchasing system;  
25 the regional school boards are exempt from the Fiscal Procedures Act  
26 (AS 37.05);

27 (4) appoint, compensate and otherwise control all school em-  
28 ployees in accordance with this title; these employees are not subject  
29 to the state personnel Act (AS 39.25);

1 (5) adopt regulations governing organization, policies and  
2 procedures for the operation of the schools;

3 (6) establish maintain, operate, discontinue and combine  
4 schools subject to the approval of the commissioner;

5 (7) recommend to the commissioner a school construction and  
6 rehabilitation program based on an evaluation of the condition of exist-  
7 ing school facilities and a determination of the requirements for new  
8 school construction, rehabilitation or other upgrading of school facili-  
9 ties; and

10 (8) exercise those other functions that may be necessary for  
11 the proper performance of its responsibilities.

12 Sec. 14.08.111. DUTIES. A regional school board shall:

13 (1) provide, during the school term of each year, an educa-  
14 tional program for each school age child who is a resident of the dis-  
15 trict;

16 (2) develop a philosophy of education, principles and goals  
17 for its schools;

18 (3) employ a chief school administrator and approve the em-  
19 ployment of the professional administrators, teachers and non-certifi-  
20 cated personnel necessary to operate its schools;

21 (4) establish the salaries to be paid its employees;

22 (5) designate the employees authorized to direct disbursements  
23 from the school funds of the board;

24 (6) submit the reports prescribed for all school districts;

25 (7) provide for an annual audit in accordance with AS 14.14.-  
26 050; and

27 (8) provide custodial services and routine maintenance of  
28 school buildings and facilities.

29 Sec. 14.08.121. FUNDING. (a) The legislature shall fund the oper-

1 ational costs of the regional educational attendance area schools in the  
2 following manner:

3 (1) the amount of basic need as defined in AS 14.17.021(b);  
4 and

5 (2) an additional amount equal to the average local tax  
6 contributions per pupil in average daily membership (ADM) for school  
7 operating costs in the city and borough school districts in the prior  
8 fiscal year.

9 (b) Funds for the operation of the regional educational attendance  
10 area schools shall be appropriated annually to the Department of Educa-  
11 tion for distribution to the regional school boards in the manner pre-  
12 scribed in AS 14.17.160 - 14.17.180.

13 Sec. 14.08.131. CONFLICT OF INTEREST; DISQUALIFICATION FROM VOTING.  
14 A board member having a direct or indirect pecuniary interest in a con-  
15 tract for erection of buildings, heating, ventilation, furnishing or  
16 repairing the buildings or in a contract for the furnishing of supplies  
17 for a regional school is disqualified from voting on any question in-  
18 volving his pecuniary interest unless the member has disclosed that  
19 interest to the board and the remaining members have approved the mem-  
20 ber's participation in the voting.

21 Sec. 14.08.141. REGIONAL RESOURCE CENTERS. A regional educational  
22 attendance area or any other school district in the state may partici-  
23 pate in regional or statewide resource centers which may be established  
24 by the department. Services provided by a resource center include, but  
25 are not limited to accounting, payroll and other fiscal services, media  
26 services, instructional support services, bilingual-bicultural educa-  
27 tional services, inservice and staff development services, student  
28 services, diagnostic services, school management and training services  
29 and school board member training. Funds for the operation and adminis-

1 tration of a regional resource center shall be provided by the Department  
2 of Education.

3 Sec. 14.08.151. LAND AND BUILDINGS. The ownership of land and  
4 buildings used in relation to regional educational attendance area  
5 schools shall remain vested in the state, and use permits shall be given  
6 to the regional school boards. Construction required by the regional  
7 school boards shall be performed by the Department of Public Works.

8 \* Sec. 3. AS 14.12.010 is amended to read:

9 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The  
10 districts of the state public school system are as follows:

11 (1) each first [, SECOND, AND THIRD] class city in the un-  
12 organized borough is a city school district;

13 (2) each organized borough is a borough school district;

14 (3) the area outside organized boroughs and outside first [,  
15 SECOND AND THIRD] class cities is divided into regional educational  
16 attendance areas [THE STATE-OPERATED SCHOOL DISTRICT].

17 \* Sec. 4. AS 14.12.020(a) is repealed and re-enacted to read:

18 (a) Each regional educational attendance area shall be operated on  
19 an areawide basis under the management and control of a regional school  
20 board. The regional school board manages and controls schools on mili-  
21 tary reservations within its regional educational attendance area until  
22 the military mission is terminated or so long as management and control  
23 by the regional educational attendance area is approved by the department.  
24 However, operation of the military reservation schools by a city or  
25 borough school district may be required by the department under AS 14.-  
26 14.110. If the military mission of a military reservation terminates or  
27 continued management and control by the regional educational attendance  
28 area is disapproved by the department, operation, management and control  
29 of schools on the military reservation transfers to the city or borough

1 school district in which the military reservation is located.

2 \* Sec. 5. AS 14.12.020(c) is amended to read:

3 (c) The legislature shall provide the state money necessary to  
4 maintain and operate the regional educational attendance areas [STATE-  
5 OPERATED SCHOOL DISTRICT]. The borough assembly for a borough school  
6 district, and the city council for a city school district, shall provide  
7 the money which must be raised from local sources to maintain and operate  
8 the district.

9 \* Sec. 6. AS 14.12.030(d) is amended to read:

10 (d) Each city or borough school district that is operating schools  
11 on a military reservation under sec. 20(a) of this chapter has one non-  
12 voting delegate from the military reservation or reservations to the  
13 school district board to advise and assist the board in matters relating  
14 to the military reservation schools operated by the school district and  
15 to act as liaison between the board and the military community. The  
16 nonvoting delegate shall be appointed by the state Board of Education  
17 [FROM AMONG THE MEMBERSHIP OF THE ADVISORY SCHOOL BOARD IF THERE IS AN  
18 ELECTED ADVISORY BOARD], shall serve at the pleasure of the state Board  
19 of Education, and shall be an inhabitant of the area served by the  
20 military reservation schools operated by the school district by con-  
21 tract. If an elected community school committee is established on a  
22 military reservation, the only inhabitants of that military reservation  
23 who are eligible for appointment as the nonvoting delegate are those  
24 inhabitants who are members of the elected school committee.

25 \* Sec. 7. AS 14.14.170 is amended to read:

26 Sec. 14.14.170. COMMUNITY [ADVISORY] SCHOOL COMMITTEES [BOARDS].  
27 (a) There may be [IS] established a community [AN ADVISORY] school  
28 committee [BOARD] in each community or military reservation served by a  
29 school operated by a regional educational attendance area [THE STATE OR

1 BY A CITY OR BOROUGH SCHOOL DISTRICT BY CONTRACT WITH THE STATE]. If  
2 the regional educational attendance area [STATE-OPERATED] school has an  
3 average daily membership of less than 251 pupils, the community [ADVI-  
4 SORY] school committee [BOARD] consists of three members. If the average  
5 daily membership is more than 250 pupils, the community [ADVISORY]  
6 school committee [BOARD] consists of five members.

7 [(b) VOTERS QUALIFIED UNDER SEC. 180 OF THIS CHAPTER, AT AN ELEC-  
8 TION, MAY CREATE AN ON-BASE ADVISORY SCHOOL BOARD WHICH SHALL BE ADVISORY  
9 TO THE GOVERNING BODY OF THE SCHOOL DISTRICT THAT OPERATES THE ON-BASE  
10 SCHOOLS. THE DATE OF ELECTION FOR ON-BASE ADVISORY SCHOOL BOARD MEMBERS,  
11 WHERE THE SCHOOLS ARE OPERATED BY A CITY OR BOROUGH SCHOOL DISTRICT BY  
12 CONTRACT, SHALL BE THE SAME AS THAT FOR THE REGULAR MUNICIPAL ELECTION IN  
13 THE CONTRACTING CITY OR BOROUGH.]

14 (c) In communities qualifying for three-member community [ADVISORY]  
15 school committees [BOARDS] under (a) of this section, voters qualified  
16 under sec. 180 of this chapter may increase the committee [BOARD] to five  
17 members by referendum conducted at an election coinciding with an elec-  
18 tion for community [ADVISORY] school committee [BOARD] members. In  
19 communities qualifying for five-member community [ADVISORY] school  
20 committees [BOARDS] under (a) of this section, voters qualified under  
21 sec. 180 of this chapter may increase the committee [BOARD] to seven  
22 members by referendum conducted at an election coinciding with an elec-  
23 tion for community [ADVISORY] school committee [BOARD] members.

24 (d) The date of election for community [ADVISORY] school committee  
25 [BOARD] members is the same as that for regular municipal elections in  
26 the second class city having the largest population in the area served by  
27 the committee [BOARD] or, if there is no second class city within the  
28 area, on an annual election date for such elections fixed by regulations  
29 [REGULATION] of the department [BOARD OF DIRECTORS FOR STATE-OPERATED

1 SCHOOLS].

2 (e) Elections under (c) and (d) of this section shall be conducted  
3 upon such notice and otherwise substantially in the same manner as  
4 regular municipal elections which are held within the largest second  
5 class city in the area served by the committee [BOARD]. If there is no  
6 second class city within the area, elections shall be conducted upon at  
7 least 10 days published or posted public notice of the election and of  
8 the question or nominees to be voted on and under general rules for the  
9 elections as may be promulgated by regulation of the department [BOARD  
10 OF DIRECTORS FOR STATE-OPERATED SCHOOLS]. Elections relating to  
11 community [ADVISORY] school committees [BOARDS] shall be supervised by  
12 the regional school board [DIRECTOR OF STATE-OPERATED SCHOOLS] but shall  
13 be administered within second class cities as part of the regular muni-  
14 cipal election.

15 (f) Elected members of community [ADVISORY] school committees  
16 [BOARDS] are subject to recall in accordance with the provisions of  
17 AS 29.28.130 - 29.28.250, except that the chief school administrator of  
18 a regional educational attendance area [DIRECTOR OF STATE-OPERATED  
19 SCHOOLS] shall perform the functions of the municipal clerk, and the  
20 regional school board [BOARD OF DIRECTORS FOR STATE-OPERATED SCHOOLS]  
21 shall perform the functions of the assembly or council under those  
22 sections.

23 \* Sec. 8. AS 14.14.180 is amended to read:

24 Sec. 14.14.180. QUALIFICATIONS OF COMMUNITY [ADVISORY] SCHOOL  
25 COMMITTEE [BOARD] MEMBERS AND VOTERS. (a) A person may vote at an  
26 election for community [ADVISORY] school committee [BOARD] members and  
27 may be elected to membership on a community [AN ADVISORY] school  
28 committee [BOARD] who

29 (1) is a citizen of the United States;

1 (2) has passed his 18th birthday;

2 (3) is an inhabitant of the area served by the school for at  
3 least 30 days preceding the election.

4 (b) Election to a community [AN ADVISORY] school committee [BOARD]  
5 is not an election to a civil office of this state.

6 \* Sec. 9. AS 14.14.190 is amended to read:

7 Sec. 14.14.190. TERMS OF OFFICE AND VACANCY. (a) The terms of  
8 the initial members of a three-member community [ADVISORY] school com-  
9 mittee [BOARD] are one, two, and three years, respectively, and [EACH]  
10 until a successor takes office. Thereafter, members shall be elected to  
11 terms of three years and until a successor takes office.

12 (b) Of the initial members of a community [AN ADVISORY] school  
13 committee [BOARD] which consists of five members, one member is elected  
14 for a one-year term, two members for a two-year term, and two members for  
15 a three-year term, and [EACH] until a successor takes office. There-  
16 after, all members are elected to terms of three years and until a  
17 successor takes office.

18 (c) If a three-member community [ADVISORY] school committee [BOARD]  
19 is increased to a five-member committee [ADVISORY SCHOOL BOARD], the two  
20 additional members are elected for terms of two years and three years  
21 respectively. Thereafter, all members are elected to three-year terms.  
22 If a five-member committee [ADVISORY SCHOOL BOARD] is increased to a  
23 seven-member committee [ADVISORY SCHOOL BOARD], the two additional  
24 members are elected for terms of two years and three years respectively.  
25 Therefter, all members are elected to three-year terms and until a  
26 successor takes office.

27 (d) Vacancies on community [ADVISORY] school committees [BOARDS]  
28 will be filled by the remaining members until the next regular election.  
29 At that time an election will be held for the remaining portion of the

1 term.

2 \* Sec. 10. AS 14.14.200 is repealed and re-enacted to read:

3 Sec. 14.14.200. DUTIES. A community school committee shall advise  
4 and assist the regional school board for the regional educational atten-  
5 dance area in which it is located through the local official administer-  
6 ing the school and shall do so in the manner the regional school board  
7 prescribes by regulation.

8 \* Sec. 11. AS 14.14.310 is amended to read:

9 Sec. 14.14.310. DEFINITIONS. In secs. 250 - 310 of this chapter

10 (1) "board" means the governing body of a borough or city  
11 school district or regional educational attendance area [, OR THE BOARD  
12 OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

13 (2) "district" means a borough, [OR] city or regional educa-  
14 tional attendance area [SCHOOL DISTRICT OR THE STATE-OPERATED SCHOOL  
15 SYSTEM].

16 \* Sec. 12. AS 14.17.051 is repealed and re-enacted to read:

17 Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. (a) The instruc-  
18 tional unit allotment for each school district or regional educational  
19 attendance area is as follows:

20 (1) if the district or area is in that part of the state  
21 lying within the boundaries of election district 1, 4 or 8, the district  
22 or area shall receive the base instructional allotment;

23 (2) if the district or area is in that part of the state  
24 lying within the boundaries of election district 2, 3 or 7, the district  
25 or area shall receive 103.75 per cent of the base instructional unit  
26 allotment;

27 (3) if the district or area is in that part of the state  
28 lying within the boundaries of election district 5, 9, 10 or 11, the  
29 district or area shall receive 107.50 per cent of the base instructional

1 unit allotment;

2 (4) if the district or area is in that part of the state  
3 lying within the boundaries of election district 16, south of the Arctic  
4 Circle, the district or area shall receive 111.25 per cent of the base  
5 instructional unit allotment;

6 (5) if the district or area is in that part of the state  
7 lying within the boundaries of election district 6, the district or area  
8 shall receive 115 per cent of the base instructional unit allotment;

9 (6) if the district or area is in that part of the state  
10 lying within the boundaries of election district 12, 13 or 18, the  
11 district or area shall receive 126.25 per cent of the base instructional  
12 unit allotment;

13 (7) if the district or area is in that part of the state  
14 lying within the boundaries of election district 14 or 19, the district  
15 or area shall receive 130 per cent of the base instructional unit allot-  
16 ment;

17 (8) if the district or area is in that part of the state  
18 lying within the boundaries of election district 15, 16 (north of the  
19 Arctic Circle), or 17, the district or area shall receive 133.75 per  
20 cent of the base instructional unit allotment.

21 (b) For the purposes of this section, a school district or regional  
22 educational attendance area is considered to be located in the election  
23 district in which its administrative offices are located. However, if a  
24 school district or a regional educational attendance area operating a  
25 school in a remote area is authorized by the commissioner to calculate  
26 the number of units to which that school is entitled under sec. 31(c) of  
27 this chapter the commissioner may consider that school to lie in the  
28 election district in which it is actually located.

29 (c) For the purposes of this section "election district" means an

1 election district designated in the governor's proclamation of reapportionment and redistricting of December 7, 1961, and retained as to the  
2 House of Representatives by the governor's proclamation of September 3,  
3 1965.  
4

5 \* Sec. 13. AS 14.17.210 is amended to read:

6 Sec. 14.17.210. STATE AID TO NEWLY ESTABLISHED DISTRICT SCHOOLS.

7 (a) A regional educational attendance area [STATE] school which becomes  
8 a city or borough district school is considered a regional educational  
9 attendance area [STATE] school for purposes of financial support until  
10 the expiration of a complete fiscal year after the date on which the  
11 school becomes a city or borough district school. This subsection does  
12 not prevent a local government from spending money to contribute to the  
13 financial support of a regional educational attendance area [STATE]  
14 school which becomes a city or borough district school.

15 (b) For each subsequent fiscal year, the state shall disburse to  
16 the city or borough school district only the money to which the district  
17 is entitled under the public school foundation program.

18 [(c) IN THIS SECTION

19 (1) "STATE SCHOOL" MEANS A SCHOOL OPERATED BY THE DEPARTMENT  
20 OF EDUCATION OR STATE-OPERATED SCHOOL SYSTEM AND ENTIRELY FINANCED BY  
21 STATE MONEY; AND

22 (2) "DISTRICT SCHOOL" MEANS A SCHOOL WHICH COMES UNDER THE  
23 JURISDICTION OF A DISTRICT.]

24 \* Sec. 14. AS 14.17.250(3) is amended to read:

25 (3) "district" means any city or borough school district [,  
26 BUT DOES NOT INCLUDE SCHOOLS IN THE STATE-OPERATED SCHOOL DISTRICT];

27 \* Sec. 15. AS 14.20.175(a) is amended to read:

28 (a) A teacher who has not acquired tenure rights is subject to  
29 nonretention for the school year following the expiration of his contract

1 for any cause which the employer determines to be adequate. However, at  
2 his request, the teacher is entitled to a written statement of the cause  
3 for his nonretention. The boards of city and borough school districts  
4 and regional educational attendance areas [BOARD OF DIRECTORS FOR STATE  
5 SCHOOLS, AND THE DISTRICTS FOR DISTRICT SCHOOLS,] shall provide by  
6 regulation or bylaw a procedure under which a nonretained teacher may,  
7 at his request, be heard informally by [A PANEL CONSISTING OF THE COMMIS-  
8 SIONER AND TWO OR MORE BOARD MEMBERS IN THE CASE OF STATE SCHOOLS, AND  
9 BY] the [LOCAL SCHOOL] board [IN THE CASE OF A DISTRICT SCHOOL].

10 \* Sec. 16. AS 14.20.180(b) is amended to read:

11 (b) The tenure teacher may, within 15 days immediately following  
12 receipt of the notification, notify the employer in writing that he  
13 requests a hearing before the school board [, OR IF THE TENURE TEACHER  
14 IS EMPLOYED BY THE STATE, BEFORE AN APPEAL PANEL CONSISTING OF THE  
15 DIRECTOR AND TWO MEMBERS OF THE BOARD]. The tenure teacher may require  
16 in the notification that

- 17 (1) the hearing be either public or private,
- 18 (2) the hearing be under oath or affirmation,
- 19 (3) he have the right of cross-examination,
- 20 (4) he be represented by counsel,
- 21 (5) he have the right to subpoena a person who has made alle-  
22 gations which are used as a basis for the decision of the employer.

23 \* Sec. 17. AS 14.20.180(c) is amended to read:

24 (c) Upon receipt of the notification requesting a hearing, the  
25 employer shall immediately arrange for a hearing, and shall notify the  
26 tenure teacher or administrator in writing of the date, time, and place  
27 of the hearing. A written transcript, tape, or similar recording of the  
28 proceedings shall be kept. Transcribed copies shall be furnished to the  
29 tenure teacher for cost upon his request. A final decision of the

1 school board [OR THE APPEAL PANEL] requires a majority vote of the  
2 membership. The vote shall be by roll call. The final decision shall  
3 be written and contain specific findings of fact and conclusions of law.  
4 A written notification of the decision shall be furnished to the tenure  
5 teacher within 10 days of the date of the decision.

6 \* Sec. 18. AS 14.20.205 is amended to read:

7 Sec. 14.20.205. JUDICIAL REVIEW. If a school board [OR APPEAL  
8 PANEL] reaches a decision unfavorable to a teacher, the teacher is en-  
9 titled to a de novo trial in the superior court. However, a teacher who  
10 has not attained tenure rights is not entitled to judicial review ac-  
11 cording to this section

12 \* Sec. 19. AS 14.20.207(2) is amended to read:

13 (2) "employer" means the school board or superintendent which  
14 appoints the teacher [OR, IN THE CASE OF A TEACHER IN THE STATE-OPERATED  
15 SCHOOLS, THE BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

16 \* Sec. 20. AS 14.20.230 is amended to read:

17 Sec. 14.20.230. ADMINISTRATORS' SALARIES. School boards of city  
18 and borough school districts and regional educational attendance areas  
19 [DISTRICT SCHOOLS AND THE BOARD OF THE STATE-OPERATED SCHOOLS] shall pay  
20 a qualified school administrator a salary not less than the allowable  
21 amount for his position on the teachers' scale provided in sec. 220(a) -  
22 (c) of this chapter, plus

23 (1) 25 per cent for the chief school administrator of a  
24 district with an average daily membership of 500 or more;

25 (2) 20 per cent for the chief school administrator of a  
26 district with an ADM of less than 500;

27 (3) 15 per cent for a principal or other administrator;

28 (4) 10 per cent for an assistant principal.

29 \* Sec. 21. AS 14.20.550 is amended to read:

1           Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. Each  
2     city, borough and regional school board [, AND THE BOARD OF DIRECTORS  
3     FOR THE STATE-OPERATED SCHOOLS,] shall negotiate with its certificated  
4     employees in good faith on matters pertaining to their employment and  
5     the fulfillment of their professional duties.

6     \* Sec. 22. AS 14.20 is amended by adding a new section to read:

7           Sec. 14.20.555. OPTIONAL COORDINATED EMPLOYEE NEGOTIATIONS. (a)  
8     Negotiations between the certificated employees of the regional educa-  
9     tional attendance areas and the respective regional school boards shall  
10    be conducted by one team representing all the certificated employees,  
11    one team representing all the certificated administrative personnel if  
12    they have joined together to negotiate independently as provided in sec.  
13    560(f) of this chapter, and one team representing all the participating  
14    regional school boards.

15           (b) Each team may consist of as many members as there are regional  
16    school boards. Each board is entitled to one member on the team.  
17    However, each negotiating team shall consist of not less than five  
18    members.

19           (c) A regional educational attendance area board may by resolution  
20    choose to conduct its own negotiations in accordance with sec. 550 of  
21    this chapter.

22           (d) Once negotiations have begun no board or employee group may  
23    withdraw from the negotiations, and the contract resulting from the  
24    coordinated negotiations shall be binding upon all participating boards  
25    and employees.

26     \* Sec. 23. AS 14.30.186(b) is amended to read:

27           (b) The board of a regional educational attendance area [STATE-  
28    OPERATED SCHOOLS] shall provide for special services in a school in the  
29    area [STATE-OPERATED SCHOOL DISTRICT] for exceptional children repre-

1           sented by not less than five children residing in the area served by the  
2           school.

3 \* Sec. 24. AS 14.30.186(d) is amended to read:

4           (d) A school district or a regional educational attendance area  
5           [STATE-OPERATED SCHOOL] required by secs. 10 - 30 of this chapter to  
6           provide special services for exceptional children may cooperate with one  
7           or more school districts or regional educational attendance areas [STATE-  
8           OPERATED SCHOOLS] in providing special classes. If, under the coopera-  
9           tive agreement, there are no special classes offered within a school  
10          district or regional educational attendance area [STATE-OPERATED SCHOOL],  
11          exceptional children may attend special classes in the cooperating  
12          school district or regional educational attendance area [STATE-OPERATED  
13          SCHOOL] providing the special classes.

14 \* Sec. 25. AS 14.30.260 is amended to read:

15           Sec. 14.30.260. EXCEPTION TO QUALIFICATIONS. The school board for  
16           a district or regional educational attendance area [, OR THE BOARD OF  
17           DIRECTORS FOR A SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT IN WHICH  
18           SPECIAL SERVICES ARE PROVIDED FOR,] may waive part of the qualifications  
19           for teachers as set out in sec. 250 of this chapter, if necessary,  
20           during the first school year special services are offered in the dis-  
21           trict or area [OR IN THE SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT].

22 \* Sec. 26. AS 14.30 is amended by adding new sections to read:

23           ARTICLE 4. BILINGUAL-BICULTURAL EDUCATION.

24           Sec. 14.30.400. BILINGUAL-BICULTURAL EDUCATION. City or borough  
25           district school boards and regional educational attendance area boards  
26           shall provide a bilingual-bicultural education program for each school  
27           in a city or borough school district or regional educational attendance  
28           area which is attended by at least eight pupils of limited English-  
29           speaking ability and whose primary language is other than English. A

1 bilingual-bicultural education program shall be provided under a plan of  
2 service which has been developed in accordance with regulations adopted  
3 by the department. Nothing in this section precludes a bilingual-  
4 bicultural education program from being provided for less than eight  
5 pupils in a school.

6 Sec. 14.30.410. BILINGUAL-BICULTURAL EDUCATION FUND. (a) There  
7 is in the Department of Education a bilingual-bicultural education fund  
8 which is an account in the general fund to receive money appropriated by  
9 the legislature for bilingual-bicultural education and to be used for  
10 bilingual-bicultural education program implementation and operation.

11 (b) The department shall adopt regulations for the determination  
12 of entitlement and the distribution of bilingual-bicultural funds to  
13 city and borough school districts and regional educational attendance  
14 areas and regional resource centers.

15 \* Sec. 27. AS 14.33.010 is amended to read:

16 Sec. 14.33.010. REQUIREMENTS FOR SCHOOL SAFETY PATROLS. The  
17 [BOARD OF THE STATE-OPERATED SCHOOLS, FOR THE BENEFIT OF SCHOOLS IN THE  
18 STATE-OPERATED SCHOOL DISTRICT, OR THE] school board of a borough or  
19 city school district or regional educational attendance area, or a  
20 private or denominational school may require that school safety patrols  
21 be established to assist pupils to cross streets and highways adjacent  
22 to schools in safety.

23 \* Sec. 28. AS 14.33.020(a) is amended to read:

24 (a) If [THE STATE DIRECTOR,] a school board, or a private or de-  
25 nominational school determines that a safety patrol should be established  
26 for a school, the principal of the school shall appoint pupils in the  
27 school to serve as members of the patrol.

28 \* Sec. 29. AS 14.60.010(5) is amended to read:

29 (5) "governing body" means the school board of a borough or

1 city school district or a regional educational attendance area [THE  
2 BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOL DISTRICT];

3 \* Sec. 30. AS 14.60.010(6) is amended to read:

4 (6) "school board" means the school board of a borough or  
5 city school district or a regional educational attendance area [THE  
6 BOARD OF DIRECTORS OF THE STATE-OPERATED SCHOOL DISTRICT];

7 \* Sec. 31. AS 14.60.010(7) and (8) are repealed.

8 \* Sec. 32. AS 14.60.010 is amended by adding a new paragraph to read:

9 (10) "regional educational attendance area" means an educa-  
10 tional service area in the unorganized borough, that may or may not  
11 include a military reservation, and which contains one or more public  
12 schools of grade levels K-12 or any portion of those grade levels which  
13 are to be operated under the management and control of a single regional  
14 school board.

15 \* Sec. 33. AS 15.65.050 is amended to read:

16 Sec. 15.65.050. APPLICATION OF SECTION 40 OF THIS CHAPTER. Sec-  
17 tion 40 of this chapter applies to all elections, general or special,  
18 held in a [ANY INCORPORATED] city, organized borough, [INCORPORATED  
19 SCHOOL DISTRICT OR] school district or regional educational attendance  
20 area in the unorganized borough [OUTSIDE OF AN INCORPORATED CITY].

21 \* Sec. 34. AS 29.33.050 is repealed and re-enacted to read:

22 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough  
23 school district and establishes, maintains, and operates a system of  
24 public schools on an areawide basis as provided in AS 14.14.060. A  
25 military reservation within an organized borough is not part of the  
26 borough school district until the military mission is terminated or until  
27 inclusion in the borough school district is approved by the Department of  
28 Education. However, operation of the military reservation schools by  
29 the borough school district may be required by the Department of Educa-

1 tion under AS 14.14.110. If the military mission of a military reserva-  
2 tion terminates or continued management and control by a regional educa-  
3 tional attendance area is disapproved by the Department of Education,  
4 operation, management and control of schools on military reservations  
5 transfers to the borough school district in which the military reserva-  
6 tion is located.

7 \* Sec. 35. AS 29.41.010(a) is repealed and re-enacted to read:

8 (a) A third class borough shall exercise the areawide powers of  
9 education and tax assessment and collection in the manner provided for  
10 second class boroughs. Provisions of law relative to first and second  
11 class organized boroughs apply with respect to third class boroughs only  
12 to the extent they are consistent with this chapter. A military reserva-  
13 tion within an organized borough is not part of the borough school  
14 district until the military mission is terminated or until inclusion in  
15 the borough school district is approved by the Department of Education.  
16 However, operation of the military reservation schools by the borough  
17 school district may be required by the Department of Education under  
18 AS 14.14.110. If the military mission of a military reservation termi-  
19 nates or continued management and control by a regional educational at-  
20 tendance area is disapproved by the Department of Education, operation,  
21 management and control of schools on military reservations transfers to  
22 the borough school district in which the military reservation is located.

23 \* Sec. 36. AS 39.05.060(a)(8) is repealed.

24 \* Sec. 37. AS 39.25.110 is amended by adding a new paragraph to read:

25 (16) certified teachers and noncertified employees employed  
26 by a regional educational attendance area established and organized  
27 under AS 14.08.031 - 14.08.041 to teach in, administer or operate schools  
28 under the operation, control and management of a regional educational  
29 attendance area school board.

1 \* Sec. 38. TRANSITION: BOARD OF DIRECTORS, ALASKA STATE-OPERATED SCHOOLS.

2 (a) The members of the Board of Directors of the Alaska State-Operated  
3 Schools, who are incumbents on the effective date of this Act, shall admin-  
4 ister the public schools in the unorganized borough, subject to the limita-  
5 tions of (d) of this section, during a one-year transition period between  
6 July 1, 1975, and June 30, 1976, inclusive, until school boards in each  
7 regional educational attendance area are established and organized under  
8 AS 14.08.031 - 14.08.041, and become operational under sec. 39(a) of this  
9 Act.

10 (b) The board of directors consists of nine members appointed by the  
11 governor from the areas served, subject to confirmation by the legislature in  
12 joint session. The term of office of board members is three years or until  
13 June 30, 1976, whichever is earlier, on which date the authority of the board  
14 terminates and the terms of office of its membership expire.

15 (c) The members of the board of directors are entitled to travel  
16 expenses and per diem as provided by law for members of other boards and  
17 commissions.

18 (d) During the one-year transition period prescribed in (a) of this  
19 section, the board of directors shall act as the temporary regional school  
20 board for schools in the unorganized borough, and for schools on a military  
21 reservation that are not subject to the provisions of AS 14.12.020(a) and  
22 14.14.110, that are not within a regional educational attendance area that  
23 has become operational under sec. 39(a) of this Act. While acting as the  
24 temporary regional school board for those schools, the board may exercise  
25 the powers of, and is subject to the duties imposed upon, a regional school  
26 board under this Act.

27 (e) As each regional educational attendance area is established, and  
28 the regional school board organized, under AS 14.08.031 - 14.08.041, the  
29 board of directors shall redistribute the property and assets of the Alaska

1 State-Operated Schools to each regional educational attendance area in the  
2 manner the board determines.

3 \* Sec. 39. TRANSITION: DEPARTMENT OF EDUCATION. (a) School boards for  
4 the regional educational attendance areas established and organized under  
5 AS 14.08.031 - 14.08.041 shall begin operation of the schools in the area  
6 under their control and management on a date mutually agreed upon by the  
7 regional school board and the commissioner of education, but not later than  
8 July 1, 1976.

9 (b) As each regional educational attendance area is established, and  
10 the regional school board organized, under AS 14.08.031 - 14.08.041, the  
11 Department of Education shall redistribute all state and federal funds  
12 appropriated to the Alaska State-Operated Schools to the regional educational  
13 attendance area in the manner prescribed by law.

14 (c) After June 30, 1976, the remaining debts of the state-operated  
15 schools shall be assumed by the state and paid from appropriations for that  
16 purpose from the general fund.

17 \* Sec. 40. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-  
18 TIONS. All litigation, hearings, investigations and other proceedings pending  
19 under a law amended for functions which may be transferred by this Act, con-  
20 tinue in effect and may be continued and completed notwithstanding a transfer  
21 or amendment provided for in this Act. Certificates, orders, rules or regu-  
22 lations issued or filed under authority of a law amended by this Act or  
23 functions which may be transferred by this Act, remain in effect for the term  
24 issued, unless revoked, vacated, or otherwise modified under the provisions  
25 of this Act. All contracts or other obligations created by a law amended by  
26 this Act or by virtue of functions which may be transferred by this Act, and  
27 in effect on the effective date of this Act, remain in effect unless revoked  
28 or modified under the provisions of this Act.

29 \* Sec. 41. TRANSITION: PERSONNEL. (a) All teachers, as defined in  
CSSSHB 24 (2d Finance)

1 AS 14.20.207(1), in the communities or regional offices served by the State-  
2 Operated School System on the effective date of this Act and who have been  
3 retained for the 1975-76 school year are subject to the provisions of  
4 AS 14.20.147.

5 (b) All permanent non-certificated employees of the State-Operated  
6 School System in the communities and regional offices who are state employees  
7 on the effective date of this Act shall be terminated by the state and shall  
8 be rehired by the respective regional school boards or by the temporary  
9 regional school board under sec. 38 of this Act.

10 (c) The Department of Education shall assist the certificated and  
11 permanent non-certificated employees in the central office of the State-  
12 Operated School System on the effective date of this Act in finding positions  
13 for which they are qualified.

14 \* Sec. 42. The terms of office of members of the first regional school  
15 boards shall terminate as follows:

16 (1) for those with one-year terms, on the date on which a newly  
17 elected board member takes office after the regular school board election in  
18 1976;

19 (2) for those with two-year terms, on the date on which a newly  
20 elected board member takes office after the regular school board election in  
21 1977; and

22 (3) for those with three-year terms, on the date on which a newly  
23 elected board member takes office after the regular school board election in  
24 1978.

25 \* Sec. 43. Chapter 46, sec. 33, SLA 1970 is repealed.

26 \* Sec. 44. AS 14.08.031 - 14.08.071, as enacted by sec. 2 of this Act  
27 take effect immediately in accordance with AS 01.10.070(c).

28 \* Sec. 45. AS 14.08.011 - 14.08.021 and AS 14.08.081 - 14.08.151 as  
29 enacted by sec. 2 of this Act, and secs. 1 and 3 - 43 of this Act take effect

1 July 1, 1975.

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Original sponsor: Swanson, Ose  
and Davis

Offered: 4/29/75  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 **20** CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 24 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized  
7 borough; and providing for an effective date."

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

9 \* Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 \* Sec. 2. AS 14.08 is amended by adding new sections to read:

11 CHAPTER 8. EDUCATION IN THE UNORGANIZED BOROUGH [ALASKA  
12 STATE-OPERATED SCHOOL SYSTEM].

13 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter  
14 to provide for public education in the unorganized borough and the  
15 military reservations in the state.

16 (b) Nothing in this chapter prohibits an organized borough, city,  
17 village, community or settlement in an unorganized area of the state  
18 from becoming part of or being formed into an organized political sub-  
19 division authorized under AS 29.

20 Sec. 14.08.021. AUTHORITY. The legislature delegates to school  
21 boards for each regional educational attendance area the authority to  
22 operate the public schools in those areas in accordance with the provi-  
23 sions of this chapter, subject to the provisions of this title and the  
24 regulations promulgated under it that apply to all school districts in  
25 the state.

26 Sec. 14.08.031. REGIONAL EDUCATIONAL ATTENDANCE AREAS. (a) The  
27 Department of Education in consultation with the Department of Community  
28 and Regional Affairs and local communities shall divide the unorganized  
29 borough into educational service areas.

1 (b) An educational service area established in the unorganized  
2 borough under (a) of this section constitutes a regional educational  
3 attendance area. Insofar as practicable, each regional educational  
4 attendance area shall contain a relatively integrated socio-economic,  
5 linguistically and culturally homogeneous area. In the formation of the  
6 regional educational attendance areas, consideration shall be given to  
7 the transportation and communication network to facilitate the adminis-  
8 tration of education and communication between communities that comprise  
9 the area. Whenever possible, municipalities, other governmental or  
10 regional corporate entities, drainage basins and other identifiable  
11 geographic features shall be used in describing the boundaries of the  
12 regional school attendance areas.

13 (c) Military reservation schools shall be included in a regional  
14 educational attendance area. However, operation of military reservation  
15 schools by a city or borough school district may be required by the  
16 department under AS 14.12.020(a) and AS 14.14.110. Where the operation  
17 of the military reservation schools in a regional educational attendance  
18 area by a city or borough school district is required by the department,  
19 the military reservation shall not be considered part of the regional  
20 educational attendance area for the purposes of regional school board  
21 membership or elections.

22 (d) U. S. Bureau of Indian Affairs schools may be included in a  
23 regional educational attendance area.

24 Sec. 14.08.041. REGIONAL SCHOOL BOARDS. (a) A regional education-  
25 al attendance area shall be operated on an areawide basis under the  
26 management and control of a regional school board.

27 (b) The qualified voters in each regional educational attendance  
28 area shall elect a regional school board of not less than five nor more  
29 than eleven members to be elected for the same term, in the same manner

1 and with the same qualifications as a city or borough school district  
2 board under ch. 12 of this title. The initial number of regional school  
3 board members shall be determined by the department in consultation with  
4 the local communities in the regional educational attendance areas.  
5 However, the qualified voters in a regional educational attendance area  
6 may increase or decrease the number of regional school board members  
7 established under this section by placing the question on the ballot at  
8 a regular school board election in the manner prescribed by law. A  
9 change in the number of school board members shall not be effective  
10 until the next regular school board election.

11 (c) A regional school board shall consist of five, seven, nine or  
12 11 members.

13 (d) Regional school board members shall be elected at large by the  
14 qualified voters of the entire regional educational attendance area.  
15 However, each seat on the school board shall be designated by letter or  
16 number, and a candidate for regional school board must indicate the seat  
17 for which he is a candidate on his declaration of candidacy or other  
18 nominator papers when he files for office.

19 (e) A vacancy on a regional school board shall be filled in ac-  
20 cordance with AS 14.12.070.

21 Sec. 14.08.051. SCHOOL BOARD SECTIONS. (a) The commissioner in  
22 consultation with the Department of Community and Regional Affairs and  
23 the local communities may divide a regional educational attendance area  
24 into sections for the purpose of nominating and electing regional  
25 school board members. If a regional educational attendance area is  
26 divided into sections each school board member shall represent, as  
27 nearly as practicable, an equal number of persons. The basis for the  
28 division of a regional educational attendance area into sections shall  
29 be the total population of the area as reported in the most recent de-

1 cennial federal census. If the census is five years old or older, then  
2 other reliable population data, including but not limited to population  
3 estimates based on public school enrollments, public utility connections,  
4 registered voters or certified employment payrolls, shall be used as the  
5 basis for the division of the area into sections. Each section within  
6 a regional educational attendance area shall consist of compact, con-  
7 tiguous territory and, insofar as practicable, each section shall contain  
8 a relatively integrated socio-economic, linguistically and culturally  
9 homogeneous area. In the division of the regional school attendance  
10 area into sections, consideration shall be given to the transportation  
11 and communication network to facilitate the administration of education  
12 and communication between communities that comprise the area. Whenever  
13 possible, municipalities, other governmental or regional corporate en-  
14 tities, drainage basins and other identifiable geographic features shall  
15 be used in describing the boundaries of the sections.

16 (b) The division of a regional educational attendance area into  
17 sections, or subsequent recasting of the section boundaries, may be pro-  
18 posed by the regional school board or by a petition containing signatures  
19 of qualified voters in the area equal to 15 per cent of the total vote  
20 cast in the most recent regional school board election. The division of  
21 the area into sections, or subsequent recasting of section boundaries,  
22 is subject to approval by a majority of the qualified voters voting on  
23 the question in the regional educational attendance area at the next  
24 regular school board election or a special election called for that  
25 purpose, and takes effect at the next regular school board election.

26 (c) If a regional educational attendance area has been divided  
27 into sections, the commissioner shall recast the boundaries of the  
28 sections within 90 days following the official reporting of the de-  
29 cennial federal census in accordance with (a) of this section.

1 (d) Multi-member sections may be created. However,

2 (1) the commissioner shall designate each seat within a  
3 multi-member section by letter or number, and a candidate for regional  
4 school board within that section must indicate the seat for which he is  
5 a candidate on his declaration of candidacy or other nomination papers  
6 when he files for office; and

7 (2) no section may be represented by more than

8 (A) three members, if a board consists of five members;

9 (B) four members, if a board consists of seven members;

10 (C) five members, if a board consists of nine members;

11 or

12 (D) six members, if a board consists of 11 members.

13 (e) If a regional educational attendance area has been divided  
14 into sections, board members shall be residents of the section from  
15 which they are elected, but they shall be elected by the qualified  
16 voters of the entire regional educational attendance area.

17 Sec. 14.08.061. TERM OF OFFICE. (a) Members elected to a regional  
18 school board shall serve staggered three-year terms. However,

19 (1) the term of office of all of the members of a regional  
20 school board elected from the same multi-member section may not expire  
21 at the same time; and

22 (2) for the first board elected, the term of office of each  
23 member shall be determined by lot, according to the following schedule:

24 (A) the members of the first five-member school board  
25 shall hold office for terms as follows: one member for a one-year  
26 term; two for a two-year term and two for a three-year term;

27 (B) the members of the first seven-member school board  
28 hold office for terms as follows: two members for a one-year term,  
29 two for a two-year term and three for a three-year term;

1 (C) the members of the first nine-member school board  
2 hold office for terms as follows: three for a one-year term; three  
3 for a two-year term and three for a three-year term;

4 (D) the members of the first 11-member school board hold  
5 office for terms as follows: three for a one-year term, four for a  
6 two-year term and four for a three-year term.

7 (b) If a regional educational attendance area is divided into  
8 sections under sec. 51 of this chapter where the school board formerly  
9 was elected at large, or if the number of regional school board members  
10 is increased or decreased by the qualified voters in the regional educa-  
11 tional attendance area under sec. 41(b) of this chapter, then the term  
12 of office of all members of the existing board shall terminate on the  
13 date on which the new board members take office, and the provisions of  
14 (a) of this section are applicable to the determination of the terms of  
15 office of the new members of the regional school boards.

16 (c) Nothing in this section precludes a board member from being  
17 elected.

18 Sec. 14.08.071. ELECTIONS. (a) In each regional educational  
19 attendance area in the unorganized borough, the lieutenant governor,  
20 within not less than 60, nor more than 90 days after the establishment  
21 of the regional educational attendance area, shall provide for the  
22 election of a regional school board.

23 (b) Except for the first election of regional school board members  
24 under (a) of this section, election shall be held annually on the first  
25 Tuesday in October. Elections shall be supervised by the director of  
26 elections in the office of the lieutenant governor, but shall be admin-  
27 istered within second class cities as part of the regular municipal  
28 election. The lieutenant governor shall promulgate regulations for the  
29 conduct of the election of regional school board members comparable,

1 insofar as practicable, to those prescribed for election of school board  
2 members under ch. 12 of this title and AS 29.28.

3 (c) The cost of each regional school board election, or recall  
4 election under sec. 81 of this chapter, shall be borne by the state.

5 Sec. 14.08.081. RECALL. The members of a regional school board  
6 are subject to recall in accordance with AS 29.28.130 - 29.28.250, except  
7 that the commissioner of education shall perform the functions of a  
8 municipal clerk, and the state Board of Education shall perform the  
9 functions of the assembly or council under those sections.

10 Sec. 14.08.091. ADMINISTRATION. (a) The regional school boards  
11 shall be organized in accordance with AS 14.14.070, and, before taking  
12 office, each school board member shall take and sign the oath or affir-  
13 mation prescribed by AS 14.12.090.

14 (b) The officer of the board responsible for the custody of re-  
15 gional educational attendance area funds shall execute a bond of \$50,000  
16 with the commissioner.

17 Sec. 14.08.101. POWERS. A regional school board may;

18 (1) sue and be sued;

19 (2) contract and be contracted with, including contracting  
20 with the department, the Bureau of Indian Affairs, or any other school  
21 district, agency, or regional board for the provision of services, faci-  
22 lities, supplies or utilities;

23 (3) determine its own policies and procedures for the purchase  
24 of supplies and equipment, separate from the state purchasing system;  
25 the regional school boards are exempt from the Fiscal Procedures Act  
26 (AS 37.05);

27 (4) appoint, compensate and otherwise control all school em-  
28 ployees in accordance with this title; these employees are not subject  
29 to the state personnel Act (AS 39.25);

1 (5) adopt regulations governing organization, policies and  
2 procedures for the operation of the schools;

3 (6) establish maintain, operate, discontinue and combine  
4 schools subject to the approval of the commissioner;

5 (7) recommend to the commissioner a school construction and  
6 rehabilitation program based on an evaluation of the condition of exist-  
7 ing school facilities and a determination of the requirements for new  
8 school construction, rehabilitation or other upgrading of school facili-  
9 ties; and

10 (8) exercise those other functions that may be necessary for  
11 the proper performance of its responsibilities.

12 Sec. 14.08.111. DUTIES. A regional school board shall:

13 (1) provide, during the school term of each year, an educa-  
14 tional program for each school age child who is a resident of the dis-  
15 trict;

16 (2) develop a philosophy of education, principles and goals  
17 for its schools;

18 (3) employ a chief school administrator and approve the em-  
19 ployment of the professional administrators, teachers and non-certifi-  
20 cated personnel necessary to operate its schools;

21 (4) establish the salaries to be paid its employees;

22 (5) designate the employees authorized to direct disbursements  
23 from the school funds of the board;

24 (6) submit the reports prescribed for all school districts;

25 (7) provide for an annual audit in accordance with AS 14.14.-  
26 050; and

27 (8) provide custodial services and routine maintenance of  
28 school buildings and facilities.

29 Sec. 14.08.121. FUNDING. (a) The legislature shall fund the oper-

1 ational costs of the regional educational attendance area schools in the  
2 following manner:

3 (1) the amount of basic need as defined in AS 14.17.021(b);  
4 and

5 (2) an additional amount equal to the average local tax  
6 contributions per pupil in average daily membership (ADM) for school  
7 operating costs in the city and borough school districts in the prior  
8 fiscal year.

9 (b) Funds for the operation of the regional educational attendance  
10 area schools shall be appropriated annually to the Department of Educa-  
11 tion for distribution to the regional school boards in the manner pre-  
12 scribed in AS 14.17.160 - 14.17.180.

13 Sec. 14.08.131. CONFLICT OF INTEREST; DISQUALIFICATION FROM VOTING.  
14 A board member having a direct or indirect pecuniary interest in a con-  
15 tract for erection of buildings, heating, ventilation, furnishing or  
16 repairing the buildings or in a contract for the furnishing of supplies  
17 for a regional school is disqualified from voting on any question in-  
18 volving his pecuniary interest unless the member has disclosed that  
19 interest to the board and the remaining members have approved the mem-  
20 ber's participation in the voting.

21 Sec. 14.08.141. REGIONAL RESOURCE CENTERS. A regional educational  
22 attendance area or any other school district in the state may partici-  
23 pate in regional or statewide resource centers which may be established  
24 by the department. Services provided by a resource center include, but  
25 are not limited to accounting, payroll and other fiscal services, media  
26 services, instructional support services, bilingual-bicultural educa-  
27 tional services, inservice and staff development services, student  
28 services, diagnostic services, school management and training services  
29 and school board member training. Funds for the operation and adminis-

1 tration of a regional resource center shall be provided by the Department  
2 of Education.

3 Sec. 14.08.151. LAND AND BUILDINGS. The ownership of land and  
4 buildings used in relation to regional educational attendance area  
5 schools shall remain vested in the state, and use permits shall be given  
6 to the regional school boards. Construction required by the regional  
7 school boards shall be performed by the Department of Public Works.

8 \* Sec. 3. AS 14.12.010 is amended to read:

9 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The  
10 districts of the state public school system are as follows:

11 (1) each first [, SECOND, AND THIRD] class city in the un-  
12 organized borough is a city school district;

13 (2) each organized borough is a borough school district;

14 (3) the area outside organized boroughs and outside first [,  
15 SECOND AND THIRD] class cities is divided into regional educational  
16 attendance areas [THE STATE-OPERATED SCHOOL DISTRICT].

17 \* Sec. 4. AS 14.12.020(a) is repealed and re-enacted to read:

18 (a) Each regional educational attendance area shall be operated on  
19 an areawide basis under the management and control of a regional school  
20 board. The regional school board manages and controls schools on mili-  
21 tary reservations within its regional educational attendance area until  
22 the military mission is terminated or so long as management and control  
23 by the regional educational attendance area is approved by the department.  
24 However, operation of the military reservation schools by a city or  
25 borough school district may be required by the department under AS 14.-  
26 14.110. If the military mission of a military reservation terminates or  
27 continued management and control by the regional educational attendance  
28 area is disapproved by the department, operation, management and control  
29 of schools on the military reservation transfers to the city or borough

1 school district in which the military reservation is located.

2 \* Sec. 5. AS 14.12.020(c) is amended to read:

3 (c) The legislature shall provide the state money necessary to  
4 maintain and operate the regional educational attendance areas [STATE-  
5 OPERATED SCHOOL DISTRICT]. The borough assembly for a borough school  
6 district, and the city council for a city school district, shall provide  
7 the money which must be raised from local sources to maintain and operate  
8 the district.

9 \* Sec. 6. AS 14.12.030(d) is amended to read:

10 (d) Each city or borough school district that is operating schools  
11 on a military reservation under sec. 20(a) of this chapter has one non-  
12 voting delegate from the military reservation or reservations to the  
13 school district board to advise and assist the board in matters relating  
14 to the military reservation schools operated by the school district and  
15 to act as liaison between the board and the military community. The  
16 nonvoting delegate shall be appointed by the state Board of Education  
17 [FROM AMONG THE MEMBERSHIP OF THE ADVISORY SCHOOL BOARD IF THERE IS AN  
18 ELECTED ADVISORY BOARD], shall serve at the pleasure of the state Board  
19 of Education, and shall be an inhabitant of the area served by the  
20 military reservation schools operated by the school district by con-  
21 tract. If an elected community school committee is established on a  
22 military reservation, the only inhabitants of that military reservation  
23 who are eligible for appointment as the nonvoting delegate are those  
24 inhabitants who are members of the elected school committee.

25 \* Sec. 7. AS 14.14.170 is amended to read:

26 Sec. 14.14.170. COMMUNITY [ADVISORY] SCHOOL COMMITTEES [BOARDS].

27 (a) There may be [IS] established a community [AN ADVISORY] school  
28 committee [BOARD] in each community or military reservation served by a  
29 school operated by a regional educational attendance area [THE STATE OR

1 BY A CITY OR BOROUGH SCHOOL DISTRICT BY CONTRACT WITH THE STATE]. If  
2 the regional educational attendance area [STATE-OPERATED] school has an  
3 average daily membership of less than 251 pupils, the community [ADVI-  
4 SORY] school committee [BOARD] consists of three members. If the average  
5 daily membership is more than 250 pupils, the community [ADVISORY]  
6 school committee [BOARD] consists of five members.

7 [(b) VOTERS QUALIFIED UNDER SEC. 180 OF THIS CHAPTER, AT AN ELEC-  
8 TION, MAY CREATE AN ON-BASE ADVISORY SCHOOL BOARD WHICH SHALL BE ADVISORY  
9 TO THE GOVERNING BODY OF THE SCHOOL DISTRICT THAT OPERATES THE ON-BASE  
10 SCHOOLS. THE DATE OF ELECTION FOR ON-BASE ADVISORY SCHOOL BOARD MEMBERS,  
11 WHERE THE SCHOOLS ARE OPERATED BY A CITY OR BOROUGH SCHOOL DISTRICT BY  
12 CONTRACT, SHALL BE THE SAME AS THAT FOR THE REGULAR MUNICIPAL ELECTION IN  
13 THE CONTRACTING CITY OR BOROUGH.]

14 (c) In communities qualifying for three-member community [ADVISORY]  
15 school committees [BOARDS] under (a) of this section, voters qualified  
16 under sec. 180 of this chapter may increase the committee [BOARD] to five  
17 members by referendum conducted at an election coinciding with an elec-  
18 tion for community [ADVISORY] school committee [BOARD] members. In  
19 communities qualifying for five-member community [ADVISORY] school  
20 committees [BOARDS] under (a) of this section, voters qualified under  
21 sec. 180 of this chapter may increase the committee [BOARD] to seven  
22 members by referendum conducted at an election coinciding with an elec-  
23 tion for community [ADVISORY] school committee [BOARD] members.

24 (d) The date of election for community [ADVISORY] school committee  
25 [BOARD] members is the same as that for regular municipal elections in  
26 the second class city having the largest population in the area served by  
27 the committee [BOARD] or, if there is no second class city within the  
28 area, on an annual election date for such elections fixed by regulations  
29 [REGULATION] of the department [BOARD OF DIRECTORS FOR STATE-OPERATED

1 SCHOOLS].

2 (e) Elections under (c) and (d) of this section shall be conducted  
3 upon such notice and otherwise substantially in the same manner as  
4 regular municipal elections which are held within the largest second  
5 class city in the area served by the committee [BOARD]. If there is no  
6 second class city within the area, elections shall be conducted upon at  
7 least 10 days published or posted public notice of the election and of  
8 the question or nominees to be voted on and under general rules for the  
9 elections as may be promulgated by regulation of the department [BOARD  
10 OF DIRECTORS FOR STATE-OPERATED SCHOOLS]. Elections relating to  
11 community [ADVISORY] school committees [BOARDS] shall be supervised by  
12 the regional school board [DIRECTOR OF STATE-OPERATED SCHOOLS] but shall  
13 be administered within second class cities as part of the regular muni-  
14 cipal election.

15 (f) Elected members of community [ADVISORY] school committees  
16 [BOARDS] are subject to recall in accordance with the provisions of  
17 AS 29.28.130 - 29.28.250, except that the chief school administrator of  
18 a regional educational attendance area [DIRECTOR OF STATE-OPERATED  
19 SCHOOLS] shall perform the functions of the municipal clerk, and the  
20 regional school board [BOARD OF DIRECTORS FOR STATE-OPERATED SCHOOLS]  
21 shall perform the functions of the assembly or council under those  
22 sections.

23 \* Sec. 8. AS 14.14.180 is amended to read:

24 Sec. 14.14.180. QUALIFICATIONS OF COMMUNITY [ADVISORY] SCHOOL  
25 COMMITTEE [BOARD] MEMBERS AND VOTERS. (a) A person may vote at an  
26 election for community [ADVISORY] school committee [BOARD] members and  
27 may be elected to membership on a community [AN ADVISORY] school  
28 committee [BOARD] who

29 (1) is a citizen of the United States;

1 (2) has passed his 18th birthday;

2 (3) is an inhabitant of the area served by the school for at  
3 least 30 days preceding the election.

4 (b) Election to a community [AN ADVISORY] school committee [BOARD]  
5 is not an election to a civil office of this state.

6 \* Sec. 9. AS 14.14.190 is amended to read:

7 Sec. 14.14.190. TERMS OF OFFICE AND VACANCY. (a) The terms of  
8 the initial members of a three-member community [ADVISORY] school com-  
9 mittee [BOARD] are one, two, and three years, respectively, and [EACH]  
10 until a successor takes office. Thereafter, members shall be elected to  
11 terms of three years and until a successor takes office.

12 (b) Of the initial members of a community [AN ADVISORY] school  
13 committee [BOARD] which consists of five members, one member is elected  
14 for a one-year term, two members for a two-year term, and two members for  
15 a three-year term, and [EACH] until a successor takes office. There-  
16 after, all members are elected to terms of three years and until a  
17 successor takes office.

18 (c) If a three-member community [ADVISORY] school committee [BOARD]  
19 is increased to a five-member committee [ADVISORY SCHOOL BOARD], the two  
20 additional members are elected for terms of two years and three years  
21 respectively. Thereafter, all members are elected to three-year terms.  
22 If a five-member committee [ADVISORY SCHOOL BOARD] is increased to a  
23 seven-member committee [ADVISORY SCHOOL BOARD], the two additional  
24 members are elected for terms of two years and three years respectively.  
25 Thereafter, all members are elected to three-year terms and until a  
26 successor takes office.

27 (d) Vacancies on community [ADVISORY] school committees [BOARDS]  
28 will be filled by the remaining members until the next regular election.

29 At that time an election will be held for the remaining portion of the

1 term.

2 \* Sec. 10. AS 14.14.200 is repealed and re-enacted to read:

3 Sec. 14.14.200. DUTIES. A community school committee shall advise  
4 and assist the regional school board for the regional educational atten-  
5 dance area in which it is located through the local official administer-  
6 ing the school and shall do so in the manner the regional school board  
7 prescribes by regulation.

8 \* Sec. 11. AS 14.14.310 is amended to read:

9 Sec. 14.14.310. DEFINITIONS. In secs. 250 - 310 of this chapter

10 (1) "board" means the governing body of a borough or city  
11 school district or regional educational attendance area [, OR THE BOARD  
12 OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

13 (2) "district" means a borough, [OR] city or regional educa-  
14 tional attendance area [SCHOOL DISTRICT OR THE STATE-OPERATED SCHOOL  
15 SYSTEM].

16 \* Sec. 12. AS 14.17.051 is repealed and re-enacted to read:

17 Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. (a) The instruc-  
18 tional unit allotment for each school district or regional educational  
19 attendance area is as follows:

20 (1) if the district or area is in that part of the state  
21 lying within the boundaries of election district 1, 4 or 8, the district  
22 or area shall receive the base instructional allotment;

23 (2) if the district or area is in that part of the state  
24 lying within the boundaries of election district 2, 3 or 7, the district  
25 or area shall receive 103.75 per cent of the base instructional unit  
26 allotment;

27 (3) if the district or area is in that part of the state  
28 lying within the boundaries of election district 5, 9, 10 or 11, the  
29 district or area shall receive 107.50 per cent of the base instructional

1 unit allotment;

2 (4) if the district or area is in that part of the state  
3 lying within the boundaries of election district 16, south of the Arctic  
4 Circle, the district or area shall receive 111.25 per cent of the base  
5 instructional unit allotment;

6 (5) if the district or area is in that part of the state  
7 lying within the boundaries of election district 6, the district or area  
8 shall receive 115 per cent of the base instructional unit allotment;

9 (6) if the district or area is in that part of the state  
10 lying within the boundaries of election district 12, 13 or 18, the  
11 district or area shall receive 126.25 per cent of the base instructional  
12 unit allotment;

13 (7) if the district or area is in that part of the state  
14 lying within the boundaries of election district 14 or 19, the district  
15 or area shall receive 130 per cent of the base instructional unit allot-  
16 ment;

17 (8) if the district or area is in that part of the state  
18 lying within the boundaries of election district 15, 16 (north of the  
19 Arctic Circle), or 17, the district or area shall receive 133.75 per  
20 cent of the base instructional unit allotment.

21 (b) For the purposes of this section, a school district or regional  
22 educational attendance area is considered to be located in the election  
23 district in which its administrative offices are located. However, if a  
24 school district or a regional educational attendance area operating a  
25 school in a remote area is authorized by the commissioner to calculate  
26 the number of units to which that school is entitled under sec. 31(c) of  
27 this chapter the commissioner may consider that school to lie in the  
28 election district in which it is actually located.

29 (c) For the purposes of this section "election district" means an

1 election district designated in the governor's proclamation of reapportionment and redistricting of December 7, 1961, and retained as to the House of Representatives by the governor's proclamation of September 3, 1965.

5 \* Sec. 13. AS 14.17.210 is amended to read:

6 Sec. 14.17.210. STATE AID TO NEWLY ESTABLISHED DISTRICT SCHOOLS.

7 (a) A regional educational attendance area [STATE] school which becomes  
8 a city or borough district school is considered a regional educational  
9 attendance area [STATE] school for purposes of financial support until  
10 the expiration of a complete fiscal year after the date on which the  
11 school becomes a city or borough district school. This subsection does  
12 not prevent a local government from spending money to contribute to the  
13 financial support of a regional educational attendance area [STATE]  
14 school which becomes a city or borough district school.

15 (b) For each subsequent fiscal year, the state shall disburse to  
16 the city or borough school district only the money to which the district  
17 is entitled under the public school foundation program.

18 [(c) IN THIS SECTION

19 (1) "STATE SCHOOL" MEANS A SCHOOL OPERATED BY THE DEPARTMENT  
20 OF EDUCATION OR STATE-OPERATED SCHOOL SYSTEM AND ENTIRELY FINANCED BY  
21 STATE MONEY; AND

22 (2) "DISTRICT SCHOOL" MEANS A SCHOOL WHICH COMES UNDER THE  
23 JURISDICTION OF A DISTRICT.]

24 \* Sec. 14. AS 14.17.250(3) is amended to read:

25 (3) "district" means any city or borough school district [,  
26 BUT DOES NOT INCLUDE SCHOOLS IN THE STATE-OPERATED SCHOOL DISTRICT];

27 \* Sec. 15. AS 14.20.175(a) is amended to read:

28 (a) A teacher who has not acquired tenure rights is subject to  
29 nonretention for the school year following the expiration of his contract

1 for any cause which the employer determines to be adequate. However, at  
2 his request, the teacher is entitled to a written statement of the cause  
3 for his nonretention. The boards of city and borough school districts  
4 and regional educational attendance areas [BOARD OF DIRECTORS FOR STATE  
5 SCHOOLS, AND THE DISTRICTS FOR DISTRICT SCHOOLS,] shall provide by  
6 regulation or bylaw a procedure under which a nonretained teacher may,  
7 at his request, be heard informally by [A PANEL CONSISTING OF THE COMMIS-  
8 SIONER AND TWO OR MORE BOARD MEMBERS IN THE CASE OF STATE SCHOOLS, AND  
9 BY] the [LOCAL SCHOOL] board [IN THE CASE OF A DISTRICT SCHOOL].

10 \* Sec. 16. AS 14.20.180(b) is amended to read:

11 (b) The tenure teacher may, within 15 days immediately following  
12 receipt of the notification, notify the employer in writing that he  
13 requests a hearing before the school board [, OR IF THE TENURE TEACHER  
14 IS EMPLOYED BY THE STATE, BEFORE AN APPEAL PANEL CONSISTING OF THE  
15 DIRECTOR AND TWO MEMBERS OF THE BOARD]. The tenure teacher may require  
16 in the notification that

- 17 (1) the hearing be either public or private,
- 18 (2) the hearing be under oath or affirmation,
- 19 (3) he have the right of cross-examination,
- 20 (4) he be represented by counsel,
- 21 (5) he have the right to subpoena a person who has made alle-  
22 gations which are used as a basis for the decision of the employer.

23 \* Sec. 17. AS 14.20.180(c) is amended to read:

24 (c) Upon receipt of the notification requesting a hearing, the  
25 employer shall immediately arrange for a hearing, and shall notify the  
26 tenure teacher or administrator in writing of the date, time, and place  
27 of the hearing. A written transcript, tape, or similar recording of the  
28 proceedings shall be kept. Transcribed copies shall be furnished to the  
29 tenure teacher for cost upon his request. A final decision of the

1 school board [OR THE APPEAL PANEL] requires a majority vote of the  
2 membership. The vote shall be by roll call. The final decision shall  
3 be written and contain specific findings of fact and conclusions of law.  
4 A written notification of the decision shall be furnished to the tenure  
5 teacher within 10 days of the date of the decision.

6 \* Sec. 18. AS 14.20.205 is amended to read:

7 Sec. 14.20.205. JUDICIAL REVIEW. If a school board [OR APPEAL  
8 PANEL] reaches a decision unfavorable to a teacher, the teacher is en-  
9 titled to a de novo trial in the superior court. However, a teacher who  
10 has not attained tenure rights is not entitled to judicial review ac-  
11 cording to this section.

12 \* Sec. 19. AS 14.20.207(2) is amended to read:

13 (2) "employer" means the school board or superintendent which  
14 appoints the teacher [OR, IN THE CASE OF A TEACHER IN THE STATE-OPERATED  
15 SCHOOLS, THE BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

16 \* Sec. 20. AS 14.20.230 is amended to read:

17 Sec. 14.20.230. ADMINISTRATORS' SALARIES School boards of city  
18 and borough school districts and regional educational attendance areas  
19 [DISTRICT SCHOOLS AND THE BOARD OF THE STATE-OPERATED SCHOOLS] shall pay  
20 a qualified school administrator a salary not less than the allowable  
21 amount for his position on the teachers' scale provided in sec. 220(a) -  
22 (c) of this chapter, plus

23 (1) 25 per cent for the chief school administrator of a  
24 district with an average daily membership of 500 or more;

25 (2) 20 per cent for the chief school administrator of a  
26 district with an ADM of less than 500;

27 (3) 15 per cent for a principal or other administrator;

28 (4) 10 per cent for an assistant principal.

29 \* Sec. 21. AS 14.20.550 is amended to read:

1           Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. Each  
2 city, borough and regional school board [, AND THE BOARD OF DIRECTORS  
3 FOR THE STATE-OPERATED SCHOOLS,] shall negotiate with its certificated  
4 employees in good faith on matters pertaining to their employment and  
5 the fulfillment of their professional duties.

6 \* Sec. 22. AS 14.20 is amended by adding a new section to read:

7           Sec. 14.20.555. OPTIONAL COORDINATED EMPLOYEE NEGOTIATIONS. (a)  
8 Negotiations between the certificated employees of the regional educa-  
9 tional attendance areas and the respective regional school boards shall  
10 be conducted by one team representing all the certificated employees,  
11 one team representing all the certificated administrative personnel if  
12 they have joined together to negotiate independently as provided in sec.  
13 560(f) of this chapter, and one team representing all the participating  
14 regional school boards.

15           (b) Each team may consist of as many members as there are regional  
16 school boards. Each board is entitled to one member on the team.  
17 However, each negotiating team shall consist of not less than five  
18 members.

19           (c) A regional educational attendance area board may by resolution  
20 choose to conduct its own negotiations in accordance with sec. 550 of  
21 this chapter.

22           (d) Once negotiations have begun no board or employee group may  
23 withdraw from the negotiations, and the contract resulting from the  
24 coordinated negotiations shall be binding upon all participating boards  
25 and employees.

26 \* Sec. 23. AS 14.30.186(b) is amended to read:

27           (b) The board of a regional educational attendance area [STATE-  
28 OPERATED SCHOOLS] shall provide for special services in a school in the  
29 area [STATE-OPERATED SCHOOL DISTRICT] for exceptional children repre-

1           sented by not less than five children residing in the area served by the  
2           school.

3 \* Sec. 24. AS 14.30.186(d) is amended to read:

4           (d) A school district or a regional educational attendance area  
5           [STATE-OPERATED SCHOOL] required by secs. 10 - 305 of this chapter to  
6           provide special services for exceptional children may cooperate with one  
7           or more school districts or regional educational attendance areas [STATE-  
8           OPERATED SCHOOLS] in providing special classes. If, under the coopera-  
9           tive agreement, there are no special classes offered within a school  
10          district or regional educational attendance area [STATE-OPERATED SCHOOL],  
11          exceptional children may attend special classes in the cooperating  
12          school district or regional educational attendance area [STATE-OPERATED  
13          SCHOOL] providing the special classes.

14 \* Sec. 25. AS 14.30.260 is amended to read:

15           Sec. 14.30.260. EXCEPTION TO QUALIFICATIONS. The school board for  
16           a district or regional educational attendance area [, OR THE BOARD OF  
17           DIRECTORS FOR A SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT IN WHICH  
18           SPECIAL SERVICES ARE PROVIDED FOR,] may waive part of the qualifications  
19           for teachers as set out in sec. 250 of this chapter, if necessary,  
20           during the first school year special services are offered in the dis-  
21           trict or area [OR IN THE SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT].

22 \* Sec. 26. AS 14.30 is amended by adding new sections to read:

23           ARTICLE 4. BILINGUAL-BICULTURAL EDUCATION.

24           Sec. 14.30.400. BILINGUAL-BICULTURAL EDUCATION. City or borough  
25           district school boards and regional educational attendance area boards  
26           shall provide a bilingual-bicultural education program for each school  
27           in a city or borough school district or regional educational attendance  
28           area which is attended by at least eight pupils of limited English-  
29           speaking ability and whose primary language is other than English. A

1 bilingual-bicultural education program shall be provided under a plan of  
2 service which has been developed in accordance with regulations adopted  
3 by the department. Nothing in this section precludes a bilingual-  
4 bicultural education program from being provided for less than eight  
5 pupils in a school.

6 Sec. 14.30.410. BILINGUAL-BICULTURAL EDUCATION FUND. (a) There  
7 is in the Department of Education a bilingual-bicultural education fund  
8 which is an account in the general fund to receive money appropriated by  
9 the legislature for bilingual-bicultural education and to be used for  
10 bilingual-bicultural education program implementation and operation.

11 (b) The department shall adopt regulations for the determination  
12 of entitlement and the distribution of bilingual-bicultural funds to  
13 city and borough school districts and regional educational attendance  
14 areas and regional resource centers.

15 \* Sec. 27. AS 14.33.010 is amended to read:

16 Sec. 14.33.610. REQUIREMENTS FOR SCHOOL SAFETY PATROLS. The  
17 [BOARD OF THE STATE-OPERATED SCHOOLS, FOR THE BENEFIT OF SCHOOLS IN THE  
18 STATE-OPERATED SCHOOL DISTRICT, OR THE] school board of a borough or  
19 city school district or regional educational attendance area, or a  
20 private or denominational school may require that school safety patrols  
21 be established to assist pupils to cross streets and highways adjacent  
22 to schools in safety.

23 \* Sec. 28. AS 14.33.020(a) is amended to read:

24 (a) If [THE STATE DIRECTOR,] a school board, or a private or de-  
25 nominational school determines that a safety patrol should be established  
26 for a school, the principal of the school shall appoint pupils in the  
27 school to serve as members of the patrol.

28 \* Sec. 29. AS 14.60.010(5) is amended to read:

29 (5) "governing body" means the school board of a borough or

1 city school district or a regional educational attendance area [THE  
2 BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOL DISTRICT];

3 \* Sec. 30. AS 14.60.010(6) is amended to read:

4 (6) "school board" means the school board of a borough or  
5 city school district or a regional educational attendance area [THE  
6 BOARD OF DIRECTORS OF THE STATE-OPERATED SCHOOL DISTRICT];

7 \* Sec. 31. AS 14.60.010(7) and (8) are repealed.

8 \* Sec. 32. AS 14.60.010 is amended by adding a new paragraph to read:

9 (10) "regional educational attendance area" means an educa-  
10 tional service area in the unorganized borough, that may or may not  
11 include a military reservation, and which contains one or more public  
12 schools of grade levels K-12 or any portion of those grade levels which  
13 are to be operated under the management and control of a single regional  
14 school board.

15 \* Sec. 33. AS 15.65.050 is amended to read:

16 Sec. 15.65.050. APPLICATION OF SECTION 40 OF THIS CHAPTER. Sec-  
17 tion 40 of this chapter applies to all elections, general or special,  
18 held in a [ANY INCORPORATED] city, organized borough, [INCORPORATED  
19 SCHOOL DISTRICT OR] school district or regional educational attendance  
20 area in the unorganized borough [OUTSIDE OF AN INCORPORATED CITY].

21 \* Sec. 34. AS 29.33.050 is repealed and re-enacted to read:

22 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough  
23 school district and establishes, maintains, and operates a system of  
24 public schools on an areawide basis as provided in AS 14.14.060. A  
25 military reservation within an organized borough is not part of the  
26 borough school district until the military mission is terminated or until  
27 inclusion in the borough school district is approved by the Department of  
28 Education. However, operation of the military reservation schools by  
29 the borough school district may be required by the Department of Educa-

1 tion under AS 14.14.110. If the military mission of a military reserva-  
2 tion terminates or continued management and control by a regional educa-  
3 tional attendance area is disapproved by the Department of Education,  
4 operation, management and control of schools on military reservations  
5 transfers to the borough school district in which the military reserva-  
6 tion is located.

7 \* Sec. 35. AS 29.41.010(a) is repealed and re-enacted to read:

8 (a) A third class borough shall exercise the areawide powers of  
9 education and tax assessment and collection in the manner provided for  
10 second class boroughs. Provisions of law relative to first and second  
11 class organized boroughs apply with respect to third class boroughs only  
12 to the extent they are consistent with this chapter. A military reserva-  
13 tion within an organized borough is not part of the borough school  
14 district until the military mission is terminated or until inclusion in  
15 the borough school district is approved by the Department of Education.  
16 However, operation of the military reservation schools by the borough  
17 school district may be required by the Department of Education under  
18 AS 14.14.110. If the military mission of a military reservation termi-  
19 nates or continued management and control by a regional educational at-  
20 tendance area is disapproved by the Department of Education, operation,  
21 management and control of schools on military reservations transfers to  
22 the borough school district in which the military reservation is located.

23 \* Sec. 36. AS 39.05.060(a)(8) is repealed.

24 \* Sec. 37. AS 39.25.110 is amended by adding a new paragraph to read:

25 (16) certified teachers and noncertified employees employed  
26 by a regional educational attendance area established and organized  
27 under AS 14.08.031 - 14.08.041 to teach in, administer or operate schools  
28 under the operation, control and management of a regional educational  
29 attendance area school board.

1 \* Sec. 38. TRANSITION: BOARD OF DIRECTORS, ALASKA STATE-OPERATED SCHOOLS.

2 (a) The members of the Board of Directors of the Alaska State-Operated  
3 Schools, who are incumbents on the effective date of this Act, shall admin-  
4 ister the public schools in the unorganized borough, subject to the limita-  
5 tions of (d) of this section, during a one-year transition period between  
6 July 1, 1975, and June 30, 1976, inclusive, until school boards in each  
7 regional educational attendance area are established and organized under  
8 AS 14.08.031 - 14.08.041, and become operational under sec. 39(a) of this  
9 Act.

10 (b) The board of directors consists of nine members appointed by the  
11 governor from the areas served, subject to confirmation by the legislature in  
12 joint session. The term of office of board members is three years or until  
13 June 30, 1976, whichever is earlier, on which date the authority of the board  
14 terminates and the terms of office of its membership expire.

15 (c) The members of the board of directors are entitled to travel  
16 expenses and per diem as provided by law for members of other boards and  
17 commissions.

18 (d) During the one-year transition period prescribed in (a) of this  
19 section, the board of directors shall act as the temporary regional school  
20 board for schools in the unorganized borough, and for schools on a military  
21 reservation that are not subject to the provisions of AS 14.12.020(a) and  
22 14.14.110, that are not within a regional educational attendance area that  
23 has become operational under sec. 39(a) of this Act. While acting as the  
24 temporary regional school board for those schools, the board may exercise  
25 the powers of, and is subject to the duties imposed upon, a regional school  
26 board under this Act.

27 (e) As each regional educational attendance area is established, and  
28 the regional school board organized, under AS 14.08.031 - 14.08.041, the  
29 board of directors shall redistribute the property and assets of the Alaska

1 State-Operated Schools to each regional educational attendance area in the  
2 manner the board determines.

3 \* Sec. 39. TRANSITION: DEPARTMENT OF EDUCATION. (a) School boards for  
4 the regional educational attendance areas established and organized under  
5 AS 14.08.031 - 14.08.041 shall begin operation of the schools in the area  
6 under their control and management on a date mutually agreed upon by the  
7 regional school board and the commissioner of education, but not later than  
8 July 1, 1976.

9 (b) As each regional educational attendance area is established, and  
10 the regional school board organized, under AS 14.08.031 - 14.08.041, the  
11 Department of Education shall redistribute all state and federal funds  
12 appropriated to the Alaska State-Operated Schools to the regional educational  
13 attendance area in the manner prescribed by law.

14 (c) After June 30, 1976, the remaining debts of the state-operated  
15 schools shall be assumed by the state and paid from appropriations for that  
16 purpose from the general fund.

17 \* Sec. 40. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-  
18 TIONS. All litigation, hearings, investigations and other proceedings pending  
19 under a law amended for functions which may be transferred by this Act, con-  
20 tinue in effect and may be continued and completed notwithstanding a transfer  
21 or amendment provided for in this Act. Certificates, orders, rules or regu-  
22 lations issued or filed under authority of a law amended by this Act or  
23 functions which may be transferred by this Act, remain in effect for the term  
24 issued, unless revoked, vacated, or otherwise modified under the provisions  
25 of this Act. All contracts or other obligations created by a law amended by  
26 this Act or by virtue of functions which may be transferred by this Act, and  
27 in effect on the effective date of this Act, remain in effect unless revoked  
28 or modified under the provisions of this Act.

29 \* Sec. 41. TRANSITION: PERSONNEL. (a) All teachers, as defined in  
CSSSHB 24 (Finance)

1 AS 14.20.207(1), in the communities or regional offices served by the State-  
2 Operated School System on the effective date of this Act and who have been retained  
3 ~~for the 1975-76 school year are subject to the provisions of AS 14.20.147.~~

4 ~~by the state and shall be rehired by the respective regional school boards~~  
5 ~~only by the temporary regional school board under sec. 38 of this Act.~~

6 (b) All permanent non-certificated employees of the State-Operated  
7 School System in the communities and regional offices who are state employees  
8 shall be terminated by the state and shall be rehired by the respective regional  
9 on the effective date of this Act and who have been retained by the 1975-76  
10 school boards or by the temporary regional school board under sec. 38 of this Act.  
11 ~~school year are entitled to continued employment in their current positions.~~

12 (c) The Department of Education shall assist the certificated and  
13 permanent non-certificated employees in the central office of the State-  
14 Operated School System on the effective date of this Act in finding positions  
15 for which they are qualified.

16 \* Sec. <sup>42</sup>~~41~~. The terms of office of members of the first regional school  
17 boards shall terminate as follows:

18 (1) for those with one-year terms, on the date on which a newly  
19 elected board member takes office after the regular school board election in  
20 1976;

21 (2) for those with two-year terms, on the date on which a newly  
22 elected board member takes office after the regular school board election in  
23 1977; and

24 (3) for those with three-year terms, on the date on which a newly  
25 elected board member takes office after the regular school board election in  
26 1978.

27 \* Sec. <sup>43</sup>~~42~~. Chapter 46, sec. 33, SLA 1970 is repealed.

28 \* Sec. <sup>44</sup>~~43~~. AS 14.08.031 - 14.08.071, as enacted by sec. 2 of this Act  
29 take effect immediately in accordance with AS 01.10.070(c).

30 \* Sec. <sup>45</sup>~~44~~. AS 14.08.011 - 14.08.021 and AS 14.08.081 - 14.08.151 as  
31 enacted by sec. 2 of this Act, and secs. 1 and 3 - 42 of this Act take effect  
32 July 1, 1975.

H. B. 24

PAGE 7

LINE 13

- DELETE: STATE BOARD OF EDUCATION
- INSERT IN ITS PLACE: BOARD OF DIRECTORS OF THE ALASKA STATE-OPERATED SCHOOL SYSTEM, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE LEGISLATURE.

LINE 18

- DELETE: STATE BOARD
- INSERT IN ITS PLACE: BOARD OF DIRECTORS OF THE ALASKA STATE OPERATED SCHOOL SYSTEM

PAGE 25

LINE 7

- DELETE "ARE TRANSFERRED TO THE DEPARTMENT OF EDUCATION FOR REDISTRIBUTION"
- INSERT IN ITS PLACE: WILL BE REDISTRIBUTED

*realistic?*

Original sponsor: Swanson, Ose  
and Davis

Offered: 4/7/75  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized  
7 borough; and providing for an effective date."

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

9 \* Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 \* Sec. 2. AS 14.93 is amended by adding new sections to read:

11 CHAPTER 8. EDUCATION IN THE UNORGANIZED BOROUGH [ALASKA  
12 STATE-OPERATED SCHOOL SYSTEM].

13 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter  
14 to provide for public education in the unorganized borough and the  
15 military reservations in the state.

16 (b) Nothing in this chapter prohibits an organized borough, city,  
17 village, community or settlement in an unorganized area of the state  
18 from becoming part of or being formed into an organized political sub-  
19 division authorized under AS 29.

20 Sec. 14.08.021. AUTHORITY. The legislature delegates to school  
21 boards for each regional educational attendance area the authority to  
22 operate the public schools in those areas in accordance with the provi-  
23 sions of this chapter, subject to the provisions of this title and the  
24 regulations promulgated under it that apply to all school districts in  
25 the state.

26 Sec. 14.08.031. REGIONAL EDUCATIONAL ATTENDANCE AREAS. (a) The  
27 Department of Education in consultation with the Department of Community  
28 and Regional Affairs and local communities shall divide the unorganized  
29 borough into regional educational attendance areas.

1 (b) Insofar as practicable, each regional educational attendance  
2 area shall contain a relatively integrated socio-economic, linguisti-  
3 cally and culturally homogeneous area. In the formation of the regional  
4 educational attendance areas, consideration shall be given to the trans-  
5 portation and communication network to facilitate the administration of  
6 education and communication between communities that comprise the area.  
7 Whenever possible, municipalities, other governmental or regional cor-  
8 porate entities, drainage basins and other identifiable geographic  
9 features shall be used in describing the boundaries of the regional  
10 school attendance areas.

11 (c) Military reservation schools shall be included in a regional  
12 educational attendance area. However, operation of military reservation  
13 schools by a city or borough school district may be required by the  
14 department under AS 14.12.020(a) and AS 14.14.110. Where the operation  
15 of the military reservation schools in a regional educational attendance  
16 area by a city or borough school district is required by the department,  
17 the military reservation shall not be considered part of the regional  
18 educational attendance area for the purposes of regional school board  
19 membership or elections.

20 (d) U. S. Bureau of Indian Affairs schools may be included in a  
21 regional educational attendance area.

22 (e) School boards for the regional educational attendance areas  
23 established under sec. 41 of this chapter shall begin operation of the  
24 schools in the region under their control on a date mutually agreed upon  
25 by the board and the commissioner, but not later than July 1, 1976.

26 Sec. 14.08.041. REGIONAL SCHOOL BOARDS. (a) A regional education-  
27 al attendance area shall be operated on an areawide basis under the  
28 management and control of a regional school board.

29 (b) The qualified voters in each regional educational attendance

1 area shall elect a regional school board of not less than five nor more  
2 than eleven members to be elected for the same term, in the same manner  
3 and with the same qualifications as a city or borough school district  
4 board under ch. 12 of this title. The initial number of regional school  
5 board members shall be determined by the department in consultation with  
6 the local communities in the regional educational attendance areas.  
7 However, the qualified voters in a regional educational attendance area  
8 may increase or decrease the number of regional school board members  
9 established under this section by placing the question on the ballot at  
10 a regular school board election in the manner prescribed by law. A  
11 change in the number of school board members shall not be effective  
12 until the next following regular school board election.

13 (c) A regional school board shall consist of five, seven, nine or  
14 11 members.

15 (d) Regional school board members shall be elected at large by the  
16 qualified voters of the entire regional educational attendance area.  
17 However, each seat on the school board shall be designated by letter or  
18 number, and a candidate for regional school board must indicate the seat  
19 for which he is a candidate on his declaration of candidacy or other  
20 nomination papers when he files for office.

21 (e) A vacancy on a regional school board shall be filled in ac-  
22 cordance with AS 14.12.070.

23 Sec. 14.08.051. SCHOOL BOARD SECTIONS. (a) The commissioner in  
24 consultation with the Department of Community and Regional Affairs and  
25 the local communities may divide a regional educational attendance area  
26 into sections for the purpose of nominating and electing regional  
27 school board members. If a regional educational attendance area is  
28 divided into sections each school board member shall represent, as  
29 nearly as practicable, an equal number of persons. The basis for the

1 division of a regional educational attendance area into sections shall  
2 be the total population of the area as reported in the most recent de-  
3 cennial federal census. If the census is five years old or older, then  
4 other reliable population data, including but not limited to population  
5 estimates based on public school enrollments, public utility connections,  
6 registered voters or certified employment payrolls, shall be used as the  
7 basis for the division of the area into sections. Each section within  
8 a regional educational attendance area shall consist of compact, con-  
9 tiguous territory and, insofar as practicable, each section shall contain  
10 a relatively integrated socio-economic, linguistically and culturally  
11 homogeneous area. In the division of the regional school attendance  
12 area into sections, consideration shall be given to the transportation  
13 and communication network to facilitate the administration of education  
14 and communication between communities that comprise the area. Whenever  
15 possible, municipalities, other governmental or regional corporate en-  
16 tities, drainage basins and other identifiable geographic features shall  
17 be used in describing the boundaries of the sections.

18 (b) The division of a regional educational attendance area into  
19 sections, or subsequent recasting of the section boundaries, may be pro-  
20 posed by the regional school board or by a petition containing signatures  
21 of qualified voters in the area equal to 15 per cent of the total vote  
22 cast in the most recent regional school board election. The division of  
23 the area into sections, or subsequent recasting of section boundaries,  
24 is subject to approval by a majority of the qualified voters voting on  
25 the question in the regional educational attendance area at the next  
26 regular school board election or a special election called for that  
27 purpose, and takes effect at the next regular school board election.

28 (c) If a regional educational attendance area has been divided  
29 into sections, the commissioner shall recast the boundaries of the

1 sections within 90 days following the official reporting of the de-  
2 cennial federal census in accordance with (a) of this section.

3 (d) Multi-member sections may be created. However,

4 (1) the commissioner shall designate each seat within a  
5 multi-member section by letter or number, and a candidate for regional  
6 school board within that section must indicate the seat for which he is  
7 a candidate on his declaration of candidacy or other nomination papers  
8 when he files for office; and

9 (2) no section may be represented by more than

10 (A) three members, if a board consists of five members;

11 (B) four members, if a board consists of seven members;

12 (C) five members, if a board consists of nine members;

13 or

14 (D) six members, if a board consists of 11 members.

15 (e) If a regional educational attendance area has been divided  
16 into sections, board members shall be residents of the section from  
17 which they are elected, but they shall be elected by the qualified  
18 voters of the entire regional educational attendance area.

19 Sec. 14.08.061. TERM OF OFFICE. (a) Members elected to a regional  
20 school board shall serve staggered three-year terms. However,

21 (1) the term of office of all of the members of a regional  
22 school board elected from the same multi-member section may not expire  
23 at the same time; and

24 (2) for the first board elected, the term of office of each  
25 member shall be determined by lot, according to the following schedule:

26 (A) the members of the first five-member school board  
27 shall hold office for terms as follows: one member for a one-year  
28 term; two for a two-year term and two for a three-year term;

29 (B) the members of the first seven-member school board

1 hold office for terms as follows: two members for a one-year term,  
2 two for a two-year term and three for a three-year term;

3 (C) the members of the first nine-member school board  
4 hold office for terms as follows: three for a one-year term; three  
5 for a two-year term and three for a three-year term;

6 (D) the members of the first 11-member school board hold  
7 office for terms as follows: three for a one-year term, four for a  
8 two-year term and four for a three-year term.

9 (b) If a regional educational attendance area is divided into  
10 sections under sec. 51 of this chapter where the school board formerly  
11 was elected at large, or if the number of regional school board members  
12 is increased or decreased by the qualified voters in the regional educa-  
13 tional attendance area under sec. 41(b) of this chapter, then the term  
14 of office of all members of the existing board shall terminate on the  
15 date on which the new board members take office, and the provisions of  
16 (a) of this section are applicable to the determination of the terms of  
17 office of the new members of the regional school boards.

18 (c) Nothing in this section precludes a board member from being  
19 elected.

20 Sec. 14.08.071. ELECTIONS. (a) In each regional educational  
21 attendance area in the unorganized borough, the lieutenant governor,  
22 ~~within 60 days~~ <sup>not more than 90</sup> after the establishment of the regional educational  
23 <sup>not less than</sup> attendance area, shall provide for the election of a regional school  
24 board.

25 (b) Except for the first election of regional school board members  
26 under (a) of this section, election shall be held annually on the first  
27 Tuesday in October ~~[at the time of regular municipal elections under~~  
28 ~~AS 29.28.020]~~ Elections shall be supervised by the director of elections  
29 in the office of the lieutenant governor, but shall be administered with-

1 in second class cities as part of the regular municipal election. The  
2 lieutenant governor shall promulgate regulations for the conduct of the  
3 election of regional school board members comparable, insofar as practi-  
4 cable, to those prescribed for election of school board members under  
5 ch. 12 of this title and AS 29.28.

6 (c) The cost of each regional school board election, or recall  
7 election under sec. 81 of this chapter, shall be borne by the state.

8 Sec. 14.08.081. RECALL. The members of a regional school board  
9 are subject to recall in accordance with AS 29.28.130 - 29.28.250, except  
10 that the commissioner of education shall perform the functions of a  
11 municipal clerk, and the state Board of Education shall perform the  
12 functions of the assembly or council under those sections.

13 Sec. 14.08.091. TRANSITION. The state Board of Education shall  
14 act as the regional school board for those schools in the unorganized  
15 borough and or military reservation that are not within a regional edu-  
16 cational attendance area which has been established and become opera-  
17 tional under sec. 31 of this chapter. While acting as the regional  
18 school board for those schools, the state board may exercise the powers  
19 of a regional school board under sec. 111 of this chapter and is subject  
20 to the same duties as a regional school board under sec. 121 of this  
21 chapter.

22 Sec. 14.08.101. ADMINISTRATION. (a) The regional school boards  
23 shall be organized in accordance with AS 14.14.070, and, before taking  
24 office, each school board member shall take and sign the oath or affir-  
25 mation prescribed by AS 14.12.090.

26 (b) The officer of the board responsible for the custody of re-  
27 gional educational attendance area funds shall execute a bond of \$50,000  
28 with the commissioner.

29 Sec. 14.08.111. POWERS. A regional school board may;

1 (1) sue and be sued;

2 (2) contract and be contracted with, including contracting  
3 with the department, the Bureau of Indian Affairs, or any other school  
4 district, agency, or regional board for the provision of services, faci-  
5 lities, supplies or utilities;

6 (3) determine its own policies and procedures for the purchase  
7 of supplies and equipment, separate from the state purchasing system;

8 (4) appoint, compensate and otherwise control all school em-  
9 ployees in accordance with this title; these employees are not subject  
10 to the state personnel Act (AS 39.25);

11 (5) adopt regulations governing organization, policies and  
12 procedures for the operation of the schools;

13 (6) establish maintain, operate, discontinue and combine  
14 schools subject to the approval of the commissioner;

15 (7) recommend to the commissioner a school construction and  
16 rehabilitation program based on an evaluation of the condition of exist-  
17 ing school facilities and a determination of the requirements for new  
18 school construction, rehabilitation or other upgrading of school facili-  
19 ties; and

20 (8) exercise those other functions that may be necessary for  
21 the proper performance of its responsibilities.

22 Sec. 14.08.121. DUTIES. A regional school board shall:

23 (1) provide, during the school term of each year, an educa-  
24 tional program for each school age child who is a resident of the dis-  
25 trict;

26 (2) develop a philosophy of education, principles and goals  
27 for its schools;

28 (3) employ a chief school administrator and approve the em-  
29 ployment of the professional administrators, teachers and non-certifi-

1 cated personnel necessary to operate its schools;

2 (4) establish the salaries to be paid its employees;

3 (5) designate the employees authorized to direct disbursements  
4 from the school funds of the board;

5 (6) submit the reports prescribed for all school districts;

6 (7) provide for an annual audit in accordance with AS 14.14.-  
7 050; and

8 (8) provide custodial services and routine maintenance of  
9 school buildings and facilities.

10 Sec. 14.08.131. FUNDING. (a) The legislature shall fund the oper-  
11 ational costs of the regional educational attendance area schools in the  
12 following manner:

13 (1) the amount of basic need as defined in AS 14.17.021(b);  
14 and

15 (2) an additional amount equal to the average local tax  
16 contributions per pupil in average daily membership (ADM) for school  
17 operating costs in the city and borough school districts in the prior  
18 fiscal year.

19 (b) Funds for the operation of the regional educational attendance  
20 area schools shall be appropriated annually to the Department of Educa-  
21 tion for distribution to the regional school boards in the manner pre-  
22 scribed in AS 14.17.160 - 14.17.180.

23 Sec. 14.08.141. CONFLICT OF INTEREST; DISQUALIFICATION FROM VOTING.  
24 A board member having a direct or indirect pecuniary interest in a con-  
25 tract for erection of buildings, heating, ventilation, furnishing or  
26 repairing the buildings or in a contract for the furnishing of supplies  
27 for a regional school is disqualified from voting on any question in-  
28 volving his pecuniary interest unless the member has disclosed that  
29 interest to the board and the remaining members have approved the mem-

1 ber's participation in the voting.

2 Sec. 14.08.151. REGIONAL RESOURCE CENTERS. A regional educational  
3 attendance area or any other school district in the state may partici-  
4 pate in regional or statewide resource centers which may be established  
5 by the department. Services provided by a resource center include, but  
6 are not limited to accounting and fiscal services, media services,  
7 instructional support services, bilingual-bicultural educational ser-  
8 vices, inservice and staff development services, student services,  
9 diagnostic services, school management and training services and school  
10 board member training. Funds for the operation and administration of a  
11 regional resource center shall be provided by the Department of Educa-  
12 tion.

13 Sec. 14.08.161. LAND AND BUILDINGS. The ownership of land and  
14 buildings used in relation to regional educational attendance area  
15 schools shall remain vested in the state, and use permits shall be given  
16 to the regional school boards. Construction required by the regional  
17 school boards shall be performed by the Department of Public Works.

18 \* Sec. 3. AS 14.12.010 is amended to read:

19 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The  
20 districts of the state public school system are as follows:

21 (1) each first [, SECOND, AND THIRD] class city in the un-  
22 organized borough is a city school district;

23 (2) each organized borough is a borough school district;

24 (3) the area outside organized boroughs and outside first [,  
25 SECOND AND THIRD] class cities is divided into regional educational  
26 attendance areas [THE STATE-OPERATED SCHOOL DISTRICT].

27 \* Sec. 4. AS 14.12.020(a) is repealed and re-enacted to read:

28 (a) Each regional educational attendance area shall be operated on  
29 an areawide basis under the management and control of a regional school

1 board. The regional school board manages and controls schools on mili-  
2 tary reservations within its regional educational attendance area until  
3 the military mission is terminated or so long as management and control  
4 by the regional educational attendance area is approved by the department.  
5 However, operation of the military reservation schools by a city or  
6 borough school district may be required by the department under AS 14.-  
7 14.110. If the military mission of a military reservation terminates or  
8 continued management and control by the regional educational attendance  
9 area is disapproved by the department, operation, management and control  
10 of schools on the military reservation transfers to the city or borough  
11 school district in which the military reservation is located.

12 \* Sec. 5. AS 14.12.020(c) is amended to read:

13 (c) The legislature shall provide the state money necessary to  
14 maintain and operate the regional educational attendance areas [STATE-  
15 OPERATED SCHOOL DISTRICT]. The borough assembly for a borough school  
16 district, and the city council for a city school district, shall provide  
17 the money which must be raised from local sources to maintain and operate  
18 the district.

19 \* Sec. 6. AS 14.12.030(d) is amended to read:

20 (d) Each city or borough school district that is operating schools  
21 on a military reservation under sec. 20(a) of this chapter has one non-  
22 voting delegate from the military reservation or reservations to the  
23 school district board to advise and assist the board in matters relating  
24 to the military reservation schools operated by the school district and  
25 to act as liaison between the board and the military community. The  
26 nonvoting delegate shall be appointed by the state Board of Education  
27 [FROM AMONG THE MEMBERSHIP OF THE ADVISORY SCHOOL BOARD IF THERE IS AN  
28 ELECTED ADVISORY BOARD], shall serve at the pleasure of the state Board  
29 of Education, and shall be an inhabitant of the area served by the

1 military reservation schools operated by the school district by con-  
2 tract. If an elected community school committee is established on a  
3 military reservation, the only inhabitants of that military reservation  
4 who are eligible for appointment as the nonvoting delegate are those  
5 inhabitants who are members of the elected school committee.

6 \* Sec. 7. AS 14.14.170 is amended to read:

7 Sec. 14.14.170. COMMUNITY [ADVISORY] SCHOOL COMMITTEES [BOARDS].

8 (a) There may be [IS] established a community [AN ADVISORY] school  
9 committee [BOARD] in each community or military reservation served by a  
10 school operated by a regional educational attendance area [THE STATE OR  
11 BY A CITY OR BOROUGH SCHOOL DISTRICT BY CONTRACT WITH THE STATE]. If  
12 the regional educational attendance area [STATE-OPERATED] school has an  
13 average daily membership of less than 251 pupils, the community [ADVI-  
14 SORY] school committee [BOARD] consists of three members. If the average  
15 daily membership is more than 250 pupils, the community [ADVISORY]  
16 school committee [BOARD] consists of five members.

17 [(b) VOTERS QUALIFIED UNDER SEC. 180 OF THIS CHAPTER, AT AN ELEC-  
18 TION, MAY CREATE AN ON-BASE ADVISORY SCHOOL BOARD WHICH SHALL BE ADVISORY  
19 TO THE GOVERNING BODY OF THE SCHOOL DISTRICT THAT OPERATES THE ON-BASE  
20 SCHOOLS. THE DATE OF ELECTION FOR ON-BASE ADVISORY SCHOOL BOARD MEMBERS,  
21 WHERE THE SCHOOLS ARE OPERATED BY A CITY OR BOROUGH SCHOOL DISTRICT BY  
22 CONTRACT, SHALL BE THE SAME AS THAT FOR THE REGULAR MUNICIPAL ELECTION IN  
23 THE CONTRACTING CITY OR BOROUGH.]

24 (c) In communities qualifying for three-member community [ADVISORY]  
25 school committees [BOARDS] under (a) of this section, voters qualified  
26 under sec. 180 of this chapter may increase the committee [BOARD] to five  
27 members by referendum conducted at an election coinciding with an elec-  
28 tion for community [ADVISORY] school committee [BOARD] members. In  
29 communities qualifying for five-member community [ADVISORY] school

1 committees [BOARDS] under (a) of this section, voters qualified under  
2 sec. 180 of this chapter may increase the committee [BOARD] to seven  
3 members by referendum conducted at an election coinciding with an elec-  
4 tion for community [ADVISORY] school committee [BOARD] members.

5 (d) The date of election for community [ADVISORY] school committee  
6 [BOARD] members is the same as that for regular municipal elections in  
7 the second class city having the largest population in the area served by  
8 the committee [BOARD] or, if there is no second class city within the  
9 area, on an annual election date for such elections fixed by regulations  
10 [REGULATION] of the department [BOARD OF DIRECTORS FOR STATE-OPERATED  
11 SCHOOLS].

12 (e) Elections under (c) and (d) of this section shall be conducted  
13 upon such notice and otherwise substantially in the same manner as  
14 regular municipal elections which are held within the largest second  
15 class city in the area served by the committee [BOARD]. If there is no  
16 second class city within the area, elections shall be conducted upon at  
17 least 10 days published or posted public notice of the election and of  
18 the question or nominees to be voted on and under general rules for the  
19 elections as may be promulgated by regulation of the department [BOARD  
20 OF DIRECTORS FOR STATE-OPERATED SCHOOLS]. Elections relating to  
21 community [ADVISORY] school committees [BOARDS] shall be supervised by  
22 the regional school board [DIRECTOR OF STATE-OPERATED SCHOOLS] but shall  
23 be administered within second class cities as part of the regular muni-  
24 cipal election.

25 (f) Elected members of community [ADVISORY] school committees  
26 [BOARDS] are subject to recall in accordance with the provisions of  
27 AS 29.28.130 - 29.28.250, except that the chief school administrator of  
28 a regional educational attendance area [DIRECTOR OF STATE-OPERATED  
29 SCHOOLS] shall perform the functions of the municipal clerk, and the

1 regional school board [BOARD OF DIRECTORS FOR STATE-OPERATED SCHOOLS]  
2 shall perform the functions of the assembly or council under those  
3 sections.

4 \* Sec. 8. AS 14.14.180 is amended to read:

5 Sec. 14.14.180. QUALIFICATIONS OF COMMUNITY [ADVISORY] SCHOOL  
6 COMMITTEE [BOARD] MEMBERS AND VOTERS. (a) A person may vote at an  
7 election for community [ADVISORY] school committee [BOARD] members and  
8 may be elected to membership on a community [AN ADVISORY] school  
9 committee [BOARD] who

10 (1) is a citizen of the United States;

11 (2) has passed his 18th birthday;

12 (3) is an inhabitant of the area served by the school for at  
13 least 30 days preceding the election.

14 (b) Election to a community [AN ADVISORY] school committee [BOARD]  
15 is not an election to a civil office of this state.

16 \* Sec. 9. AS 14.14.190 is amended to read:

17 Sec. 14.14.190. TERMS OF OFFICE AND VACANCY. (a) The terms of  
18 the initial members of a three-member community [ADVISORY] school com-  
19 mittee [BOARD] are one, two, and three years, respectively, and [EACH]  
20 until a successor takes office. Thereafter, members shall be elected to  
21 terms of three years and until a successor takes office.

22 (b) Of the initial members of a community [AN ADVISORY] school  
23 committee [BOARD] which consists of five members, one member is elected  
24 for a one-year term, two members for a two-year term, and two members for  
25 a three-year term, and [EACH] until a successor takes office. There-  
26 after, all members are elected to terms of three years and until a  
27 successor takes office.

28 (c) If a three-member community [ADVISORY] school committee [BOARD]  
29 is increased to a five-member committee [ADVISORY SCHOOL BOARD], the two

1 additional members are elected for terms of two years and three years  
2 respectively. Thereafter, all members are elected to three-year terms.  
3 If a five-member committee [ADVISORY SCHOOL BOARD] is increased to a  
4 seven-member committee [ADVISORY SCHOOL BOARD], the two additional  
5 members are elected for terms of two years and three years respectively.  
6 Thereafter, all members are elected to three-year terms and until a  
7 successor takes office.

8 (d) Vacancies on community [ADVISORY] school committees [BOARDS]  
9 will be filled by the remaining members until the next regular election.  
10 At that time an election will be held for the remaining portion of the  
11 term.

12 \* Sec. 10. AS 14.14.200 is repealed and re-enacted to read:

13 Sec. 14.14.200. DUTIES. A community school committee shall advise  
14 and assist the regional school board for the regional educational atten-  
15 dance area in which it is located through the local official administer-  
16 ing the school and shall do so in the manner the regional school board  
17 prescribes by regulation.

18 \* Sec. 11. AS 14.14.310 is amended to read:

19 Sec. 14.14.310. DEFINITIONS. In secs. 250 - 310 of this chapter

20 (1) "board" means the governing body of a borough, [OR] city  
21 or regional educational attendance area [SCHOOL DISTRICT, OR THE BOARD  
22 OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

23 (2) "district" means a borough, [OR] city or regional educa-  
24 tional attendance area [SCHOOL DISTRICT OR THE STATE-OPERATED SCHOOL  
25 SYSTEM].

26 \* Sec. 12. AS 14.17.051 is repealed and re-enacted to read:

27 Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. (a) The instruc-  
28 tional unit allotment for each school district or regional educational  
29 attendance area is as follows:

1 (1) if the district or area is in that part of the state  
2 lying within the boundaries of election district 1, 4 or 8, the district  
3 or area shall receive the base instructional allotment;

4 (2) if the district or area is in that part of the state  
5 lying within the boundaries of election district 2, 3 or 7, the district  
6 or area shall receive 103.75 per cent of the base instructional unit  
7 allotment;

8 (3) if the district or area is in that part of the state  
9 lying within the boundaries of election district 5, 9, 10 or 11, the  
10 district or area shall receive 107.50 per cent of the base instructional  
11 unit allotment;

12 (4) if the district or area is in that part of the state  
13 lying within the boundaries of election district 16, south of the Arctic  
14 Circle, the district or area shall receive 111.25 per cent of the base  
15 instructional unit allotment;

16 (5) if the district or area is in that part of the state  
17 lying within the boundaries of election district 6, the district or area  
18 shall receive 115 per cent of the base instructional unit allotment;

19 (6) if the district or area is in that part of the state  
20 lying within the boundaries of election district 12, 13 or 18, the  
21 district or area shall receive 126.25 per cent of the base instructional  
22 unit allotment;

23 (7) if the district or area is in that part of the state  
24 lying within the boundaries of election district 14 or 19, the district  
25 or area shall receive 130 per cent of the base instructional unit allot-  
26 ment;

27 (8) if the district or area is in that part of the state  
28 lying within the boundaries of election district 15, 16 (north of the  
29 Arctic Circle), or 17, the district or area shall receive 133.75 per

1 cent of the base instructional unit allotment.

2 (b) For the purposes of this section, a school district or regional  
3 educational attendance area is considered to be located in the election  
4 district in which its administrative offices are located. However, if a  
5 school district or a regional educational attendance area operating a  
6 school in a remote area is authorized by the commissioner to calculate  
7 the number of units to which that school is entitled under sec. 31(c) of  
8 this chapter the commissioner may consider that school to lie in the  
9 election district in which it is actually located.

10 (c) For the purposes of this section "election district" means an  
11 election district designated in the governor's proclamation of reapportionment  
12 and redistricting of December 7, 1961, and retained as to the  
13 House of Representatives by the governor's proclamation of September 3,  
14 1965.

15 \* Sec. 13. AS 14.17.210 is amended to read:

16 Sec. 14.17.210. STATE AID TO NEWLY ESTABLISHED DISTRICT SCHOOLS.

17 (a) A regional educational attendance area [STATE] school which becomes  
18 a city or borough district school is considered a regional educational  
19 attendance area [STATE] school for purposes of financial support until  
20 the expiration of a complete fiscal year after the date on which the  
21 school becomes a city or borough district school. This subsection does  
22 not prevent a local government from spending money to contribute to the  
23 financial support of a regional educational attendance area [STATE]  
24 school which becomes a city or borough district school.

25 (b) For each subsequent fiscal year, the state shall disburse to  
26 the city or borough school district only the money to which the district  
27 is entitled under the public school foundation program.

28 [(c) IN THIS SECTION

29 (1) "STATE SCHOOL" MEANS A SCHOOL OPERATED BY THE DEPARTMENT

1 OF EDUCATION OR STATE-OPERATED SCHOOL SYSTEM AND ENTIRELY FINANCED BY  
2 STATE MONEY; AND

3 (2) "DISTRICT SCHOOL" MEANS A SCHOOL WHICH COMES UNDER THE  
4 JURISDICTION OF A DISTRICT.]

5 \* Sec. 14. AS 14.17.250(3) is amended to read:

6 (3) "district" means any city or borough school district [,  
7 BUT DOES NOT INCLUDE SCHOOLS IN THE STATE-OPERATED SCHOOL DISTRICT];

8 \* Sec. 15. AS 14.20.175(a) is amended to read:

9 (a) A teacher who has not acquired tenure rights is subject to  
10 nonretention for the school year following the expiration of his contract  
11 for any cause which the employer determines to be adequate. However, at  
12 his request, the teacher is entitled to a written statement of the cause  
13 for his nonretention. The boards of city, borough and regional educa-  
14 tional attendance areas [BOARD OF DIRECTORS FOR STATE SCHOOLS, AND THE  
15 DISTRICTS FOR DISTRICT SCHOOLS,] shall provide by regulation or bylaw a  
16 procedure under which a nonretained teacher may, at his request, be  
17 heard informally by [A PANEL CONSISTING OF THE COMMISSIONER AND TWO OR  
18 MORE BOARD MEMBERS IN THE CASE OF STATE SCHOOLS, AND BY] the [LOCAL  
19 SCHOOL] board [IN THE CASE OF A DISTRICT SCHOOL].

20 \* Sec. 16. AS 14.20.180(b) is amended to read:

21 (b) The tenure teacher may, within 15 days immediately following  
22 receipt of the notification, notify the employer in writing that he  
23 requests a hearing before the school board [, OR IF THE TENURE TEACHER  
24 IS EMPLOYED BY THE STATE, BEFORE AN APPEAL PANEL CONSISTING OF THE  
25 DIRECTOR AND TWO MEMBERS OF THE BOARD]. The tenure teacher may require  
26 in the notification that

- 27 (1) the hearing be either public or private,  
28 (2) the hearing be under oath or affirmation,  
29 (3) he have the right of cross-examination,

1 (4) he be represented by counsel,

2 (5) he have the right to subpoena a person who has made alle-  
3 gations which are used as a basis for the decision of the employer.

4 \* Sec. 17. AS 14.20.180(c) is amended to read:

5 (c) Upon receipt of the notification requesting a hearing, the  
6 employer shall immediately arrange for a hearing, and shall notify the  
7 tenure teacher or administrator in writing of the date, time, and place  
8 of the hearing. A written transcript, tape, or similar recording of the  
9 proceedings shall be kept. Transcribed copies shall be furnished to the  
10 tenure teacher for cost upon his request. A final decision of the  
11 school board [OR THE APPEAL PANEL] requires a majority vote of the  
12 membership. The vote shall be by roll call. The final decision shall  
13 be written and contain specific findings of fact and conclusions of law.  
14 A written notification of the decision shall be furnished to the tenure  
15 teacher within 10 days of the date of the decision.

16 \* Sec. 18. AS 14.20.205 is amended to read:

17 Sec. 14.20.205. JUDICIAL REVIEW. If a school board [OR APPEAL  
18 PANEL] reaches a decision unfavorable to a teacher, the teacher is en-  
19 titled to a de novo trial in the superior court. However, a teacher who  
20 has not attained tenure rights is not entitled to judicial review ac-  
21 cording to this section.

22 \* Sec. 19. AS 14.20.207(2) is amended to read:

23 (2) "employer" means the school board or superintendent which  
24 appoints the teacher [OR, IN THE CASE OF A TEACHER IN THE STATE-OPERATED  
25 SCHOOLS, THE BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

26 \* Sec. 20. AS 14.20.230 is amended to read:

27 Sec. 14.20.230. ADMINISTRATORS' SALARIES. School boards of city,  
28 borough and regional educational attendance areas [DISTRICT SCHOOLS AND  
29 THE BOARD OF THE STATE-OPERATED SCHOOLS] shall pay a qualified schoci

1 administrator a salary not less than the allowable amount for his posi-  
2 tion on the teachers' scale provided in sec. 220(a) - (c) of this chapter,  
3 plus

4 (1) 25 per cent for the chief school administrator of a  
5 district with an average daily membership of 500 or more;

6 (2) 20 per cent for the chief school administrator of a  
7 district with an ADM of less than 500;

8 (3) 15 per cent for a principal or other administrator;

9 (4) 10 per cent for an assistant principal.

10 \* Sec. 21. AS 14.20.550 is amended to read:

11 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. Each  
12 city, borough and regional school board [, AND THE BOARD OF DIRECTORS  
13 FOR THE STATE-OPERATED SCHOOLS,] shall negotiate with its certificated  
14 employees in good faith on matters pertaining to their employment and  
15 the fulfillment of their professional duties.

16 \* Sec. 22. AS 14.20 is amended by adding a new section to read:

17 Sec. 14.20.555. OPTIONAL COORDINATED EMPLOYEE NEGOTIATIONS. (a)  
18 Negotiations between the certificated employees of the regional educa-  
19 tional attendance areas and the respective area boards shall be con-  
20 ducted by one team representing all the certificated employees, one team  
21 representing all the certificated administrative personnel if they have  
22 joined together to negotiate independently as provided in sec. 560(f)  
23 of this chapter, and one team representing all the participating school  
24 boards.

25 (b) Each team may consist of as many members as there are regional  
26 area boards. Each area board is entitled to one member on the team  
27 adopted. However, each negotiating team shall consist of not less than  
28 five members.

29 (c) A regional educational attendance area board may by resolution

1 choose to conduct its own negotiations in accordance with sec. 550 of  
2 this chapter.

3 (d) Once negotiations have begun no board or employee group may  
4 withdraw from the negotiations, and the contract resulting from the  
5 coordinated negotiations shall be binding upon all participating boards  
6 and employees.

7 \* Sec. 23. AS 14.30.186(b) is amended to read:

8 (b) The board of a regional educational attendance area [STATE-  
9 OPERATED SCHOOLS] shall provide for special services in a school in the  
10 area [STATE-OPERATED SCHOOL DISTRICT] for exceptional children repre-  
11 sented by not less than five children residing in the area served by the  
12 school.

13 \* Sec. 24. AS 14.30.186(d) is amended to read:

14 (d) A school district [OR A STATE-OPERATED SCHOOL] required by  
15 secs. 10 - 305 of this chapter to provide special services for excep-  
16 tional children may cooperate with one or more school districts [OR  
17 STATE-OPERATED SCHOOLS] in providing special classes. If, under the  
18 cooperative agreement, there are no special classes offered within a  
19 school district [OR STATE-OPERATED SCHOOL], exceptional children may  
20 attend special classes in the cooperating school district [OR STATE-  
21 OPERATED SCHOOL] providing the special classes.

22 \* Sec. 25. AS 14.30.260 is amended to read:

23 Sec. 14.30.260. EXCEPTION TO QUALIFICATIONS. The school board for  
24 a district or regional educational attendance area [, OR THE BOARD OF  
25 DIRECTORS FOR A SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT IN WHICH  
26 SPECIAL SERVICES ARE PROVIDED FOR,] may waive part of the qualifications  
27 for teachers as set out in sec. 250 of this chapter, if necessary,  
28 during the first school year special services are offered in the dis-  
29 trict or area [OR IN THE SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT].

1 \* Sec. 26. AS 14.30 is amended by adding new sections to read:

2 ARTICLE 4. BILINGUAL-BICULTURAL EDUCATION.

3 Sec. 14.30.400. BILINGUAL-BICULTURAL EDUCATION. City or borough  
4 district school boards and regional educational attendance area boards  
5 shall provide a bilingual-bicultural education program for each school  
6 in a city or borough school district or regional educational attendance  
7 area which is attended by at least eight pupils of limited English-  
8 speaking ability and whose primary language is other than English. A  
9 bilingual-bicultural education program shall be provided under a plan of  
10 service which has been developed in accordance with regulations adopted  
11 by the department. Nothing in this section precludes a bilingual-  
12 bicultural education program from being provided for less than eight  
13 pupils in a school.

14 Sec. 14.30.410. BILINGUAL-BICULTURAL EDUCATION FUND. (a) There  
15 is in the Department of Education a bilingual-bicultural education fund  
16 which is an account in the general fund to receive money appropriated by  
17 the legislature for bilingual-bicultural education and to be used for  
18 bilingual-bicultural education program implementation and operation.

19 (b) The department shall adopt regulations for the determination  
20 of entitlement and the distribution of bilingual-bicultural funds to  
21 city and borough school districts and regional educational attendance  
22 areas and regional resource centers.

23 \* Sec. 27. AS 14.33.010 is amended to read:

24 Sec. 14.33.010. REQUIREMENTS FOR SCHOOL SAFETY PATROLS. The  
25 [BOARD OF THE STATE-OPERATED SCHOOLS, FOR THE BENEFIT OF SCHOOLS IN THE  
26 STATE-OPERATED SCHOOL DISTRICT, OR THE] school board of a borough or  
27 city school district or regional educational attendance area, or a  
28 private or denominational school may require that school safety patrols  
29 be established to assist pupils to cross streets and highways adjacent

1 to schools in safety.

2 \* Sec. 28. AS 14.33.020(a) is amended to read:

3 (a) If [THE STATE DIRECTOR,] a school board, or a private or de-  
4 nomination school determines that a safety patrol should be established  
5 for a school, the principal of the school shall appoint pupils in the  
6 school to serve as members of the patrol.

7 \* Sec. 29. AS 14.60.010(5) is amended to read:

8 (5) "governing body" means the school board of a borough or  
9 city school district or a regional educational attendance area [THE  
10 BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOL DISTRICT];

11 \* Sec. 30. AS 14.60.010(6) is amended to read:

12 (6) "school board" means the school board of a borough or  
13 city school district or a regional educational attendance area [THE  
14 BOARD OF DIRECTORS OF THE STATE-OPERATED SCHOOL DISTRICT];

15 \* Sec. 31. AS 14.60.010(7) and (8) are repealed.

16 \* Sec. 32. AS 14.60.010 is amended by adding a new paragraph to read:

17 (10) "regional educational attendance area" means a portion  
18 of the unorganized borough, that may or may not include a military  
19 reservation, and which contains one or more public schools of grade  
20 levels K-12 or any portion of those grade levels which are to be operated  
21 under the management and control of a single regional school board.

22 \* Sec. 33. AS 15.65.050 is amended to read:

23 Sec. 15.65.050. APPLICATION OF SECTION 40 OF THIS CHAPTER. Sec-  
24 tion 40 of this chapter applies to all elections, general or special,  
25 held in a [ANY INCORPORATED] city, organized borough, [INCORPORATED  
26 SCHOOL DISTRICT OR] school district or regional educational attendance  
27 area in the unorganized borough [OUTSIDE OF AN INCORPORATED CITY].

28 \* Sec. 34. AS 29.33.050 is repealed and re-enacted to read:

29 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough

1 school district and establishes, maintains, and operates a system of  
2 public schools on an areawide basis as provided in AS 14.14.060. A  
3 military reservation within an organized borough is not part of the  
4 borough school district until the military mission is terminated or until  
5 inclusion in the borough school district is approved by the Department of  
6 Education. However, operation of the military reservation schools by  
7 the borough school district may be required by the Department of Educa-  
8 tion under AS 14.14.110. If the military mission of a military reserva-  
9 tion terminates or continued management and control by a regional educa-  
10 tional attendance area is disapproved by the Department of Education,  
11 operation, management and control of schools on military reservations  
12 transfers to the borough school district in which the military reserva-  
13 tion is located.

14 # Sec. 35. AS 29.41.010(a) is repealed and re-enacted to read:

15 (a) A third class borough shall exercise the areawide powers of  
16 education and tax assessment and collection in the manner provided for  
17 second class boroughs. Provisions of law relative to first and second  
18 class organized boroughs apply with respect to third class boroughs only  
19 to the extent they are consistent with this chapter. A military reserva-  
20 tion within an organized borough is not part of the borough school  
21 district until the military mission is terminated or until inclusion in  
22 the borough school district is approved by the Department of Education.  
23 However, operation of the military reservation schools by the borough  
24 school district may be required by the Department of Education under  
25 AS 14.14.110. If the military mission of a military reservation termi-  
26 nates or continued management and control by a regional educational at-  
27 tendance area is disapproved by the Department of Education, operation,  
28 management and control of schools on military reservations transfers to  
29 the borough school district in which the military reservation is located.

1 \* Sec. 36. AS 39.05.060(a)(8) is repealed.

2 \* Sec. 37. AS 39.25.110 is amended by adding a new paragraph to read:

3 (16) certified teachers and noncertified employees employed  
4 by a regional educational attendance area organized under AS 14.08.031  
5 to teach in, administer or operate schools operated by a regional  
6 educational attendance area.

7 \* Sec. 38. (a) The property and assets of the state-operated schools [are  
8 transferred to the Department of Education ~~for redistribution~~ to the regional  
9 educational attendance areas in the manner the <sup>S.S.</sup> ~~department~~ <sup>board</sup> determines. [The  
10 debts of the state-operated schools shall be assumed by the general fund of  
11 the state.] All litigation, hearings, investigations and other proceedings  
12 pending under a law amended for functions which may be transferred by this  
13 Act, continue in effect and may be continued and completed notwithstanding a  
14 transfer or amendment provided for in this Act. Certificates, orders, rules  
15 or regulations issued or filed under authority of a law amended by this Act  
16 or functions which may be transferred by this Act, remain in effect for the  
17 term issued, unless revoked, vacated, or otherwise modified under the provi-  
18 sions of this Act. All contracts or other obligations created by a law  
19 amended by this Act or by virtue of functions which may be transferred by  
20 this Act, and in effect on the effective date of this Act, remain in effect  
21 unless revoked or modified under the provisions of this Act.

22 [ (b) All state and federal funds appropriated to the state-operated  
23 school system are transferred to the department for distribution to the  
24 regional educational attendance areas.]

25 \* Sec. 39. (a) All teachers, as defined in AS 14.20.207(1), in the com-  
26 munities or regional offices served by the State-Operated School System on  
27 the effective date of this Act and who have been retained for the 1975-76  
28 school year are subject to the provisions of AS 14.20.147.

29 (b) All permanent non-certificated employees of the State-Operated

1 School System in the communities and regional offices who are state employees  
2 on the effective date of this Act and who have been retained for the 1975-76  
3 school year are entitled to continued employment in their current positions.

4 (c) The Department of Education shall assist the certificated and  
5 permanent non-certificated employees in the central office of the State-  
6 Operated School System on the effective date of this Act in finding positions  
7 for which they are qualified.

8 \* Sec. 40. The terms of office of members of the first regional school  
9 boards shall terminate as follows:

10 (1) for those with one-year terms, on the date on which a newly  
11 elected board member takes office after the regular school board election in  
12 1976;

13 (2) for those with two-year terms, on the date on which a newly  
14 elected board member takes office after the regular school board election in  
15 1977; and

16 (3) for those with three-year terms, on the date on which a newly  
17 elected board member takes office after the regular school board election in  
18 1978.

19 \* Sec. 41. Chapter 46, sec. 33, SLA 1970 is repealed.

20 \* Sec. 42. AS 14.08.031 - 14.08.071 in sec. 2 of this Act take effect  
21 immediately in accordance with AS 01.10.070(c).

22 \* Sec. 43. AS 14.08.011 - 14.08.021 and AS 14.08.081 - 14.08.151 in sec.  
23 2 of this Act and secs. 1 and 3 - 41 of this Act take effect July 1, 1975.  
24  
25  
26  
27  
28  
29

H. B. 24

PAGE 7

LINE 13

- DELETE: STATE BOARD OF EDUCATION
- INSERT IN ITS PLACE: BOARD OF DIRECTORS OF THE ALASKA STATE-OPERATED SCHOOL SYSTEM, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE LEGISLATURE.

LINE 18

- DELETE: STATE BOARD
- INSERT IN ITS PLACE: BOARD OF DIRECTORS OF THE ALASKA STATE OPERATED SCHOOL SYSTEM

PAGE 25

LINE 7

- DELETE ARE TRANSFERRED TO THE DEPARTMENT OF EDUCATION FOR REDISTRIBUTION
- INSERT IN ITS PLACE: WILL BE REDISTRIBUTED

PAGE 25

- LINE 9

- DELETE : THE DEPARTMENT

- INSERT IN ITS PLACE: <sup>THE</sup> ALASKA  
STATE-OPERATED SCHOOL SYSTEM

PAGE 25

- LINES 9-10-11

- ~~DELETE:~~ THE DEBTS OF THE  
STATE-OPERATED SCHOOLS SHALL  
BE ASSUMED BY THE GENERAL  
FUND OF THE STATE.

ADD JUL 1 76

PAGE 25

~~LINES 22 23 24 25~~

- ~~DELETE & SUBPARAGRAPH (b)~~

ADD July 1 76

Introduced: 3/5/75  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY SWANSON, OSE AND DAVIS

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized  
7 borough; and providing for an effective date."

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

9 \* Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 \* Sec. 2. AS 14.93 is amended by adding new sections to read:

11 CHAPTER 8. EDUCATION IN THE UNORGANIZED BOROUGH [ALASKA  
12 STATE-OPERATED SCHOOL SYSTEM]

13 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter to  
14 provide for public education in the unorganized borough and the military  
15 reservations in the state.

16 (b) Nothing in this chapter prohibits an organized borough, city,  
17 village, community or settlement in an unorganized area of the state from  
18 becoming part of or being formed into an organized political subdivision  
19 authorized under AS 29.

20 Sec. 14.08.021. AUTHORITY. The legislature delegates to school  
21 boards for each regional educational attendance area the authority to  
22 operate the public schools in those areas in accordance with the provi-  
23 sions of this chapter, subject to the provisions of this title and the  
24 regulations promulgated under it that apply to all school districts in  
25 the state.

26 Sec. 14.08.031. REGIONAL EDUCATIONAL ATTENDANCE AREAS. (a) The  
27 Department of Education in consultation with the Department of Community  
28 and Regional Affairs and local communities shall divide the unorganized  
29 borough into regional educational attendance areas.

1 (b) Military reservation schools shall be included in a regional  
2 educational attendance area. However, operation of military reservation  
3 schools by a city or borough school district may be required by the  
4 department under AS 14.12.020(a) and AS 14.14.110.

5 (c) U. S. Bureau of Indian Affairs schools may be included in a  
6 regional educational attendance area.

7 (d) School boards for the regional educational attendance areas  
8 established under sec. 41 of this chapter shall begin operation of the  
9 schools in the region under their control on a date mutually agreed upon  
10 by the board and the commissioner, but not later than July 1, 1976.

11 Sec. 14.03.041. REGIONAL SCHOOL BOARDS. (a) A regional education-  
12 al attendance area shall be operated on an areawide basis under the  
13 management and control of a regional school board.

14 (b) The qualified voters in each regional educational attendance  
15 area shall elect a regional school board of not less than five nor more  
16 than eleven members to be elected for the same term, in the same manner  
17 and with the same qualifications as a city or borough school district  
18 board under ch. 12 of this title. The initial number of regional school  
19 board members shall be determined by the department in consultation with  
20 the local communities in the regional educational attendance areas.  
21 However, the qualified voters in a regional educational attendance area  
22 may increase or decrease the number of regional school board members  
23 established under this section by placing the question on the ballot at  
24 a regular school board election in the manner prescribed by law. A  
25 change in the number of school board members shall not be effective  
26 until the next following regular school board election.

27 (c) A regional school board shall consist of five, seven, nine or  
28 11 members.

29 (d) Regional school board members shall be elected at large by the

1 qualified voters of the entire regional educational attendance area.  
2 However, each seat on the school board shall be designated by letter or  
3 number, and a candidate for regional school board must indicate the seat  
4 for which he is a candidate on his declaration of candidacy or other  
5 nomination papers when he files for office.

6 (e) A vacancy on a regional school board shall be filled in ac-  
7 cordance with AS 14.12.070.

8 Sec. 14.08.051. SCHOOL BOARD SECTIONS. (a) The commissioner in  
9 consultation with the Department of Community and Regional Affairs and  
10 the local communities may divide a regional educational attendance area  
11 into sections for the purpose of nominating and electing regional  
12 school board members. If a regional educational attendance area is  
13 divided into sections each school board member shall represent, as  
14 nearly as practicable, an equal number of persons. The basis for the  
15 division of a regional educational attendance area into sections shall  
16 be the total population of the area as reported in the most recent de-  
17 cennial federal census. If the census is five years old or older, then  
18 other reliable population data, including but not limited to population  
19 estimates based on public school enrollments, public utility connections,  
20 registered voters or certified employment payrolls, shall be used as the  
21 basis for the division of the area into sections. Each section within  
22 a regional educational attendance area shall consist of compact, con-  
23 tiguous territory and, insofar as practicable, each section shall contain  
24 a relatively integrated socio-economic, linguistically and culturally  
25 homogeneous area. In the division of the regional school attendance  
26 area into sections, consideration shall be given to the transportation  
27 and communication network to facilitate the administration of education  
28 and communication between communities that comprise the area. Whenever  
29 possible, municipalities, other governmental or regional corporate en-

1 titles, drainage basins and other identifiable geographic features shall  
2 be used in describing the boundaries of the sections.

3 (b) The division of a regional educational attendance area into  
4 sections, or subsequent recasting of the section boundaries, may be pro-  
5 posed by the regional school board or by a petition containing signatures  
6 of qualified voters in the area equal to 15 per cent of the total vote  
7 cast in the most recent regional school board election. The division of  
8 the area into sections, or subsequent recasting of section boundaries,  
9 is subject to approval by a majority of the qualified voters voting on  
10 the questions in the regional educational attendance area at the next  
11 regular school board election or a special election called for that  
12 purpose.

13 (c) If a regional educational attendance area has been divided  
14 into sections, the commissioner shall recast the boundaries of the  
15 sections within 90 days following the official reporting of the de-  
16 cennial federal census in accordance with (a) of this section.

17 (d) Multi-member sections may be created. However

18 (1) the commissioner shall designate each seat within a  
19 multi-member section by letter or number, and a candidate for regional  
20 school board within that section must indicate the seat for which he is  
21 a candidate on his declaration of candidacy or other nomination papers  
22 when he files for office; and

23 (2) no section may be represented by more than

24 (A) three members, if a board consists of five members;

25 (B) four members, if a board consists of seven members;

26 (C) five members, if a board consists of nine members;

27 or

28 (D) six members, if a board consists of 11 members.

29 (e) If a regional educational attendance area has been divided

1 into sections, board members shall be residents of the section from  
2 which they are elected, but they shall be elected by the qualified  
3 voters of the entire regional educational attendance area.

4 Sec. 14.08.061. TERM OF OFFICE. (a) Members elected to a regional  
5 school board shall serve staggered three-year terms. However,

6 (1) the term of office of all of the members of a regional  
7 school board elected from the same multi-member section may not expire  
8 at the same time; and

9 (2) for the first board elected, the term of office of each  
10 member shall be determined by lot, according to the following schedule:

11 (A) the members of the first five-member school board  
12 shall hold office for terms as follows: one member for a one-year  
13 term; two for a two-year term and two for a three-year term;

14 (B) the members of the first seven-member school board  
15 hold office for terms as follows: two members for a one-year term,  
16 two for a two-year term and three for a three-year term;

17 (C) the members of the first nine-member school board  
18 hold office for terms as follows: three for a one-year term; three  
19 for a two-year term and three for a three-year term;

20 (D) the members of the first 11-member school board hold  
21 office for terms as follows: three for a one-year term, four for a  
22 two-year term and four for a three-year term.

23 (b) If a regional educational attendance area is divided into  
24 sections under sec. 51 of this chapter where the school board formerly  
25 was elected at large, or if the number of regional school board members  
26 is increased or decreased by the qualified voters in the regional educa-  
27 tional attendance area under sec. 41(b) of this chapter, then the term  
28 of office of all members of the existing board shall terminate on the  
29 date on which the new board members take office, and the provisions of

1 (a) of this section are applicable to the determination of the terms of  
2 office of the new members of the regional school boards.

3 Sec. 14.08.071. ELECTIONS. (a) In each regional educational  
4 attendance area in the unorganized borough, the lieutenant governor,  
5 within 60 days of the effective date of this section, shall provide for  
6 the election of a regional school board.

7 (b) Except for the first election of regional school board members  
8 under (a) of this section, election shall be held annually on the first  
9 Tuesday in October at the time of regular municipal elections under  
10 AS 29.28.020. Elections shall be supervised by the director of elections  
11 in the office of the lieutenant governor, but shall be administered with-  
12 in second class cities as part of the regular municipal election. The  
13 lieutenant governor shall promulgate regulations for the conduct of the  
14 election of regional school board members comparable, insofar as practi-  
15 cable, to those prescribed for election of school board members under  
16 ch. 12 of this title and AS 29.28.

17 (c) The cost of each regional school board election, or recall  
18 election under sec. 81 of this chapter, shall be borne by the state.

19 Sec. 14.08.081. RECALL. The members of a regional school board  
20 are subject to recall in accordance with AS 29.28.130 - 29.28.250, except  
21 that the commissioner of education shall perform the functions of a  
22 municipal clerk, and the state Board of Education shall perform the  
23 functions of the assembly or council under those sections.

24 Sec. 14.08.091. TRANSITION. The state Board of Education shall  
25 act as the regional school board for those schools in the unorganized  
26 borough and or military reservation that are not within a regional edu-  
27 cational attendance area which has been established and become opera-  
28 tional under sec. 31 of this chapter. While acting as the regional  
29 school board for those schools, the state board may exercise the powers

1 of a regional school board under sec. 111 of this chapter and is subject  
2 to the same duties as a regional school board under sec. 121 of this  
3 chapter.

4 Sec. 14.08.101. ADMINISTRATION. (a) The regional school boards  
5 shall be organized in accordance with AS 14.14.070, and, before taking  
6 office, each school board member shall take and sign the oath or affir-  
7 mation prescribed by AS 14.12.090.

8 (b) The officer of the board responsible for the custody of re-  
9 gional educational attendance area funds shall execute a bond of \$50,000  
10 with the commissioner.

11 Sec. 14.08.111. POWERS. A regional school board may;

12 (1) sue and be sued;

13 (2) contract and be contracted with, including contracting  
14 with the department, the Bureau of Indian Affairs, or any other school  
15 district, agency, or regional board for the provision of services, faci-  
16 lities, supplies or utilities;

17 (3) determine its own policies and procedures for the purchase  
18 of supplies and equipment, separate from the state purchasing system;

19 (4) appoint, compensate and otherwise control all school em-  
20 ployees in accordance with this title; these employees are not subject  
21 to the state personnel Act (AS 39.25);

22 (5) adopt regulations governing organization, policies and  
23 procedures for the operation of the schools;

24 (6) establish maintain, operate, discontinue and combine  
25 schools subject to the approval of the commissioner;

26 (7) recommend to the commissioner a school construction and  
27 rehabilitation program based on an evaluation of the condition of exist-  
28 ing school facilities and a determination of the requirements for new  
29 school construction, rehabilitation or other upgrading of school facili-

1 ties; and

2 (8) exercise those other functions that may be necessary for  
3 the proper performance of its responsibilities.

4 Sec. 14.08.121. DUTIES. A regional school board shall:

5 (1) provide, during the school term of each year, an educa-  
6 tional program for each school age child who is a resident of the dis-  
7 trict;

8 (2) develop a philosophy of education, principles and goals  
9 for its schools;

10 (3) employ a chief school administrator and approve the em-  
11 ployment of the professional administrators, teachers and non-certifi-  
12 cated personnel necessary to operate its schools;

13 (4) establish the salaries to be paid its employees;

14 (5) designate the employees authorized to direct disbursements  
15 from the school funds of the board;

16 (6) submit the reports prescribed for all school districts;

17 (7) provide for an annual audit in accordance with AS 14.14.-  
18 050; and,

19 (8) provide custodial services and routine maintenance of  
20 school buildings and facilities.

21 Sec. 14.08.131. FUNDING. (a) The legislature shall fund the oper-  
22 ational costs of the regional educational attendance area schools in the  
23 following manner:

24 (1) the amount of basic need as defined in AS 14.17.021(b);

25 and

26 (2) an additional amount equal to the average locally produced  
27 revenues per pupil in average daily membership (ADM) in the city and  
28 borough school districts in the prior fiscal year.

29 (b) Funds for the operation of the regional educational attendance  
SSHB 24

1 area schools shall be appropriated annually to the Department of Educa-  
2 tion for distribution to the regional school boards in the manner pre-  
3 scribed in AS 14.17.160 - 14.17.180.

4 Sec. 14.08.141. CONFLICT OF INTEREST; DISQUALIFICATION FROM VOTING.  
5 A board member having a direct or indirect pecuniary interest in a con-  
6 tract for erection of buildings, heating, ventilation, furnishing or  
7 repairing the buildings or in a contract for the furnishing of supplies  
8 for a regional school is disqualified from voting on any question in-  
9 volving his pecuniary interest unless the member has disclosed that  
10 interest to the board and the remaining members have approved the mem-  
11 ber's participation in the voting.

12 Sec. 14.08.151. REGIONAL RESOURCE CENTERS. A regional educational  
13 attendance area or any other school district in the state may participate  
14 in regional or statewide resource centers which may be established by the  
15 department. Services provided by a resource center include, but are not  
16 limited to accounting and fiscal services, media services, instructional  
17 support services, inservice and staff development services, student  
18 services, diagnostic services, school management and training services  
19 and school board member training. Funds for the operation and adminis-  
20 tration of a regional resource center shall be provided by the Depart-  
21 ment of Education.

22 \* Sec. 3. AS 14.12.010 is amended to read:

23 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL SYSTEM. The  
24 districts of the state public school system are as follows:

25 (1) each first [, SECOND, AND THIRD] class city in the un-  
26 organized borough is a city school district;

27 (2) each organized borough is a borough school district;

28 (3) the area outside organized boroughs and outside first [,  
29 SECOND AND THIRD] class cities is divided into regional educational

1 attendance areas [THE STATE-OPERATED SCHOOL DISTRICT].

2 \* Sec. 4. AS 14.12.020(a) is repealed and re-enacted to read:

3 (a) Each regional educational attendance area shall be operated on  
4 an areawide basis under the management and control of a regional school  
5 board. The regional school board manages and controls schools on mili-  
6 tary reservations within its regional educational attendance area until  
7 the military mission is terminated or so long as management and control  
8 by the regional educational attendance area is approved by the department.  
9 However, operation of the military reservation schools by a city or  
10 borough school district may be required by the department under AS 14.-  
11 14.110. If the military mission of a military reservation terminates or  
12 continued management and control by the regional educational attendance  
13 area is disapproved by the department, operation, management and control  
14 of schools on the military reservation transfers to the city or borough  
15 school district in which the military reservation is located.

16 \* Sec. 5. AS 14.12.020(c) is amended to read:

17 (c) The legislature shall provide the state money necessary to  
18 maintain and operate the regional educational attendance areas [STATE-  
19 OPERATED SCHOOL DISTRICT]. The borough assembly for a borough school  
20 district, and the city council for a city school district, shall provide  
21 the money which must be raised from local sources to maintain and operate  
22 the district.

23 \* Sec. 6. AS 14.14.170 is amended to read:

24 Sec. 14.14.170. COMMUNITY [ADVISORY] SCHOOL COMMITTEES [BOARDS].

25 (a) There may be [IS] established a community [AN ADVISORY] school  
26 committee [BOARD] in each community or military reservation served by a  
27 school operated by a regional educational attendance area [THE STATE OR  
28 BY A CITY OR BOROUGH SCHOOL DISTRICT BY CONTRACT WITH THE STATE]. If  
29 the regional educational attendance area [STATE-OPERATED] school has an

1 average daily membership of less than 251 pupils, the community [ADVI-  
2 SORY] school committee [BOARD] consists of three members. If the average  
3 daily membership is more than 250 pupils, the community [ADVISORY]  
4 school committee [BOARD] consists of five members.

5 [(b) VOTERS QUALIFIED UNDER SEC. 180 OF THIS CHAPTER, AT AN ELEC-  
6 TION, MAY CREATE AN ON-BASE ADVISORY SCHOOL BOARD WHICH SHALL BE ADVISORY  
7 TO THE GOVERNING BODY OF THE SCHOOL DISTRICT THAT OPERATES THE ON-BASE  
8 SCHOOLS. THE DATE OF ELECTION FOR ON-BASE ADVISORY SCHOOL BOARD MEMBERS,  
9 WHERE THE SCHOOLS ARE OPERATED BY A CITY OR BOROUGH SCHOOL DISTRICT BY  
10 CONTRACT, SHALL BE THE SAME AS THAT FOR THE REGULAR MUNICIPAL ELECTION IN  
11 THE CONTRACTING CITY OR BOROUGH.]

12 (c) In communities qualifying for three-member community [ADVISORY]  
13 school committees [BOARDS] under (a) of this section, voters qualified  
14 under sec. 180 of this chapter may increase the committee [BOARD] to five  
15 members by referendum conducted at an election coinciding with an elec-  
16 tion for community [ADVISORY] school committee [BOARD] members. In  
17 communities qualifying for five-member community [ADVISORY] school  
18 ccmittees [BOARDS] under (a) of this section, voters qualified under  
19 sec. 180 of this chapter may increase the committee [BOARD] to seven  
20 members by referendum conducted at an election coinciding with an elec-  
21 tion for community [ADVISORY] school committee [BOARD] members.

22 (d) The date of election for community [ADVISORY] school committee  
23 [BOARD] members is the same as that for regular municipal elections in  
24 the second class city having the largest population in the area served by  
25 the committee [BOARD] or, if there is no second class city within the  
26 area, on an annual election date for such elections fixed by regulations  
27 [REGULATION] of the department [BOARD OF DIRECTORS FOR STATE-OPERATED  
28 SCHOOLS].

29 (e) Elections under (c) and (d) of this section shall be conducted

1 upon such notice and otherwise substantially in the same manner as  
2 regular municipal elections which are held within the largest second  
3 class city in the area served by the committee [BOARD]. If there is no  
4 second class city within the area, elections shall be conducted upon at  
5 least 10 days published or posted public notice of the election and of  
6 the question or nominees to be voted on and under general rules for the  
7 elections as may be promulgated by regulation of the department [BOARD  
8 OF DIRECTORS FOR STATE-OPERATED SCHOOLS]. Elections relating to  
9 community [ADVISORY] school committees [BOARDS] shall be supervised by  
10 the regional school board [DIRECTOR OF STATE-OPERATED SCHOOLS] but shall  
11 be administered within second class cities as part of the regular muni-  
12 cipal election.

13 (f) Elected members of community [ADVISORY] school committees  
14 [BOARDS] are subject to recall in accordance with the provisions of  
15 AS 29.28.130 - 29.28.250, except that the chief school administrator of  
16 a regional educational attendance area [DIRECTOR OF STATE-OPERATED  
17 SCHOOLS] shall perform the functions of the municipal clerk, and the  
18 regional school board [BOARD OF DIRECTORS FOR STATE-OPERATED SCHOOLS]  
19 shall perform the functions of the assembly or council under those  
20 sections.

21 \* Sec. 7. AS 14.14.180 is amended to read:

22 Sec. 14.14.180. QUALIFICATIONS OF COMMUNITY [ADVISORY] SCHOOL  
23 COMMITTEE [BOARD] MEMBERS AND VOTERS. (a) A person may vote at an  
24 election for community [ADVISORY] school committee [BOARD] members and  
25 may be elected to membership on a community [AN ADVISORY] school  
26 committee [BOARD] who

- 27 (1) is a citizen of the United States;  
28 (2) has passed his 18th birthday;  
29 (3) is an inhabitant of the area served by the school for at

1 least 30 days preceding the election.

2 (b) Election to a community [AN ADVISORY] school committee [BOARD]  
3 is not an election to a civil office of this state.

4 \* Sec. 8. AS 14.14.190 is amended to read:

5 Sec. 14.14.190. TERMS OF OFFICE AND VACANCY. (a) The terms of  
6 the initial members of a three-member community [ADVISORY] school com-  
7 mittee [BOARD] are one, two, and three years, respectively, and [EACH]  
8 until a successor takes office. Thereafter, members shall be elected to  
9 terms of three years and until a successor takes office.

10 (b) Of the initial members of a community [AN ADVISORY] school  
11 committee [BOARD] which consists of five members, one member is elected  
12 for a one-year term, two members for a two-year term, and two members for  
13 a three-year term, and [EACH] until a successor takes office. There-  
14 after, all members are elected to terms of three years and until a  
15 successor takes office.

16 (c) If a three-member community [ADVISORY] school committee [BOARD]  
17 is increased to a five-member committee [ADVISORY SCHOOL BOARD], the two  
18 additional members are elected for terms of two years and three years  
19 respectively. Thereafter, all members are elected to three-year terms.  
20 If a five-member committee [ADVISORY SCHOOL BOARD] is increased to a  
21 seven-member committee [ADVISORY SCHOOL BOARD], the two additional  
22 members are elected for terms of two years and three years respectively.  
23 Thereafter, all members are elected to three-year terms and until a  
24 successor takes office.

25 (d) Vacancies on community [ADVISORY] school committees [BOARDS]  
26 will be filled by the remaining members until the next regular election.  
27 At that time an election will be held for the remaining portion of the  
28 term.

29 \* Sec. 9. AS 14.14.200 is repealed and re-enacted to read:

1           Sec. 14.14.200. DUTIES. A community school committee shall advise  
2 and assist the regional school board for the regional educational atten-  
3 dance area in which it is located through the local official administer-  
4 ing the school and shall do so in the manner the regional school board  
5 prescribes by regulation..

6 \* Sec. 10. AS 14.14.310 is amended to read:

7           Sec. 14.14.310. DEFINITIONS. In secs. 250 - 310 of this chapter

8           (1) "board" means the governing body of a borough, [OR] city  
9 or regional educational attendance area [SCHOOL DISTRICT, OR THE BOARD  
10 OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

11           (2) "district" means a borough, [OR] city or regional educa-  
12 tional attendance area [SCHOOL DISTRICT OR THE STATE-OPERATED SCHOOL  
13 SYSTEM].

14 \* Sec. 11. AS 14.17.051 is repealed and re-enacted to read:

15           Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. (a) The instruc-  
16 tional unit allotment for each school district or regional educational  
17 attendance area is as follows:

18           (1) if the district or area is in that part of the state  
19 lying within the boundaries of election district 1, 4 or 8, the district  
20 or area shall receive the base instructional allotment;

21           (2) if the district or area is in that part of the state  
22 lying within the boundaries of election district 2, 3 or 7, the district  
23 or area shall receive 104 per cent of the base instructional unit allot-  
24 ment;

25           (3) if the district or area is in that part of the state  
26 lying within the boundaries of election district 5, 9, 10 or 11, the  
27 district or area shall receive 108 per cent of the base instructional  
28 unit allotment;

29           (4) if the district or area is in that part of the state

1 lying within the boundaries of election district 16, south of the Arctic  
2 Circle, the district or area shall receive 112 per cent of the base  
3 instructional unit allotment;

4 (5) if the district or area is in that part of the state  
5 lying within the boundaries of election district 6, the district or area  
6 shall receive 116 per cent of the base instructional unit allotment;

7 (6) if the district or area is in that part of the state  
8 lying within the boundaries of election district 12, 13 or 18, the  
9 district or area shall receive 128 per cent of the base instructional  
10 unit allotment;

11 (7) if the district or area is in that part of the state  
12 lying within the boundaries of election district 14 or 19, the district  
13 or area shall receive 132 per cent of the base instructional unit allot-  
14 ment;

15 (8) if the district or area is in that part of the state  
16 lying within the boundaries of election district 15, 16 (north of the  
17 Arctic Circle), or 17, the district or area shall receive 136 per cent  
18 of the base instructional unit allotment.

19 (b) The instructional unit allotment established in (a) of this  
20 section for any school district or regional educational attendance area  
21 which does not have access to Anchorage, Ketchikan or Fairbanks by road,  
22 railroad or ferry shall be increased an additional five per cent above  
23 its instructional unit allotment under (a)(1) - (8) of this section.

24 (c) For the purposes of this section, a school district or regional  
25 educational attendance area is considered to be located in the election  
26 district in which its administrative offices are located. However, if a  
27 school district or a regional educational attendance area operating a  
28 school in a remote area is authorized by the commissioner to calculate  
29 the number of units to which that school is entitled under sec. 31(c) of

1 this chapter the commissioner may consider that school to lie in the  
2 election district in which it is actually located.

3 (d) For the purposes of this section "election district" means an  
4 election district designated in the governor's proclamation of reappor-  
5 tionment and redistricting of December 7, 1961, and retained as to the  
6 House of Representatives by the governor's proclamation of September 3,  
7 1965.

8 \* Sec. 12. AS 14.17.210 is amended to read:

9 Sec. 14.17.210. STATE AID TO NEWLY ESTABLISHED DISTRICT SCHOOLS.

10 (a) A regional educational attendance area [STATE] school which becomes  
11 a city or borough district school is considered a regional educational  
12 attendance area [STATE] school for purposes of financial support until  
13 the expiration of a complete fiscal year after the date on which the  
14 school becomes a city or borough district school. This subsection does  
15 not prevent a local government from spending money to contribute to the  
16 financial support of a regional educational attendance area [STATE]  
17 school which becomes a city or borough district school.

18 (b) For each subsequent fiscal year, the state shall disburse to  
19 the city or borough school district only the money to which the district  
20 is entitled under the public school foundation program.

21 [(c) IN THIS SECTION

22 (1) "STATE SCHOOL" MEANS A SCHOOL OPERATED BY THE DEPARTMENT  
23 OF EDUCATION OR STATE-OPERATED SCHOOL SYSTEM AND ENTIRELY FINANCED BY  
24 STATE MONEY; AND

25 (2) "DISTRICT SCHOOL" MEANS A SCHOOL WHICH COMES UNDER THE  
26 JURISDICTION OF A DISTRICT.]

27 \* Sec. 13. AS 14.17.250(3) is amended to read:

28 (3) "district" means any city or borough school district [,  
29 BUT DOES NOT INCLUDE SCHOOLS IN THE STATE-OPERATED SCHOOL DISTRICT];

1 \* Sec. 14. AS 14.20.175(a) is amended to read:

2 (a) A teacher who has not acquired tenure rights is subject to  
3 nonretention for the school year following the expiration of his contract  
4 for any cause which the employer determines to be adequate. However, at  
5 his request, the teacher is entitled to a written statement of the cause  
6 for his nonretention. The boards of city, borough and regional educa-  
7 tional attendance areas [BOARD OF DIRECTORS FOR STATE SCHOOLS, AND THE  
8 DISTRICTS FOR DISTRICT SCHOOLS,] shall provide by regulation or bylaw a  
9 procedure under which a nonretained teacher may, at his request, be  
10 heard informally by [A PANEL CONSISTING OF THE COMMISSIONER AND TWO OR  
11 MORE BOARD MEMBERS IN THE CASE OF STATE SCHOOLS, AND BY] the [LOCAL  
12 SCHOOL] board [IN THE CASE OF A DISTRICT SCHOOL].

13 \* Sec. 15. AS 14.20.180(b) is amended to read:

14 (b) The tenure teacher may, within 15 days immediately following  
15 receipt of the notification, notify the employer in writing that he  
16 requests a hearing before the school board [, OR IF THE TENURE TEACHER  
17 IS EMPLOYED BY THE STATE, BEFORE AN APPEAL PANEL CONSISTING OF THE  
18 DIRECTOR AND TWO MEMBERS OF THE BOARD]. The tenure teacher may require  
19 in the notification that

- 20 (1) the hearing be either public or private,  
21 (2) the hearing be under oath or affirmation,  
22 (3) he have the right of cross-examination,  
23 (4) he be represented by counsel,  
24 (5) he have the right to subpoena a person who has made alle-  
25 gations which are used as a basis for the decision of the employer.

26 \* Sec. 16. AS 14.20.180(c) is amended to read:

27 (c) Upon receipt of the notification requesting a hearing, the  
28 employer shall immediately arrange for a hearing, and shall notify the  
29 tenure teacher or administrator in writing of the date, time, and place

1 of the hearing. A written transcript, tape, or similar recording of the  
2 proceedings shall be kept. Transcribed copies shall be furnished to the  
3 tenure teacher for cost upon his request. A final decision of the school  
4 board [OR THE APPEAL PANEL] requires a majority vote of the membership.  
5 The vote shall be by roll call. The final decision shall be written and  
6 contain specific findings of fact and conclusions of law. A written  
7 notification of the decision shall be furnished to the tenure teacher  
8 within 10 days of the date of the decision.

9 \* Sec. 17. AS 14.20.205 is amended to read:

10 Sec. 14.20.205. JUDICIAL REVIEW. If a school board [OR APPEAL  
11 PANEL] reaches a decision unfavorable to a teacher, the teacher is en-  
12 titled to a de novo trial in the superior court. However, a teacher who  
13 has not attained tenure rights is not entitled to judicial review ac-  
14 cording to this section.

15 \* Sec. 18. AS 14.20.207(2) is amended to read:

16 (2) "employer" means the school board or superintendent which  
17 appoints the teacher [OR, IN THE CASE OF A TEACHER IN THE STATE-OPERATED  
18 SCHOOLS, THE BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOLS];

19 \* Sec. 19. AS 14.20.230 is amended to read:

20 Sec. 14.20.230. ADMINISTRATORS' SALARIES. School boards of city,  
21 borough and regional educational attendance areas [DISTRICT SCHOOLS AND  
22 THE BOARD OF THE STATE-OPERATED SCHOOLS] shall pay a qualified school  
23 administrator a salary not less than the allowable amount for his posi-  
24 tion on the teachers' scale provided in sec. 220(a) - (c) of this chapter,  
25 plus

26 (1) 25 per cent for the chief school administrator of a  
27 district with an average daily membership of 500 or more;

28 (2) 20 per cent for the chief school administrator of a  
29 district with an ADM of less than 500;

1 (3) 15 per cent for a principal or other administrator;

2 (4) 10 per cent for an assistant principal.

3 \* Sec. 20. AS 14.20.550 is amended to read:

4 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. Each  
5 city, borough and regional school board [, AND THE BOARD OF DIRECTORS  
6 FOR THE STATE-OPERATED SCHOOLS,] shall negotiate with its certificated  
7 employees in good faith on matters pertaining to their employment and  
8 the fulfillment of their professional duties.

9 \* Sec. 21. AS 14.20 is amended by adding a new section to read:

10 Sec. 14.20.555. OPTIONAL COORDINATED EMPLOYEE NEGOTIATIONS. (a)  
11 Negotiations between the employees of any or all city, borough or re-  
12 gional educational attendance areas and the respective district or area  
13 boards may, by mutual agreement of the boards and the employee groups  
14 involved, be conducted by one team representing all the certificated  
15 employees, one team representing all the certificated administrative  
16 personnel if they have joined together to negotiate independently as  
17 provided in AS 14.20.560(f), and one team representing all the partici-  
18 pating school boards.

19 (b) Each team shall consist of as many members as there are parti-  
20 cipating school districts. However, each negotiating team shall consist  
21 of not less than five members.

22 (c) Once negotiations have begun no district or employee group may  
23 withdraw from the negotiations, and the contract resulting from the  
24 coordinated negotiations shall be binding upon all participating boards  
25 and employees.

26 \* Sec. 22. AS 14.30.186(b) is amended to read:

27 (b) The board of a regional educational attendance area [STATE-  
28 OPERATED SCHOOLS] shall provide for special services in a school in the  
29 area [STATE-OPERATED SCHOOL DISTRICT] for exceptional children repre-

1        sented by not less than five children residing in the area served by the  
2        school.

3        \* Sec. 23. AS 14.30.186(d) is amended to read:

4                (d) A school district [OR A STATE-OPERATED SCHOOL] required by  
5        secs. 10 - 305 of this chapter to provide special services for excep-  
6        tional children may cooperate with one or more school districts [OR  
7        STATE-OPERATED SCHOOLS] in providing special classes. If, under the  
8        cooperative agreement, there are no special classes offered within a  
9        school district [OR STATE-OPERATED SCHOOL], exceptional children may  
10       attend special classes in the cooperating school district [OR STATE-  
11       OPERATED SCHOOL] providing the special classes.

12       \* Sec. 24. AS 14.30.260 is amended to read:

13                Sec. 14.30.260. EXCEPTION TO QUALIFICATIONS. The school board for  
14        a district or regional educational attendance area [, OR THE BOARD OF  
15        DIRECTORS FOR A SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT IN WHICH  
16        SPECIAL SERVICES ARE PROVIDED FOR,] may waive part of the qualifications  
17        for teachers as set out in sec. 250 of this chapter, if necessary,  
18        during the first school year special services are offered in the dis-  
19        trict or area [OR IN THE SCHOOL IN THE STATE-OPERATED SCHOOL DISTRICT].

20       \* Sec. 25. AS 14.30 is amended by adding new sections to read:

21                ARTICLE 4. BILINGUAL-BICULTURAL EDUCATION.

22                Sec. 14.30.400. BILINGUAL-BICULTURAL EDUCATION. City or borough  
23        district school boards and regional educational attendance area boards  
24        shall provide a bilingual-bicultural education program for each school  
25        in a city or borough school district or regional educational attendance  
26        area which is attended by at least 10 pupils of limited English-speaking  
27        ability and whose primary language is other than English. A bilingual-  
28        bicultural education program shall be provided under a plan of service  
29        which has been developed in accordance with regulations adopted by the

1 department. Nothing in this section precludes a bilingual-bicultural  
2 education program from being provided for less than 10 pupils in a  
3 school.

4 Sec. 14.30.410. BILINGUAL-BICULTURAL EDUCATION FUND. (a) There  
5 is in the Department of Education a bilingual-bicultural education fund  
6 which is an account in the general fund to receive money appropriated by  
7 the legislature for bilingual-bicultural education and to be used for  
8 bilingual-bicultural education program implementation and operation.

9 (b) The department shall adopt regulations for the determination  
10 of entitlement and the distribution of bilingual-bicultural funds to  
11 city and borough school districts and regional educational attendance  
12 areas.

13 \* Sec. 26. AS 14.33.010 is amended to read:

14 Sec. 14.33.010. REQUIREMENTS FOR SCHOOL SAFETY PATROLS. The  
15 [BOARD OF THE STATE-OPERATED SCHOOLS, FOR THE BENEFIT OF SCHOOLS IN THE  
16 STATE-OPERATED SCHOOL DISTRICT, OR THE] school board of a borough or  
17 city school district or regional educational attendance area, or a  
18 private or denominational school may require that school safety patrols  
19 be established to assist pupils to cross streets and highways adjacent  
20 to schools in safety.

21 \* Sec. 27. AS 14.33.020(a) is amended to read:

22 (a) If [THE STATE DIRECTOR,] a school board, or a private or de-  
23 nominational school determines that a safety patrol should be established  
24 for a school, the principal of the school shall appoint pupils in the  
25 school to serve as members of the patrol.

26 \* Sec. 28. AS 14.60.010(5) is amended to read:

27 (5) "governing body" means the school board of a borough or  
28 city school district or a regional educational attendance area [THE  
29 BOARD OF DIRECTORS FOR THE STATE-OPERATED SCHOOL DISTRICT];

1 \* Sec. 29. AS 14.60.010(6) is amended to read:

2 (6) "school board" means the school board of a borough or  
3 city school district or a regional educational attendance area [THE  
4 BOARD OF DIRECTORS OF THE STATE-OPERATED SCHOOL DISTRICT];

5 \* Sec. 30. AS 14.60.010(7) and (8) are repealed.

6 \* Sec. 31. AS 14.60.010 is amended by adding a new paragraph to read:

7 (10) "regional educational attendance area" means a portion  
8 of the unorganized borough, that may or may not include a military  
9 reservation, and which contains one or more public schools of grade  
10 levels K-12 or any portion of those grade levels which are to be operated  
11 under the management and control of a single regional school board.

12 \* Sec. 32. AS 29.33.050 is repealed and re-enacted to read:

13 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough  
14 school district and establishes, maintains, and operates a system of  
15 public schools on an areawide basis as provided in AS 14.14.060. A  
16 military reservation within an organized borough is not part of the  
17 borough school district until the military mission is terminated or until  
18 inclusion in the borough school district is approved by the Department of  
19 Education. However, operation of the military reservation schools by  
20 the borough school district may be required by the Department of Educa-  
21 tion under AS 14.14.110. If the military mission of a military reserva-  
22 tion terminates or continued management and control by a regional educa-  
23 tional attendance area is disapproved by the Department of Education,  
24 operation, management and control of schools on military reservations  
25 transfers to the borough school district in which the military reserva-  
26 tion is located.

27 \* Sec. 33. AS 29.41.010(a) is repealed and re-enacted to read:

28 (a) A third class borough shall exercise the areawide powers of  
29 education and tax assessment and collection in the manner provided for

1 second class boroughs. Provisions of law relative to first and second  
2 class organized boroughs apply with respect to third class boroughs only  
3 to the extent they are consistent with this chapter. A military reserva-  
4 tion within an organized borough is not part of the borough school  
5 district until the military mission is terminated or until inclusion in  
6 the borough school district is approved by the Department of Education.  
7 However, operation of the military reservation schools by the borough  
8 school district may be required by the Department of Education under  
9 AS 14.14.110. If the military mission of a military reservation termi-  
10 nates or continued management and control by a regional educational at-  
11 tendance area is disapproved by the Department of Education, operation,  
12 management and control of schools on military reservations transfers to  
13 the borough school district in which the military reservation is located.

14 \* Sec. 34. AS 39.05.060(a)(8) is repealed.

15 \* Sec. 35. AS 39.25.110(8) is amended to read:

16 (8) certificated teachers and noncertificated employees  
17 employed by the state or a regional educational attendance area to teach  
18 in, administer or operate schools operated by the state or by a regional  
19 educational attendance area;

20 \* Sec. 36. (a) The property and assets of the state-operated schools are  
21 transferred to the Department of Education for redistribution to the regional  
22 educational attendance areas in the manner the department determines. The  
23 debts of the state-operated schools shall be assumed by the general fund of  
24 the state. All litigation, hearings, investigations and other proceedings  
25 pending under a law amended for functions which may be transferred by this  
26 Act, continue in effect and may be continued and completed notwithstanding a  
27 transfer or amendment provided for in this Act. Certificates, orders, rules  
28 or regulations issued or filed under authority of a law amended by this Act  
29 or functions which may be transferred by this Act, remain in effect for the

1 term issued, unless revoked, vacated, or otherwise modified under the provi-  
2 sions of this Act. All contracts or other obligations created by a law  
3 amended by this Act or by virtue of functions which may be transferred by  
4 this Act, and in effect on the effective date of this Act, remain in effect  
5 unless revoked or modified under the provisions of this Act. All contracts  
6 for the provision of utilities services to the schools of the State-Operated  
7 School System shall be assumed and continued by the respective regional  
8 educational attendance areas.

9 (b) All state and federal funds appropriated to the state-operated  
10 school system are transferred to the department for distribution to the  
11 regional educational attendance areas.

12 \* Sec. 37. Insofar as practicable, the boundaries of the regional educa-  
13 tional attendance areas established under AS 14.08.031, as enacted by sec. 2  
14 of this Act, shall be coterminous with the boundaries of the administrative  
15 regions of the state-operated schools as they existed on the effective date  
16 of this Act.

17 \* Sec. 38. (a) All teachers, as defined in AS 14.20.207(1), in the com-  
18 munities or regional offices served by the State-Operated School System on  
19 the effective date of this Act and who have been retained for the 1975-76  
20 school year are subject to the provisions of AS 14.20.147.

21 (b) All permanent non-certificated employees of the State-Operated  
22 School System in the communities and regional offices who are state employees  
23 on the effective date of this Act and who have been retained for the 1975-76  
24 school year are entitled to continued employment in their current positions.

25 (c) The Department of Education shall assist the certificated and  
26 permanent non-certificated employees in the central office of the State-  
27 Operated School System on the effective date of this Act in finding positions  
28 for which they are qualified.

29 \* Sec. 39. AS 14.08.031, 14.08.051 and 14.08.071, as enacted by sec. 2 of

1 this Act take effect immediately in accordance with AS 01.10.070(c). AS 14.-  
2 08.011 - 14.08.021, 14.08.041, 14.08.061, and 14.08.081 - 14.08.151, as  
3 enacted by sec. 2 of this Act and secs. 1 and 3 - 38 of this Act take effect  
4 July 1, 1975.

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#

1 IN THE HOUSE

BY SWANSON

2 HOUSE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public education in the unorganized  
7 borough; and providing for an effective date."

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

9 \* Section 1. AS 14.08.010 - 14.08.170 are repealed.

10 \* Sec. 2. AS 14.08 is amended by adding new sections to read:

11 CHAPTER 8. ALASKA STATE-OPERATED SCHOOLS [SCHOOL SYSTEM].

12 Sec. 14.08.011. PURPOSE. (a) It is the purpose of this chapter  
13 to provide for public education in the unorganized borough.

14 (b) Nothing in this chapter prohibits an organized borough, city,  
15 village, community or settlement in an unorganized area of the state  
16 from becoming part of or being formed into an organized political sub-  
17 division authorized under AS 29.

18 Sec. 14.08.021. GOVERNANCE. The state Board of Education organized  
19 under AS 14.07.075 is the board of directors of the Alaska state-operated  
20 schools.

21 Sec. 14.08.031. AUTHORITY. The board has exclusive management and  
22 control of all state-operated school matters associated with the state's  
23 program of education at the elementary and secondary levels subject to  
24 the state laws and the regulations promulgated by the board.

25 Sec. 14.08.041. ADMINISTRATION. (a) There is in the Department  
26 of Education a division of state-operated schools. The director of the  
27 division of state-operated schools is the chief school administrator of  
28 the state-operated school district. The director shall be appointed by  
29 the commissioner and serve at his pleasure, subject to the approval of

1 the board. The director shall appoint assistant directors, supervisors,  
2 professional and nonprofessional staff in the manner prescribed by state  
3 law or by regulation promulgated by the board.

4 (b) The director shall insure that the programs and policies of the  
5 board and of the commissioner are faithfully discharged.

6 (c) The principal offices for the administration of the state-  
7 operated schools shall be located at a site prescribed by the board.

8 Sec. 14.08.051. POWERS AND DUTIES. (a) The state Board of Educa-  
9 tion, as the board of directors for the state-operated schools, has the  
10 same powers and duties as a city or borough school district under chs.  
11 12 and 14 of this title.

12 (b) In addition, the board shall

13 (1) develop a philosophy of education, principles, and goals  
14 for the state-operated schools;

15 (2) approve the employment of the professional administrators,  
16 teachers, and nonprofessional administrative personnel necessary to the  
17 operation of the state-operated schools;

18 (3) establish the salaries to be paid the director and its  
19 regularly employed, certificated staff members;

20 (4) promulgate regulations governing organization, policies,  
21 and procedures, and make printed copies available to all personnel;

22 (5) initiate questions of policy for consideration and report  
23 by the director, and pass upon the recommendations of the director in  
24 matters of policy, appointment or dismissal of employees, salary schedules  
25 or personnel regulations, and other matters pertaining to the welfare of  
26 the schools;

27 (6) require reports from the director concerning conditions of  
28 efficiency and needs of the schools, and take steps to appraise the  
29 effectiveness with which the schools are achieving the educational

purposes of the schools;

1  
2 (7) submit an annual budget to the governor for inclusion in  
3 the state budget under the Executive Budget Act (AS 37.07);

4 (8) before October 1 of each year, cause the school accounts  
5 for the year ending the preceding June to be audited by a certified  
6 accountant, and immediately afterwards file a certified copy of the  
7 audit report with the commissioner;

8 (9) designate the administrative employees authorized to  
9 direct disbursements from the school funds of the board;

10 (10) submit the reports prescribed for all school districts;

11 (11) establish, maintain, operate, discontinue, and combine  
12 state-operated schools where it considers necessary;

13 (12) provide for the construction, purchase, rental, mainten-  
14 ance, and equipment of the necessary school buildings or classrooms for  
15 the state-operated schools;

16 (13) pay tuition and boarding or transportation costs of  
17 secondary school students in cases in which the establishment of state-  
18 operated secondary schools is unsound for economic or educational reasons.

19 Sec. 14.08.061. CONFLICT OF INTEREST; DISQUALIFICATION FROM VOTING.  
20 A board member having direct or indirect pecuniary interest in a contract  
21 for erection of buildings, heating, ventilation, furnishing or repairing  
22 the buildings, or in a contract for the furnishing of supplies, for a  
23 state-operated school is disqualified from voting on any question involv-  
24 ing his pecuniary interest.

25 Sec. 14.08.071. FINANCE. (a) There is created in the Department  
26 of Education the state-operated school fund.

27 (b) All funds appropriated by the legislature for the operation of  
28 state-operated schools shall be paid by the Department of Administration  
29 upon requisition by the director of state-operated schools. These funds

1 shall be made payable to the board and shall be deposited in the state-  
2 operated school fund. The amount received may not be transferred to any  
3 other fund unless authorized by the board and state law.

4 Sec. 14.08.081. FEDERAL ASSISTANCE. (a) The director is respon-  
5 sible for the submission of applications for federal assistance for the  
6 unorganized areas through the commissioner of education, who, after  
7 reviewing the applications, shall transmit them to the board for approval  
8 and, if approved, to the appropriate federal agency.

9 (b) Federal funds and assistance allocated to unorganized areas  
10 shall be deposited in the state-operated school fund and may not be  
11 transferred to any other fund unless authorized by the board and state  
12 law.

13 Sec. 14.08.091. SUPPLIES AND EQUIPMENT FOR STATE-OPERATED SCHOOLS.  
14 The board may

15 (1) order, in advance of the school year for which required,  
16 necessary supplies and equipment for the state-operated schools;

17 (2) obligate funds required for these purchases in advance of  
18 the fiscal year for which appropriated or authorized.

19 Sec. 14.08.101. BILINGUAL EDUCATION. (a) A state-operated school  
20 which is attended by at least 15 pupils whose primary language is other  
21 than English shall have at least one teacher who is fluent in the native  
22 language of the area where the school is located. Written and other  
23 educational materials, when language is a factor, shall be presented  
24 in the language native to the area.

25 (b) The board shall promulgate regulations to carry out the  
26 purposes of this section.

27 Sec. 14.08.111. BILINGUAL EDUCATION FUND. There is in the Depart-  
28 ment of Education a bilingual education fund which is an account in the  
29 general fund to receive money appropriated by the legislature for bilingual

1 education and to be used for bilingual education program implementation.

2 Sec. 14.08.121. DEFINITIONS. In this chapter

3 (1) "board" means the state Board of Education acting as the  
4 board of directors of the state-operated school district;

5 (2) "commissioner" means the commissioner of education;

6 (3) "department" means the Department of Education;

7 (4) "director" means the director of the division of state-  
8 operated schools acting as the chief school administrator for the state-  
9 operated school district.

10 \* Sec. 3. AS 14.12.010 is amended to read:

11 Sec. 14.12.010. DISTRICTS OF THE STATE PUBLIC SCHOOL SYSTEM. The  
12 districts of the state public school system are as follows:

13 (1) each first [, SECOND, AND THIRD] class city in the  
14 unorganized borough is a city school district;

15 (2) each organized borough is a borough school district;

16 (3) the area outside organized boroughs and outside first  
17 [, SECOND, AND THIRD] class cities is the state-operated school district.

18 \* Sec. 4. The property and assets of the state-operated schools are  
19 transferred to the Department of Education in the manner the department deter-  
20 mines. The liabilities of the state-operated schools shall be assumed by the  
21 general fund of the state. All litigation, hearings, investigations and other  
22 proceedings pending under a law amended or functions which may be transferred  
23 by this Act, continue in effect and may be continued and completed notwith-  
24 standing a transfer or amendment provided for in this Act. Certificates,  
25 orders, rules or regulations issued or filed under authority of a law amended  
26 by this Act or functions which may be transferred by this Act, remain in  
27 effect for the term issued, unless revoked, vacated, or otherwise modified  
28 under the provisions of this Act. All contracts or other obligations created  
29 by a law amended by this Act or by virtue of functions which may be transferred

1 by this Act, and in effect on the effective date of this Act, remain in effect  
2 unless revoked, or modified under the provisions of this Act.

3 \* Sec. 5. This Act takes effect July 1, 1975.  
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STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99801

LEGISLATIVE AFFAIRS AGENCY

April 15, 1975

M E M O R A N D U M

TO: Representative Hugh Malone, Chairman  
House Finance Committee

FROM: Stuart C. Hall, <sup>SCA</sup> Legislative Counsel

SUBJECT: Amendments to CSSSHB 24 (public education in the unorganized  
borough)

Consideration of a series of amendments to the above legislation that would decentralize the State-Operated School System and reorganize it into regional educational attendance areas is recommended. In some instances, specific language has been prepared to take care of particular problems in the legislation pending before you ; in other instances, the committee should consider the policy question involved, and then specific language to carry out its policy decision will be drafted.

I.

Administration of elections. The Director of Elections, Mrs. Patty Ann Polley, points out that as presently conceived the three-year term for regional school board members will complicate the administration of elections by the state during the regular (even-numbered) election year because the bill would require the Lieutenant Governor's Office to administer a school election, on the first Tuesday in October, which is midway between the Primary and the General Elections. No problem exists in the "off" (odd-numbered) year.

There appear to be two options:

(1) Change the three-year staggered terms for regional school board members to four-year staggered terms and hold the election for regional school board members in the odd-numbered, "off" election years only. This option has the advantage of removing the administrative complication of another state-administered election in the midst of the approximately 60-day period between the Primary and General Elections. However, for some years in Alaska, elective municipal officers, including school board members, have been elected to three-year terms. If this legislation is viewed as creating a framework of local government that is a transition to municipal status, the four-year term would conflict with the long-standing Alaska practice at the local level of three-year terms.

April 15, 1975

(2) Shift the date of the election from the first Tuesday in October to the date of the Primary Election (the fourth Tuesday in August) with any run-off that might be required to be held on the date of the General Election (the first Tuesday after the first Monday in November), at least in the regular election year. While this would solve the administrative problem the bill as presently written creates, some might object that non-partisan school elections should not be held in conjunction with elections for partisan office because of possible confusion of issues, etc.

Any action taken by the committee on this issue would require amendment(s) to either or both the "term of office" and "election" provisions of the bill, pages 5 and 6, et seq., and section 40 on page 26 of the bill relating to the end of the initial term of office of regional school board members.

## II.

The Department of Education and Representative Swanson, the original sponsor of the bill, are recommending for your consideration the following amendment that would permit the state Board of Education to designate the incumbent Board of Directors of the State-Operated Schools as an advisory board to the Board of Education and as a board of control for the administration of the regional educational attendance area schools for the one-year transition period between July 1, 1975 and June 30, 1976.

On page 26, between lines 18 and 19, insert:

"\* Sec. 41. The state Board of Education may designate the members of the Board of Directors of the State-Operated Schools, who are incumbents on the effective date of this Act, as an advisory board to the state Board of Education and as a board of control for the administration of the regional educational attendance area schools during the one-year transition period between July 1, 1975 and June 30, 1976, inclusive, under AS 14.08.031(e) and 14.08.091, as enacted by sec. 2 of this Act. The state Board of Education may fill any vacancies that may occur among the membership of the Board of Directors during this period. The members of the Board of Directors are entitled to travel expenses and per diem as provided by law for members of other boards and commissions."

Re-number bill sections accordingly and make such other technical changes in the bill as may be required.

April 15, 1975

III.

Below are a series of non-substantive, technical amendments required by this bill in order to conform the bill to other provisions of law, clarify certain language, eliminate redundancies and other drafting errors in the bill that emerged from the Health, Education and Social Services Committee.

AMENDMENT NO. 1

On page 1, line 29, strike out "regional".

On page 1, strike out "attendance", and insert: "service"

On page 2, line 1, after "(b)", insert:

"An educational service area established in the unorganized borough under (a) of this section constitutes a regional educational attendance area."

Comment: Both the Alaska Constitution (art. X, secs. 5 and 6) and AS 29.03.020 provide only for the division of the unorganized borough into "service areas," not regional educational attendance areas. Consequently, it is necessary to take the initial step of dividing the unorganized borough into educational service areas, then designating them as "regional educational attendance areas." A service area can be given any reasonable nomenclature, but the constitution and statutes provide the legal steps that must be taken in organizing them. The 1961 opinion of the Attorney General (No. 24) has been examined, and counsel believes that the tests it establishes for the formation of service areas in the unorganized borough have been met in this bill.

AMENDMENT NO. 2

On page 3, line 12, strike out "following".

AMENDMENT NO. 3

On page 6, line 22, correct the spelling of the word "establishment".

AMENDMENT NO. 4

On page 7, the language of lines 13 - 21, inclusive, should be transferred to temporary law; inasmuch as this transition provision is applicable only for a one-year period, it should not be codified. The same is true for the language on page 2, lines 22 - 25, proposed AS 14.08.031(e).

April 15, 1975

AMENDMENT NO. 5

On page 8, line 7, after "system;", insert:

"the regional school boards are exempt from the Fiscal Procedures Act (AS 37.05);"

On page 10, line 6, strike out "and", and insert:

", payroll and other"

AMENDMENT NO. 6

On page 15, line 20, strike out ", [OR]", and insert: "or"

On page 15, strike out line 21, and insert:

"school district or regional educational attendance area  
[, OR THE BOARD]"

On page 18, line 13, after "city", strike out the comma, and insert: "and"; and, after "borough", insert: "school districts"

On page 19, line 27, after "city", strike out the comma, and insert: "and"; and in line 28, after "borough", insert: "school districts"

AMENDMENT NO. 7

On page 20, line 19, strike out "area", and insert: "regional school"

On page 20, line 23, after "participating", insert: "regional"

On page 20, line 26, strike out the first "area", and insert: "school"

On page 20, line 26, strike out the second "area".

On page 20, line 27, strike out "adopted".

AMENDMENT NO. 8

On page 21, line 14, strike out "[OR A", and insert:

"or a regional educational attendance area ["

On page 21, lines 16 and 17, strike out "[OR", and insert:

"or regional educational attendance areas ["

April 15, 1975

On page 21, line 19, strike out "[OR", and insert:

"or regional educational attendance areas ["

On page 21, line 20, strike out "[OR", insert:

"or regional educational attendance areas ["

AMENDMENT NO. 9

On page 23, lines 17 and 18, strike out "a portion of", and insert:

"an educational service area in"

On page 25, lines 22 and 23, strike out "state-operated school system", and insert: "State-Operated School System".

AMENDMENT NO. 10

On page 26, line 20, strike out "in", and insert:

", as enacted by"

On page 26, line 22, strike out "14.08.151 in", and insert:

"14.08.161, as enacted by"

On page 26, line 23, after the first "Act", insert a comma.

SCH:pmk

cc: Representative Swanson

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSSSHB #24  
 Title: Relating to public education in the unorganized boroughs  
 Requested by: House Finance Date: April 7, 1975  
 Return Date Requested: ASAP  
 Agency: Education Program: Financial Support Programs

II. FISCAL DETAIL

Pupil Transportation/Public Foundation  
 Program/ Unorganized borough/ Unorganized  
 Budget Request Unit(s) Affected: Borough tuition/Bilingual/Bicultural funds

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 * GRANTS, CLAIMS, ETC.		493.1	397.9	3,691.4	5,718.6	6,301.8
TOTAL		493.1	397.9	3,691.4	5,718.6	6,301.8

B. FUNDING: (Thousands of dollars)

**GENERAL FUND P.L 81-874		493.1	397.9	3,691.4	4,718.6	6,301.8
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

\*See attached Analysis

\*\*The Department can make no projections concerning future status of PL 81-874 since the Commissioner of the U. S. Office of Education has not made a final decision concerning termination of preferential rates. See attached correspondence.

IV. ATTACHMENTS

V. DATE: 4/15/75 PREPARED BY: William A. Thomas

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

August 29, 1974

T. H. Bell, Commissioner  
U. S. Office of Education  
Department of Health & Welfare  
Washington, D. C. 20202

Dear Commissioner Bell:

This letter is in reference to your recent decision regarding the P.L. 874 rate for the Unorganized Borough in Alaska.

I am extremely disappointed that representatives of the State of Alaska State-Operated Schools System or the Department of Education were not invited to participate or to present arguments during the deliberations leading to your decision to discontinue the preferential rate in Alaska. Dr. Cole of my office specifically requested of Mr. Thomas of your office that prior to any decision being made by the Office of Education on this matter, the State be given an opportunity to appear before the U. S. Commissioner. We regret that this opportunity was not provided.

It appears that the major rationale for your decision to change the rate structure for Alaska State-Operated Schools was the idea that the economic position of Alaska is considerably better than it has been in past years. This is simply not true. While the construction of the Alaska pipeline and the possible future revenues from the oil may greatly enhance the State's economic status, the economic picture in Alaska simply is not good at this time. I am enclosing a copy of a revenue projection prepared by our Department of Revenue in February, 1974; this projection shows the State operating at a deficit prior to any appreciable revenues from oil.

There are several other extenuating circumstances which I believe you omitted or failed to take into consideration when making your decision. In view of this, I respectfully request an opportunity to appear before you, along with representatives from my staff, the State-Operated School System, Commissioner Rockefeller from Region X and appropriate staff members from his office, and possibly other officials from the State of Alaska to present pertinent information and arguments which I feel will convince you that the decision to eliminate the preferential rate, particularly at this time, was in error.

August 29, 1974

I believe the provisions of Public Law 81-874 provide for a hearing with the U. S. Commissioner of Education prior to any final determination of a change in this rate structure. I respectfully request an opportunity for that hearing as provided under the statute. I would appreciate your scheduling this hearing at our earliest mutually convenient time. The week of October 7 would be most convenient for me.

I am looking forward to an early reply to my request.

Sincerely,

Marshall L. Lind  
Commissioner of Education

Enclosure

MLL:sb

cc: Stanley Friese, Director  
Alaska State-Operated School System

W. Phillip Rockefeller  
Regional Commissioner  
Region X

Office of the Governor

Allan F. Apodoca  
Region X

072

A		B	C
ASOSS GOV. Budget FY 76 General Fund		Non-Formula Revenues All Sources	CSSSHB #24
Tuition		1,241.5	
Pupil Transportation		653.2	
Basic Instruction	14,781.1	-0-	
Food Service	2,409.2	421.4	
Building Maintenance	2,003.5	-0-	26,374.0 (1)
Building Operations	6,894.4	295.7	
Regional Admin. & Support	960.0	-0-	
Bilingual		770.2	
Supplemental Programs		2,550.0	
Exceptional Children	367.7	1,199.7	
Correspondence Study	542.9	-0-	542.9 (2)
Contingency			<u>1,000.0</u>
Sub-Total	<u>27,958.8</u>	<u>7,131.7</u>	27,916.9
+ Col. B	<u>7,131.7</u>		<u>7,131.7</u>
Total	\$35,090.5		\$35,048.6

Column A is the Governor's General Fund budget allowance for Alaska State Operated School System for FY 76.

Column B represents Program and Inter-agency revenues which the regional school attendance area would receive whether they remained under ASOSS or CSSSHB #24.

Column C represents CSSSHB #24

- (1) Sec. 14.08.131 & Sec. 14.17.051 (See attached for by school summary)
- (2) Contingency is for distribution to meet unusual costs associated with rural food service programs, Alaska Village Electrical Cooperative and Village Safe Water Facilities.

## REPRESENTATIVE SCHOOL PROFILE

Bethel CSSSHB #24

Enrollment: 1202

Instructional Units: 89

Formula: A) Instructional Units x Unit value x instructional unit allotment

$$89 \times 23,500 \times 130 = 2,718,950$$

B) ADM x Average locally produced revenues

$$1202 \times \$400 = 480,800$$

Basic Support	A) +	2,718,950
	B)	<u>480,800</u>
Other Revenues		2,199,750
Pupil Transportation		32,526
P. L. 89-313 Exceptional Children		
133 students x \$650 per student		86,500
Indian Education		
928 Students x \$123 per student		114,100
*Title I (est.)		400,000

\*Dependent upon election district allocation, number of economically deprived children and number of schools in election district participating in State Title I allocation--range is from \$100,000 to \$468,000.

\*\*Bilingual

State	192,100
Federal	274,700

\*\* Assume 50% of Native children in ASOSS in need of Bilingual Education

5189 ÷ 2 = 2,595 Students

State GF FY 76 ASOSS Bilingual 538.0 per student \$207

Federal FY 76 ASOSS Bilingual 770.2 per student \$297

Bethel 928 Native students x \$207 = \$297

Other receipts

Teacher housing rentals)	) est.	<u>150,000</u>
School Lunch program )		

GRAND TOTAL 4,449,700  
Per pupil Revenue  $4,449.7 \div 1202 = \$3,702$

## RURAL

Enroll. Elem.	Enroll. Sec.	Total Enrollment	Inst. Units Inc. Voc. Ed. & Sp. Ed.	Preliminary Basic Need Col. 5 x 23,500	Inst. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	Inst. Unit Allot. 105% SB#35 Sec. 11(b)	Total Found. Supp. Col. 8 x 9	Ave. Local Produced Revenue per ADM @ \$100 x ADM	Grand Total Col. 10 + 12	
Akutan	13	2	15	2	47,000	128	60,160	105	63,168	6,000	69,168
Alakanak H.S.	-0-	70	70	7	164,500	132	217,140	105	227,997	28,000	255,997
Alcestra	-0-	11	11	2	47,000	104	48,880	-0-	48,880	4,400	53,280
Aleknagik	17	15	32	4	94,000	128	120,320	105	126,336	12,800	139,136
Aleknagik N.S.	12	-0-	12	2	47,000	128	60,160	105	63,168	4,800	67,968
Allakaket	33	12	45	6	141,000	136	191,760	105	201,348	18,000	219,348
Ambler	53	-0-	53	5	117,500	136	159,800	105	167,790	21,200	188,990
Anderson	76	72	148	12	282,000	136	383,520	105	402,696	59,200	461,896
Angoon	68	47	115	11	258,500	104	268,840	105	282,282	46,000	328,282
Aniak	47	42	89	9	211,500	136	287,640	105	302,022	35,600	337,622
Annette	71	-0-	71	6	141,000	-0-	141,000	105	148,050	28,400	176,450
Anvik	17	6	23	3	70,500	136	95,880	105	100,674	9,200	109,874
Arctic Village	27	4	31	3	70,500	136	95,880	105	100,674	12,400	113,074
Atka	8	5	13	2	47,000	128	60,160	105	63,168	5,200	68,368
Atnasutluak	46	-0-	46	4	94,000	132	124,080	105	130,284	18,400	148,684
Belkofski	11	4	15	2	470,000	128	60,160	105	63,168	6,000	69,168
Bethel	586	616	1,202	89	2,091,500	132	2,760,780	105	2,898,819	480,800	3,379,619
Berles	11	2	13	2	47,000	136	63,920	105	67,116	5,200	72,316
Birch Creek	8	-0-	8	1	23,500	112	26,320	105	27,636	3,200	30,836
Brown's Court	10	2	12	2	47,000	136	63,920	105	67,116	4,800	71,916
Burland	37	-0-	37	4	94,000	136	127,840	105	134,232	14,800	149,032
Centwall	18	8	26	3	70,500	136	95,880	105	100,674	10,400	111,074
Cape Pole	23	9	32	4	94,000	-0-	94,000	105	98,700	12,800	111,500
Challiyitsik	17	-0-	17	2	47,000	136	63,920	105	67,116	6,800	73,916
Chignik	15	2	17	2	47,000	128	60,160	105	63,168	6,800	69,968
Chignik Lagoon	12	5	17	2	47,000	128	60,160	105	63,168	6,800	69,968
Chignik Lake	22	4	26	3	70,500	128	90,240	105	94,752	10,400	105,152
Chistochina	25	8	33	4	94,000	116	109,040	-0-	109,040	13,200	122,240
Chuathbaluk	27	14	41	5	117,500	136	159,800	105	167,790	16,400	184,190
Circle	11	2	13	2	47,000	112	52,640	105	55,272	5,200	60,472
Clark's Point	13	5	18	2	47,000	128	60,168	105	63,168	7,200	70,368
Coffman Cove	26	5	31	3	70,500	-0-	70,500	105	74,025	12,400	86,425
Cold Bay	22	9	31	4	94,000	128	120,320	105	126,336	12,400	138,736

Enroll. Elem.	Enroll. Sec.	Total Enrollment	Inst. Unit Inc. & Sp. Ed.	Preliminary Voc. Ed. Col. 5 x 23,500	Inst. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	Inst. Unit Allot. 105% SB#35 Sec. 11(b)	Total Found. Supp. Col. 8 x 9	Ave. Local Produced Revenue per ADM @ \$400 x ADM	Grand Total Col. 10 + 12	
Copper Center Council	50	11	61	7	164,500	116	190,820	-0-	190,820	24,400	215,220
Cracked Creek	33	7	40	5	23,500	128	30,000	105	31,554	2,800	34,354
Deering	17	7	24	3	117,500	136	159,800	105	167,790	16,000	183,790
Delta Junction	196	267	463	35	70,500	136	95,820	105	100,674	9,600	110,274
Dot Lake	13	5	18	2	822,500	112	921,200	-0-	921,200	185,200	1,106,400
Eagle	29	8	37	4	47,000	112	52,640	-0-	52,640	7,200	59,840
Egegik	17	10	27	4	94,000	112	105,280	105	110,544	14,800	125,344
Ekwok	23	7	30	3	94,000	128	120,320	105	126,336	10,800	137,136
El Capitan	17	2	19	2	70,500	128	90,240	105	94,752	12,000	106,752
Elfin Cove	11	-	11	2	47,000	-0-	47,000	105	49,350	7,600	56,950
Emmonak H.S.	-0-	100	100	9	47,000	109	50,760	105	53,298	4,400	57,698
False Pass	9	2	11	2	211,500	132	279,180	105	293,159	40,000	333,159
Fort Yukon	98	89	187	17	47,000	128	60,160	105	63,268	4,400	67,668
Fortuna Ledge	38	11	49	6	47,000	128	60,160	105	63,268	4,400	67,668
Gakona	28	3	31	3	399,500	136	543,320	105	570,486	74,800	645,286
Gildersleeve	9	4	13	2	141,000	132	186,120	105	195,426	19,600	215,026
Glennallen	127	191	318	25	70,500	116	81,780	-0-	81,780	12,400	94,180
Gustavus	11	3	14	2	47,000	-0-	47,000	105	49,350	5,200	54,550
Holy Cross	48	29	77	9	587,500	116	681,500	-0-	681,500	127,200	808,700
Hughes	14	5	19	2	47,000	108	50,760	105	53,298	5,600	58,898
Huslia	31	18	49	5	211,500	136	287,640	105	302,022	30,800	332,822
Igloodig	8	5	13	2	47,000	136	63,920	105	67,116	7,600	74,716
Ivanof Bay	5	3	8	1	117,500	136	159,800	105	167,790	19,600	187,390
Kaltag	45	39	84	9	47,000	128	60,160	105	63,169	5,200	68,369
Kenny Lake	38	49	87	9	23,500	128	30,080	105	31,584	3,200	34,784
Kiana H.S.	-0-	7	7	1	211,500	136	287,640	105	302,022	33,600	335,622
Kivalina	47	31	78	9	211,500	116	245,340	-0-	245,340	34,800	280,140
Kobuk	15	-0-	15	2	23,500	136	31,960	105	33,558	2,900	36,458
Kokhanok Bay	25	6	31	3	211,500	136	287,640	105	302,022	31,200	333,222
Koliganak	30	9	39	4	47,000	136	63,920	105	67,116	6,000	73,116
Kongiganak	20	-0-	20	6	70,500	128	90,240	105	94,752	12,400	107,152
Koyuk	41	-0-	41	4	94,000	128	120,320	105	126,336	15,600	141,936
					141,000	132	186,120	105	195,426	32,000	227,426
					94,000	128	120,320	105	126,336	16,400	142,736

Enroll. Flon.	Enroll. Sec.	Total Enrollment	Instr. Units Inc. Voc. & Sp. Ed.	Proficiency Basic Need Col. 5 + 21,500	Instr. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	Instr. Unit Allot. 105% SB#35 Sec. 11 (b)	Total Found. Supp. Col. 8 x 9	Avg. Local Produced Revenue per ADM @ \$400 x ADM	Grand Total Col. 10 + 12	
Krylok	22	10	12	5	117,500	136	159,800	105	167,790	12,800	180,590
Levelock	18	7	25	3	70,500	128	90,240	105	94,752	10,000	104,752
Lisa Village	12	4	16	2	47,000	136	63,920	105	67,116	6,400	73,516
Manley Hot Springs	7	1	8	1	23,500	136	31,960	105	33,558	3,200	36,758
Manokotak	68	43	111	11	258,500	178	370,800	105	387,454	44,400	431,854
McGrath	42	59	101	9	211,500	136	287,640	105	302,022	40,400	342,422
Mentasta Lake	25	2	27	3	70,500	112	78,960	-0-	78,950	10,800	89,750
Metlakatla	191	185	376	29	681,500	-0-	681,500	105	715,575	150,400	865,975
Minto	28	31	59	6	141,000	136	191,760	105	201,348	23,600	224,948
Mr. Village H.S.	-0-	90	90	8	188,000	132	248,160	105	260,568	36,000	296,568
Nauyasit Bay	9	1	10	2	47,000	-0-	47,000	105	49,350	4,000	53,350
Nelson Lagoon	8	3	11	2	47,000	128	60,160	105	63,168	4,400	67,568
Neshalem	28	14	42	5	117,500	128	150,400	105	157,920	16,500	174,420
New Kasnan	9	-	9	1	23,500	-0-	23,500	105	24,675	3,600	28,275
New Stuyahok	53	43	101	10	235,000	128	300,800	105	315,840	40,400	356,240
Nikolai	18	9	27	3	70,500	136	95,880	105	100,674	10,800	111,474
Nikolski	9	1	10	2	47,000	128	60,160	105	63,168	4,000	67,168
Noatak	73	10	83	8	188,000	136	255,680	105	268,464	33,200	301,664
Nondalton	50	27	77	9	211,500	128	270,720	105	284,256	30,800	315,056
Noorvik	144	51	195	16	376,000	136	511,360	105	536,928	78,000	614,928
Northway	49	30	79	9	211,500	112	236,680	-0-	236,880	31,600	268,480
Nulato	63	94	157	20	470,000	136	639,200	105	671,160	62,500	733,660
Ongsenakale	11	6	17	2	47,000	128	60,160	105	63,168	6,500	69,668
Paxson	13	-0-	13	2	47,000	116	54,520	-0-	54,520	5,200	59,720
Pedro Bay	6	5	11	2	47,000	123	60,160	105	63,168	4,400	67,568
Perryville	22	5	27	3	70,500	128	90,240	105	94,752	10,800	105,552
Pilot Point	14	1	15	2	47,000	128	60,160	105	63,168	6,000	69,168
Pitka's Point	26	3	29	3	70,500	132	93,060	105	97,713	11,600	109,313
Platinum	13	4	17	2	47,000	128	60,160	105	63,168	6,300	69,468
Pert Alice	10	3	13	2	47,000	-0-	47,000	105	49,350	5,200	54,550
Pert Reiden	14	7	21	3	70,500	128	90,240	105	94,752	8,400	103,152
Rampart	13	2	15	2	47,000	112	52,640	105	55,272	6,000	61,272
Red Devil	7	3	10	2	47,000	136	63,920	105	67,116	4,000	71,116
Roosevelt Harbor	12	1	13	2	47,000	104	48,880	105	51,324	5,200	56,524

	1	2	3	4	5	6	7 *	8 **	9	10	
	Enroll. Elem.	Enroll. Sec.	Total Enrollment	Instr. Units Inc. Voc. Ed. & Sp. Ed.	Preliminary Basic Need Col. 5 x 23,500	Instr. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	SB#35 Sec. 11(b)	Total Found. Supp. Col. 8 x 9	Ave. Local Produced Revenue per ADM @ \$400 x ADM	Grand Total Col. 10 + 12
Rowan Bay	8	3	11	2	47,000	104	48,880	105	51,324	4,400	55,724
Ruby	24	29	53	6	141,000	176	191,760	105	201,148	21,200	222,348
Russian Mission	22	7	29	4	94,000	136	127,840	105	134,232	11,600	145,832
St. George Island	30	10	40	5	117,500	128	150,400	105	157,920	16,000	173,920
St. John's Harbor	8	3	11	2	47,000	104	48,880	105	51,324	4,400	55,724
St. Paul Island	89	51	140	14	329,000	128	421,120	105	442,176	56,000	498,176
Sand Point	84	57	141	13	305,500	128	391,040	105	410,592	56,400	466,992
Shakan Bay	10	2	12	2	47,000	-0-	47,000	105	49,350	4,800	54,150
Shishmaref	91	-0-	91	7	164,500	128	210,560	105	221,098	36,400	257,498
Shungnak	52	1	53	5	117,500	136	159,800	105	167,790	21,200	188,990
Sleetmute	25	6	31	3	70,500	136	95,880	105	100,674	12,400	113,074
Stevens Village	9	5	14	2	47,000	112	52,640	105	55,272	5,600	60,872
Stony River	12	6	18	2	47,000	136	63,920	105	67,116	7,200	74,316
Takotna	8	-	8	1	23,500	136	31,960	105	33,558	3,200	36,758
Tanana	66	94	160	14	329,000	136	447,440	105	469,812	64,000	533,812
Tatitlek	8	3	11	2	47,000	116	54,520	105	57,246	4,400	61,646
Teller	40	-0-	40	4	94,000	128	120,320	105	126,336	16,000	142,336
Thorne Bay	58	43	101	10	235,000	-0-	235,000	105	246,750	40,400	287,150
Togiak	82	53	135	13	305,500	128	391,040	105	410,592	54,000	464,592
Toiv	119	84	203	18	423,000	112	473,760	-0-	473,760	81,200	554,960
Tri Valley	93	69	162	15	352,500	136	479,400	105	503,370	64,800	568,170
Tuxekan	8	3	11	2	47,000	-0-	47,000	105	49,350	4,400	53,750
Twin Hills	23	7	30	3	70,500	128	90,240	105	94,752	12,000	106,752
Wales	22	-0-	22	3	70,500	128	90,240	105	94,752	8,800	103,552
White Mountain	21	-0-	21	3	70,500	128	90,240	105	94,752	8,400	103,152
Whale Pass	21	12	33	5	117,500	-0-	117,500	105	123,375	13,200	136,575
Whittier	21	17	38	5	117,500	116	136,300	-0-	136,300	15,200	151,500
Winds Camp	10	-0-	10	2	47,000	112	52,640	-0-	52,640	4,000	56,640
Telida	8	-	8	1	23,500	136	31,960	105	33,558	3,200	36,758
Rural Schools	4,706	3,229	7,935	773	18,165,500		22,600,000		23,751,732	3,174,000	26,374,000**

\* Columns 6 & 7 adjusted to reflect change in CS HB #24 Instructional unit allotment  
 Sec. 14.17.051 (weighted IUA 124.25)  
 Column 8 & 9 eliminated from HB #24 computation

\*\* 600.0 added to computation for Special Ed. & Vocational Ed. units, since ASOS5 does not currently have such units identified.

CSSSHB #24

Six Regional Centers located at:

Anchorage\*  
Juneau\*  
Fairbanks  
Nome  
Dillingham  
Bethel

\*Will be staffed from existing ASOSS & DOE staff.

Regional Center could perform the following functions:

- Provide:
1. Assistance in individual diagnosis, prescription or programming.
  2. Dissemination of new materials and techniques.
  3. Coordination of State and other agencies in the area.
  4. School Board training
  5. Bilingual/Bicultural
  6. Elections Process
    - a. Service area and section determination
    - b. Election costs

The Juneau Resource Center in addition to serving Southeastern Alaska could provide the following coordination and dissemination functions:

- Provide:
1. Assistance in school management procedures. (New districts)
  2. Satellite communications planning
  3. Coordinate information about students
  4. Provide centralized accounting capability
  5. Federal program's program proposal review and evaluation
  6. Federal program's on-site review (evaluation)
  7. In-service training of Regional Resource Center personnel
  8. Vocational and special education plans of service process
  9. Distribution of Assets and Liabilities.

The attached budgets are constructed to perform the following functions:

- \*1. School Board training
2. Elections process
3. Coordination of State and other agencies in the area

The other functions identified above could be performed by the regional resource centers, if the school districts desire to purchase these services.

\*See Attachment IV

BUDGETS

	<u>Nome</u>	<u>Bethel</u>	<u>Fairbanks</u>	<u>Dillingham</u>
<u>100 Personal Services</u>				
Ed. Administrator I 21A	30,180	31,296	26,040	30,180
Research Ass't. 10A	13,416	13,932	11,796	13,416
Clerk Typist III 8A	<u>11,796</u>	<u>12,192</u>	<u>10,404</u>	<u>11,796</u>
Salaries	55,392	57,420	48,240	55,392
20 Benefits	<u>11,078</u>	<u>11,484</u>	<u>9,648</u>	<u>11,078</u>
Total Personal Services	66,470	68,904	57,888	66,470
<u>200 Travel</u>				
In-state	<u>8,000</u>	<u>8,000</u>	<u>8,000</u>	<u>8,000</u>
Total Travel	8,000	8,000	8,000	8,000
<u>300 Contractual Services</u>				
Communications	6,500	6,500	6,500	6,500
Printing	10,000	10,000	10,000	10,000
Rents	9,600	9,600	9,600	9,600
Freight, etc.	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
Total Contractual	27,100	27,100	27,100	27,100
<u>400 Commodities</u>	2,500	2,500	2,500	2,500
<u>500 Equipment</u>	1,000	1,000	1,000	1,000
Grand Total	<u>105,070</u>	<u>107,504</u>	<u>96,488</u>	<u>105,070</u>

Grand total all centers  
\$414,132

Bilingual/Bicultural Education Fund

1. *Estimated total cost	1,000.0
Less ASOSS FY 76 Budget GF	<u>538.0</u>
Total Increase	462.0

1\* The extent which City & Borough School districts will implement this Sec. in FY 76 is not known, however, total Bilingual/Bicultural needed to implement is estimated at \$1,000.0.

## Attachment IV

The following will be funded from the Governor's FY 76 Budget for ASOSS Central Office (only the reduction of the on-base costs have been verified by ASOSS):

FY 76 Budget	3,448.7
1. Less Reduction for contracted on-base schools	665.9
2. *Less Regional Resource Centers and Sec. 38 (Attachment II)	450.0
3.**Less School Board Training	<u>200.0</u>
Total cost of ASOSS Central Office	\$2,132.8
FY 76 Items Transferred to DOE	200.0

\* See attachment #2 It is anticipated that the Regional Resource Centers would become functional and assume a larger role in providing services as the transitional process occurs and the role of the ASOSS Central Office declines. The Department of Education would incur costs in implementing Sec. 38 for the transitional period (est. 35.9).

\*\* School Board training costs included in ASOSS Central Office BRU would be transferred to the Department of Education to train regional attendance area boards.

Election Costs (Sec. 14.08.071)

Assume 15 districts

Election Boards \$48,000

Printing & Advertising 25,000

Total Elections

73.0

A	SUMMARY	B CSSSHB #24	
Governor's Budget ASOSS Rural	\$35,628.5	Attachment I	\$35,048.6
Governor's Budget ASOSS Central for Rural	2,782.8	Attachment III	1,000.0
		Attachment IV	2,132.8
		" "	650.0
Total FY 76	\$38,411.3	Attachment V	<u>73.0</u>
		Total	\$38,904.4

Impact to the State General Fund Col. A - Col B = 493.1

GF/ PL 874 IMPACT SUMMARY

FY 77

\* Rural Schools enrollment considered constant  
 Correspondence Study treated as constant 25 units \$25,000

1. a)	Instructional Unit Value in FY 77	\$25,000
b)	Average instructional unit allotment	
	794 x \$25,000 x 124.25 =	24,664,022
c)	Average local generated revenue constant	3,174,000
2.	Assume the following Bureau of Indian Affairs elementary schools where ASOSS operates secondary schools/or students attend these secondary programs from nearby villages:	
	120 ISU x \$25,000 x IUA weighted 130.5 =	3,915,000
	ADM 1,173 x \$400 =	469,200
	Sub-total PL 874	<u>4,384,200</u>
3.	Correspondence Study	<u>625,000</u>
	TOTAL FY 77	\$32,847,200

FY 78-80

Assume 1/3 remaining BIA elementary schools elect to join regional attendance areas each year:

FY 78

1. a)	86 units x \$25,000 x average IVA 130.5	2,805,750
b)	1,054 ADM x \$400	<u>421,600</u>
	Sub-total	3,227,350
2.	Rural Schools (constant)	32,847,200
3.	Correspondence Study	<u>625,000</u>
	TOTAL FY 78	\$36,699,550

FY 79

1.	Additional 1/3 BIA elementary schools	3,227,350
2.	Rural Schools (constant)	36,699,550
3.	Correspondence Study	<u>625,000</u>
	TOTAL FY 79	\$40,551,900

FY 80		
1.	Final 1/3 BIA elementary schools	3,227,350
2.	Rural Schools (constant)	40,551,900
3.	Correspondence Study	<u>625,000</u>
TOTAL FY 80		\$44,404,250

\*ASOSS Rural Schools Final ADM

1971-72	7,502	pupils in ADM
1972-73	7,494	pupils in ADM
1973-74	7,307	pupils in ADM

Enroll. Elem.	Enroll. Sec.	Total Enrollment	Inst. Units Inc. Voc. Ed. & Sp. Ed.	Preliminary Basic Need Col. 5 x 23,500	Inst. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	Inst. Unit Allot. 105% SB#35 Sec. 11(b)	Total Found. Supp. Col. 8 X 9	Ave. Local Produced Revenue per ADM @ \$400 x ADM	Grand Total Col. 10 + 12
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FEEDER SCHOOLS	960	213	1,173	120	2,820,000		3,854,940	4,047,687	469,200	4,516,887
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FEEDER SCHOOLS FY 77

Election Dist.	Enroll. Elem.	Enroll. Sec.	Total Enrollment	Inst. Units Inc. Voc. Ed. & Sp. Ed.	Preliminary Basic Need Col. 5 x 23,500	Inst. Unit Allotment SB#35 Sec. 11(a)	Col. 6 X Col. 7	Inst. Unit Allot. 105% SB#35 Sec. 11(b)	Total Found. Supp. Col. 8 X 9	Ave. Local Produced Revenue per ADM @ \$400 x ADM	Grand Total Col. 10 + 12
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Chefornak	14	40	9	49	5	117,500	132	155,100	105	162,855	19,600	162,455
Mekoryuk	14	68	18	86	9	211,500	132	279,180	105	293,139	34,400	327,539
Newtok	14	41	6	47	5	117,500	132	155,100	105	162,855	18,600	181,655
Nightmute	14	26	12	38	5	117,500	132	155,100	105	162,855	15,200	178,055
Toksook Bay	14	70	12	82	10	235,000	132	310,200	105	325,710	32,800	358,510
Tununak	14	74	15	89	10	235,000	132	310,200	105	325,710	35,600	361,310
Alakanak	19	126	18	144	13	305,500	132	403,260	105	423,423	57,600	481,023
Sheldon Pt.	19	41	7	48	5	117,500	132	279,180	105	293,139	19,200	312,339
Emonak	19	136	31	167	15	352,500	132	465,300	105	488,565	66,800	555,365
Kotlik	19	69	22	91	10	235,000	132	310,200	105	325,710	36,400	362,110
Mt. Village	19	137	32	169	15	352,500	132	465,300	105	488,565	67,600	556,165
Pilot Station	19	68	10	78	9	211,500	132	279,180	105	293,139	31,200	324,339
Kiana	17	64	21	85	9	211,500	136	287,640	105	302,022	34,000	336,022

TOTAL	960	213	1,173	120	2,820,000		3,854,940	4,047,687	469,200	4,516,887
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FORMULA FUNDING	FY 76	FY 77	FY 78	FY 79	FY 80
	27,916.9	32,847.2	36,699.6	40,551.9	44,404.3
*Resource Centers	450.0	673.9	727.8	786.0	848.9
Bilingual/Bicultural	1,000.0	1,080.0	1,166.0	1,259.3	1,360.0
**School Board Training	200.0	100.0	-0-	-0-	-0-
***ASOSS Central Office	2,132.8	-0-	-0-	-0-	-0-
****Elections	73.0	-0-	-0-	-0-	-0-
Sub-total GF/874	31,772.7	34,611.1	37,543.4	42,597.2	46,613.2
Other G.F.					
*****Pupil Transportation	653.2	705.2	761.6	882.5	888.3
*****Rural Tuition	1,241.5	1,241.5	1,241.5	1,241.5	1,241.5
Sub-total	1,894.7	1,946.7	2,003.1	2,064.0	2,129.8
Sub-total	33,667.4	36,557.8	39,546.5	44,661.2	48,743.0
*****Inflation 9%			3,559.2	4,019.5	4,386.9
GRAND TOTAL	33,667.4	36,557.8	43,105.7	48,680.7	53,129.9
ASOSS Budget FY 76					
Rural GF/PL 874		30,391.5			
Central Office less 665.9 on-base reduction		<u>2,782.8</u>			
Total GF/PL 874 FY 76		33,174.3			
Total	33,174.3	36,159.9	39,414.3	42,961.6	46,828.1
Net Impact 493.1	493.1	397.9	3,691.4	5,718.6	6,301.8

\*Resource Center increase occurs as ASOSS Central Office declines

\*\*School Board training becomes less significant and becomes part of Resource Center function

\*\*\*Assume ASOSS Central Office eliminated July 1, 1976, PERCY becomes part of St. Library

\*\*\*\*Elections considered part of Lieutenant Governor's election costs.

\*\*\*\*\*Pupil Transportation becomes incorporated with DOE Pupil Transportation

\*\*\*\*\*Rural Tuition treated as constant--more students served thru local programs will offset any increase

\*\*\*\*\*Inflation rate projected nationally at 9-10%. Assume 9%

STATE  
of ALASKA

# MEMORANDUM

TO:

The Honorable Lugh Malone  
Chairman  
House Finance Committee

DATE : April 24, 1975

FROM:

Lowell Thomas, Jr. *LT*  
Lieutenant Governor  
Office of the Lieutenant Governor

SUBJECT: CSSS House Bill 24

The CSSS for House Bill 24 provides for the election of regional school boards by the Lieutenant Governor.

Sec. 14.08.071 (a) provides that within 60 days after the establishment of regional attendance area, an election will be held. In some of the regional attendance area, we anticipate a mail problem in sending and receiving petitions for the filings of school board candidates. Language similar to that in AS. 29.28.120 would allow sufficient time for candidates to file and for ballots and supplies to be printed and returned for the election.

SUGGESTED LANGUAGE: Page 6, line 22: after "within" add "not less than" and after "60" add "nor more than" 90.

Sec. 14.08.071 (b) requires the annual election of school board members "on the first Tuesday in October at the time of regular municipal election under AS. 29.28.020". AS. 29.28.020 provides that the regular municipal election will occur on "the first Tuesday of October annually, or on a date of election or at an interval of years provided by ordinance." The Directory of Borough & City Officials published by the Department of Community & Regional Affairs, lists 39 second class cities with municipal elections held at times other than the first Tuesday in October. The Division of Elections recommends that all regional school board elections occur at the same time.

SUGGESTED LANGUAGE; Page 6, lines 27 and 28, delete the following: "at the time of regular municipal elections under AS. 29.28.020".

*adapted  
for*

*Master file*

Position Paper

Local Control of Schools in the Unorganized Borough

BY

Board of Directors, Alaska State-Operated School System

The Board of Directors of the Alaska State-Operated School System concurs with and endorses the concept of local control of all schools in Alaska. We believe the benefits to the communities are reflected in the history of local control of education in the United States. The schools and curricula must become more responsive to the needs of the communities.

The Board of Directors of ASOSS defines local control as the degree with which local communities assume the responsibility to make decisions regarding their school's operations and programs.

The Board of Directors has reservations concerning several aspects of the current proposed state legislation which would mandate decentralization:

1. We feel the transfer of rural schools to the State Department of Education at this time would result in confusion and endanger any attempt to accomplish local control within the time specified. Therefore, the ASOSS Board of Directors recommends that the legislation be amended to leave operation of the schools with ASOSS during the transition.
2. The Board is concerned that the financial considerations be given the closest scrutiny to insure adequate funding.
3. The Board feels a one year deadline for local control is inadequate. However, it does not wish to increase the time limit to such a degree that it would lessen the urgency of local

control. The intent of the Board is to assist to the fullest extent in providing local control for rural schools within a two year time frame.

The Board is particularly concerned that the move to local control take into consideration the rights and needs of every person involved---the communities, school boards, students, and staff. The Board intends to devote as much time as necessary to consider the wishes, needs and recommendations of the people.

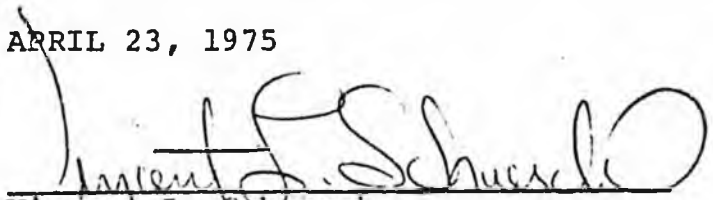
The Board has already taken action to streamline central office operations by reorganization of personnel and services. This reorganization will place the emphasis on those functions which will concentrate on the thrust toward local control.

The Board wishes to assure agencies that it does not intend criticism of past rural school operation as anything more than dissatisfaction with systems. We believe local control of the educational process is an extension of the trend toward self-determination.

The Board also recognizes that the quality of rural education will be largely determined by the urgency and efficiency with which all parties approach local control. The ultimate responsibility must be assumed by each community.

APPROVED BY TELEPHONE POLL OF THE BOARD OF DIRECTORS ON

APRIL 23, 1975

  
Vincent L. Schuerch  
Chairman Pro-tem  
ASOSS Board of Directors

# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

*file  
HB 24*

POUCH C-JUNEAU ~~99891~~ 99811

May 1, 1975

Honorable Hugh Malone  
Chairman, House Finance Committee  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Attn: Representative Clark Gruening

Dear Representative Malone:

We understand that testimony was provided on HB 193, and indirectly on HB 24, that represented potential reductions from budgets of the Department's of Administration and Law who provide centralized services for the Alaska State-Operated Schools. Data supporting an assumed \$614,000 existing workload was taken from a 1973 State-wide Cost Allocation Plan and consequently is misleading.

The State-wide Cost Allocation Plan is an accounting measurement of indirect costs supporting operating programs. While this is a realistic negotiable plan for allocating central service costs, it is not a mechanism for defining specific reducible costs upon the separation of programs.

The most current plan - actual 1974 - reflects nearly \$200,000 less than what was represented and is scheduled as:

<u>Activity</u>	<u>Costs Allocated to SOS</u>
Department of Administration	
Office of the Commissioner	\$ 15,800
Internal Audit	3,000
+ Personnel	115,200
Budget and Management	27,200
Finance -	
Director/Gen. Acctg.	29,800
Pre-Audit	11,300
Payroll	27,900
General Services & Supply	
Purchasing	4,500
Leasing	3,600
Archives & Records	-0-
Central Duplicating	-0-
Mailroom	-0-
Data Processing	107,700
Department of Law	(3,200)
Division of Buildings	-0-
Total Allocated Costs to SOS, 1974 actual	<u>\$342,800</u>

May 1, 1975

Reasons why allocated costs are not realistic for budget reductions, in the order of the above schedule:

The Office of the Commissioner represents allocated costs of the Commissioner, Deputy, and related clerical. Space, equipment and certain contractual charges are distributed. Except for slight telephone usage, costs would appropriately continue.

Costs associated with internal audits were distributed to SOS. We assume aspects of auditing would continue and in fact be enlarged. Consequently we might anticipate \$6,000 or more instead of the \$3,000 distributed.

\$115,200 is scheduled as expenses distributed for services provided by the Division of Personnel. Administration funds a Personnel Officer II who is assigned to SOS and could be transferred with funding of \$22,075. Remaining portions of allocations represent personnel administration, recruitment and examining, employee development, classification and pay, and employee relations. These functions are performed for State-wide purposes and not separable for SOS. As examples, processes to classify, recruit and examine a position such as clerk typist would continue whether SOS selected from Administration's register or not. Activities in collective bargaining would continue whether or not SOS participated in centralized administration. Minor portions of filing, correspondence and telephone could reasonably be reduced.

HB 193 is silent as addressed to Budget and Management but services would probably expand from the scheduled \$27,000.

The Division of Finance, with its \$69,000 allocation could anticipate some savings. Their organization is not, however, specialized by agency. We could assume some payroll overtime being reduced but administration, pre-audit and general accounting would remain significantly unchanged.

Portions of General Services' leasing function would be impacted but with only one employee providing all State-wide leasing services nothing significant is available in funding reductions. Purchasing, also, is without reduction. Purchase orders would still require the same effort. Orders are presently consolidated with SOS requests, perhaps adding one line to a seven item order.

Data Processing is excluded from the language of HB 193 which addresses AS 37.05 and AS 39.25. However, Data Processing would seem to provide an area for significant reductions, but not so. Administration, equipment costs and rentals would continue. System and programming time would also continue. Payroll, for example, is maintained as a total State-wide system. The effort expended for that system is not impacted or inconsequentially impacted by SOS's inclusion or exclusion from the State-wide system. Key punch could have some measurable reduction that might affect some key punch support.

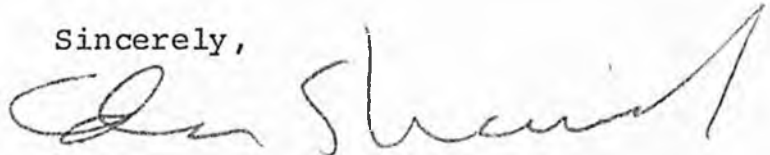
Andrew S. Warwick, Commissioner  
Department of Administration  
Page 3

May 1, 1975

Legal costs are included in the schedule. However, the bill does not address law services. A fiscal note submitted indicated no effect. The plan reflected a minus figure resulting from one individual attorney assigned to SOS whose cost, by agreement, was over-reimbursed.

Costs for centralized services can appreciably be considered supplementary to existing budgeted funds. Substitutions cannot reasonably be anticipated, except for the funding of one personnel officer for \$22,000 and minor parts of telephone bills, forms and contract services of perhaps a couple thousand dollars. Certain costs, for such as budgeting and auditing, should expand and reasonably offset any reductions. Unfortunately, an administration budget reduction cannot be attributed to reduced services from a seemingly apparent elimination of SOS related activities.

Sincerely,



Andrew S. Warwick  
Commissioner

ASW/RAS/bph  
CC: Richard Guthrie