

COMMITTEE REPORT

SENATE

3/18/76

Mr. President:

Date _____

The Committee on Finance has had SS SB 658 establishing the Alaska Community Colleges 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 _____ AND THAT
CS FOR _____ 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

COMMITTEE REPORT

XXX&XX&

3/8/76

SENATE

****FINANCE****

Mr. President:

Date

3/18/76

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SS SB 658 establishing the Alaska Community Colleges 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 _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other" _____

Members signing the Majority report:

<u>Brad Bradley</u>	<u>no pass</u>	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>Collitta</u>	recommends: <u>Do not pass</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

Chairman

Introduced: 3/8/76
Referred: Health, Education
and Social Services and
Finance

1 IN THE SENATE

BY CROFT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. It is the purpose of this chapter to
13 establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to,

28 (1) courses and curricula that lead to associate degrees, or
29 that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical
5 skills in a chosen trade or occupation and lead either to a degree or a
6 certificate of completion;

7 (3) general education and public interest courses designed to
8 meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this section.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited to
17 off-campus study and credit and noncredit courses that may or may not
18 lead to associate, baccalaureate or advanced degrees through its rural
19 education affairs division.

20 ARTICLE 2. GOVERNANCE.

21 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There is
22 established a state corporation to be called the Alaska Community
23 Colleges. It may in that name

24 (1) sue and be sued;

25 (2) receive, hold and manage real and personal property;

26 (3) contract and be contracted with;

27 (4) adopt, use and alter a corporate seal;

28 (5) adopt bylaws and administrative rules for the management
29 and operation of the community colleges, extension centers and outreach

1 programs;

2 (6) accept grants or loans from and contract with the federal
3 government, the state, or its political subdivisions, and to that end
4 comply with the provisions of federal, state, or local programs when
5 necessary;

6 (7) do and have done all matters necessary for the purpose
7 of any function set out in this chapter.

8 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
9 Colleges shall be governed by a Board of Governors consisting of nine
10 members appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session. One of the members
12 of the board shall be a member of the faculty and one shall be a member
13 of the student body of the Alaska Community Colleges. These two board
14 members shall be appointed by the governor in accordance with sec. 60
15 of this chapter.

16 (b) Board members shall be citizens of the United States and
17 residents of the State of Alaska for one year before appointment and
18 during the board member's term of office.

19 (c) One board member each shall be residents of Southeastern
20 Alaska, Western Alaska and Northern Alaska, respectively; two board
21 members shall be residents of Southcentral Alaska. However, this pro-
22 vision for the geographical distribution of board membership does not
23 apply to the appointment of faculty and student board members.

24 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
25 board member shall be appointed by the governor from among a list of
26 nominees submitted to him comprised of the names of at least three but
27 not more than five full-time community college, extension center or
28 outreach program faculty members. These faculty members shall be nomi-
29 nated from among the full-time faculty members of the community

1 colleges, extension centers and outreach programs in the manner pre-
2 scribed by the board by regulation. A full-time faculty member is one
3 who is teaching at least nine credit hours a semester and who has taught
4 in the Alaska Community Colleges for at least two academic years.
5 Failure of the faculty board member to maintain full-time faculty status
6 during his term of office results in forfeiture of that office. For-
7 feiture occurs on certification by the principal campus administrative
8 officer at the community college where the faculty member is or has been
9 teaching that the faculty member is no longer employed full time.

10 (b) The student member of the board shall be appointed from a
11 list of nominees consisting of the names of two students from each cam-
12 pus of the Alaska Community Colleges, and one from each extension center
13 or outreach program, after an election is held at each campus, center
14 or program site. The elections shall be conducted under rules estab-
15 lished by the Governor's Commission on the Involvement of Young People
16 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
17 the requirements of sec. 50(b) of this chapter, the student board mem-
18 ber appointed under this section must

19 (1) have attended one of the Alaska Community Colleges, an
20 extension center or outreach program as a full-time student for at
21 least one academic year before appointment; and

22 (2) be enrolled as a full-time student at one of the Alaska
23 Community Colleges, extension centers or outreach programs at the time
24 of appointment.

25 (c) Failure of the student board member appointed under (b) of
26 this section to remain enrolled as a full-time student at one of the
27 Alaska Community Colleges, extension centers or outreach programs dur-
28 ing his term results in forfeiture of that office. The forfeiture
29 occurs upon certification by the registrar that the student board

1 member is no longer a full-time student. The governor shall appoint a
2 successor from among the list of nominees submitted to him under (b) of
3 this section at the time of original appointment.

4 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
5 faculty and student board members, members of the Board of Governors
6 serve for seven-year terms. The terms of the initial appointees shall
7 be staggered in such a manner that the term of office of one board
8 member expires each year for seven years.

9 (b) The term of office of the faculty board member is two years
10 and of the student board member, one year.

11 (c) Vacancies shall be filled in the same manner as original
12 appointment.

13 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice-
14 chairman and those other officers the board considers necessary shall be
15 elected from among the members of the board for a one-year term. No
16 member of the board may serve as chairman for more than two consecutive
17 one-year terms.

18 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
19 its own rules of procedure. A quorum is a majority of the members of
20 the board. The votes of the board members shall be recorded, and
21 effective action requires the affirmative vote of a majority of the
22 board members. No board member may, with respect to a matter before the
23 board, vote for or on behalf of, or in any way exercise the vote of,
24 another member of the board.

25 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least once
26 quarterly at a time and place determined by the chairman, and at other
27 times and places as the chairman or a majority of the members of the
28 board consider necessary. However, 30 days notice is required for all
29 regular meetings and 10 days notice is required for special meetings of

1 the board, its committees or subcommittees called under the bylaws or
2 rules of procedure of the board. Emergency meetings may be called
3 without notice.

4 (b) Insofar as possible, board meetings shall be held at community
5 college campuses, in rotation, so that the board meets at each community
6 college at least once in three years. The board shall provide adequate
7 facilities for members of the public to attend the meetings of the
8 board, its committees or subcommittees.

9 (c) The provisions of AS 44.62.310 apply to meetings of the board.
10 All meetings of the board, its committees or subcommittees, are open to
11 the public and press except as otherwise provided in AS 44.62.310(c).
12 The findings of an executive session shall be made a part of the record
13 of the proceedings of the board. All records of the meetings and pro-
14 ceedings shall be open to inspection by the public and the press at
15 reasonable times.

16 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
17 serve without compensation but are entitled to per diem and travel ex-
18 penses as may be authorized by law for boards and commissions.

19 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
20 shall

21 (1) appoint the chancellor of the Alaska Community Colleges
22 by a majority vote of all members of the board;

23 (2) fix the compensation of the chancellor, faculty and other
24 officers and employees of the colleges;

25 (3) confer degrees appropriate to the community colleges that
26 the board may determine and prescribe;

27 (4) have the care, control and management of all the real and
28 personal property and all funds of the colleges; and keep or have kept a
29 complete, accurate record of all funds received and disbursed;

1 (5) keep or have kept a correct and easily understood record
2 of the minutes of every meeting and all acts done by the board in the
3 pursuit of its duties;

4 (6) establish the policies within which the principal campus
5 administrative officers of the community colleges, the associated ex-
6 tension centers or outreach programs, and the community college councils
7 manage and control the operations of each community college, extension
8 center or outreach program;

9 (7) meet regularly with the community college councils to
10 determine the needs of each college, center or program.

11 (b) The board may

12 (1) adopt reasonable rules, orders and plans, with reasonable
13 penalties, for the good government of the colleges and for the regula-
14 tion of the board;

15 (2) determine and regulate the course of instruction in the
16 colleges with the advice of the chancellor, the principal campus admin-
17 istrative officers, and the community college councils at each college,
18 center or program.

19 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
20 any officer or employee of the colleges by a majority vote of all of the
21 members of the board when in its judgment the good of the Alaska Com-
22 munity Colleges requires it.

23
24 ARTICLE 3. ADMINISTRATION.

25 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
26 the Board of Governors and of the Alaska Community Colleges is the
27 chancellor. His primary responsibility is the administration of the
28 community colleges, extension centers and outreach programs statewide,
29 working with the vice-chancellor for each division and the principal
administrative officers for each community college, extension center or

1 outreach program.

2 (b) In addition to his responsibility for the administration of
3 on-campus programs for the community colleges and extension centers, the
4 chancellor shall develop and administer off-campus educational delivery
5 systems and outreach programs for rural areas of the state.

6 (c) The chancellor shall establish two administrative divisions
7 within the colleges: an urban division and a rural education affairs
8 division. The urban division consists of the community colleges and
9 extension centers designated by the board and that are located in the
10 major urban centers of, or within any other geographically identifiable
11 and self-contained region in, the state. The rural education affairs
12 division consists of the community colleges, extension centers and out-
13 reach programs designated by the board and that are located outside the
14 major urban centers of the state. The administrator for each division
15 shall be a vice-chancellor.

16 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
17 chancellor shall

18 (1) appoint the vice-chancellor for each division and, on
19 recommendation of the appropriate vice-chancellor, the principal admin-
20 istrative officer for each community college, extension center on
21 recommendation of the community college council for each, subject to the
22 approval of the board;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) give general direction to the work of the divisions,
26 colleges, centers and programs in accordance with the policies estab-
27 lished by the board;

28 (4) in concert with the principal administrative officers,
29 coordinate the divisions, community colleges, extension centers and

1 outreach programs and other activities of the Alaska Community Colleges.

2 (b) The chancellor may appoint the faculty and other officers and
3 employees of each community college, extension center or outreach
4 program, on recommendation of the vice-chancellor and the principal
5 administrative officer of each; however, with the approval of the board,
6 the chancellor may delegate the authority to appoint faculty, officers
7 and employees to the vice-chancellor or to the principal administrative
8 officer of each college, center or program.

9 Sec. 14.41.160. SUSPENSION, EXPULSION OF STUDENTS. The authority
10 to suspend and expel a student for misconduct or other cause or to re-
11 instate him is vested solely in the chancellor; however, the chancellor
12 may delegate this authority to the principal campus administrative offi-
13 cer of each community college.

14 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
15 istrative officer for each community college is a dean or director. He
16 is responsible directly to the chancellor and to the community college
17 council for the administration of the college. Subject to the approval
18 of the board, the dean or director shall be appointed by the chancellor,
19 on recommendation of the vice-chancellor and the council for the college
20 which the dean or director will administer.

21 (b) Each extension center or outreach program, whether estab-
22 lished, operated or maintained by the board, or in cooperation with the
23 Board of Regents of the University of Alaska, or a school district,
24 municipality, an agency of the federal government or a nonprofit cor-
25 poration or association, is under the direction of an administrator
26 appointed by the chancellor, on recommendation of the vice-chancellor,
27 in the manner prescribed by the board by regulation, or as prescribed in
28 the cooperative agreement.

29 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The

1 board may establish statewide or central service organizations for the
2 community colleges, extension centers and outreach programs. Regional
3 service centers also may be established to administer the outreach
4 programs and to provide postsecondary educational services to the resi-
5 dents of the rural areas of the state in each service area for which a
6 regional center is established. In a service area where a community
7 college or an extension center is located, the regional service center
8 shall be integrated with the operation of the community college or
9 extension center.

10 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
11 members of the faculty and administrative staff of each community
12 college, extension center and outreach program are members of the fac-
13 ulty and administrative staff, respectively, of the Alaska Community
14 Colleges for all purposes.

15 (b) The chancellor is responsible for prescribing the qualifi-
16 cations, and for establishing the procedure for appointment, of all
17 community college and extension center faculty and administrative staff,
18 whether part or full-time.

19 (c) A community college, extension center or outreach program is
20 concerned with the total educational needs of the area it serves and may
21 coordinate and facilitate all public postsecondary and continuing
22 education in the area. Selected upper division and graduate courses
23 offered by the University of Alaska through its various divisions may be
24 coordinated through the principal administrative officer of a community
25 college, extension center, or an outreach program.

26 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
27 college council, the majority of whose members shall be persons served
28 by the programs developed and administered under this chapter, shall be
29 established for each community college. The council shall consist of

1 not less than seven nor more than 15 members who shall be broadly
2 representative of the area served, including faculty and student repre-
3 sentation. A council may be appointed for an extension center and for
4 each regional service center, when the center is not integrated with a
5 community college or extension center, at the discretion of the board.

6 (b) The board, by regulation, shall prescribe the method of
7 selection of members of community college councils, prescribe the term
8 of office, procedure for removal and for the filling of vacancies on the
9 councils. Each community college council shall adopt bylaws which shall
10 provide for the election of officers, establishment of meeting schedules
11 and meeting notices, rules of procedure and quorums.

12 (c) Members of a council receive no compensation for their ser-
13 vices, but they may be reimbursed for the expenses incurred in the
14 performance of their duties in the manner prescribed by the board by
15 regulation.

16 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
17 apply to meetings of community college councils in the same manner and
18 to the same extent applicable to meetings of the Board of Governors, its
19 committees and subcommittees.

20 (e) A community college council acts in a policy-making capacity
21 with respect to the principal administrative officer of each community
22 college, coordinator of an extension center or administrator of an out-
23 reach program. It acts in an advisory capacity to the chancellor, the
24 appropriate vice-chancellor, and to the Board of Governors.

25 (f) The community college council serves as a communications link
26 between the area served by the community college, extension center or
27 outreach program and the Alaska Community Colleges. Requests and
28 recommendations by a community college council shall be answered in
29 writing by the addressee.

1 (g) A community college council shall review and make recommenda-
2 tions

3 (1) concerning the selection of the principal administrative
4 officer of the community college, extension center or outreach program;

5 (2) concerning the proposed program budget for the community
6 college, extension center or outreach program for each fiscal year
7 before it is submitted to the statewide administration and to the Board
8 of Governors; and

9 (3) relating to the general operation and management of the
10 community college, extension center or outreach program, including but
11 not limited to,

12 (A) planning for, and review of, the types and uses of
13 instructional programs and activities and types and uses of facili-
14 ties that the community college, extension center or outreach
15 program should provide to meet area needs;

16 (B) the level of staffing and funding for these pro-
17 grams, activities or facilities; and

18 (C) the means of gaining support for the college's pro-
19 gram in that area.

20 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

21 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
22 tinuing education is a statewide responsibility, the colleges, as the
23 need arises, may either independently establish, operate and maintain,
24 or enter into a cooperative agreement with an agency of the federal
25 government, a school district, a municipality or a nonprofit corporation
26 or association for the establishment, operation and maintenance of,
27 appropriate public postsecondary and continuing educational programs and
28 activities in community colleges, extension centers or by other means.

29 (b) A community college or an extension center may be established

1 by the Board of Governors only in accordance with the minimum criteria
2 established by secs. 220 - 230 of this chapter, as supplemented by the
3 board by regulation.

4 (c) The establishment of a community college or an extension
5 center may be proposed by

6 (1) the governing body of a municipality, or a school dis-
7 trict;

8 (2) an agency of the federal government;

9 (3) petition of interested citizens in the community or area
10 to be served; a nonprofit corporation or association;

11 (4) the Alaska Commission on Postsecondary Education or the
12 state advisory council on community colleges created under AS 14.40.-
13 901 - 14.40.915;

14 (5) the legislature by concurrent resolution; or

15 (6) the board.

16 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
17 or a new extension center may not be established until a feasibility
18 study as to the need for its establishment in the community or area to
19 be served has been completed either as directed by the board, or by a
20 proponent under sec. 210(c) of this chapter, and approved by the board.
21 The feasibility study shall be submitted to the respective finance and
22 education policy committees of each house of the legislature and to the
23 Alaska Commission on Postsecondary Education.

24 (b) The feasibility study required in (a) of this section shall
25 include but is not limited to

26 (1) an analysis of the population and educational needs of
27 the municipality, school district or service area in which the proposed
28 community college is to be located;

29 (2) a description of the boundary of the service area for the

1 proposed community college;

2 (3) estimated and projected enrollment;

3 (4) proposed core faculty and administrative staffing;

4 (5) a proposed budget for the initial fiscal year of opera-
5 tion together with a statement of sources of financial support required
6 for core faculty and administrative staff, curriculum and other programs
7 and activities, and physical facilities;

8 (6) a plan for citizen involvement through a community
9 college council established under sec. 200 of this chapter; and

10 (7) a proposed agreement with the school district, munici-
11 pality or federal agency or a nonprofit corporation or association under
12 sec. 240 of this chapter.

13 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
14 community college has been proposed the level of demand for postsecond-
15 ary and continuing education as determined by the feasibility study
16 required under sec. 220(a) of this chapter is more limited than that
17 required for the establishment of a comprehensive community college pro-
18 gram, the board may establish an extension center or an outreach program
19 either independently or in cooperation with the University of Alaska, a
20 school district, a municipality, a nonprofit corporation or association,
21 or an agency of the federal government.

22 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
23 FEDERAL AGENCY. (a) A school district, municipality, federal agency, a
24 nonprofit corporation or association, or the University of Alaska may
25 make an agreement with the Alaska Community Colleges for the estab-
26 lishment, operation and maintenance of a community college, an extension
27 center or off-campus instruction through an outreach program. The
28 agreement shall include, but is not limited to,

29 (1) recognition that complete operational authority resides

1 with the colleges, subject to periodic reviews by the cooperating school
2 district, municipality, federal agency, nonprofit corporation or associ-
3 ation, or the University of Alaska and appropriate reports to ensure
4 program articulation and effective cross-utilization of facilities;

5 (2) provision for cooperative planning of program and facili-
6 ties needs and for cross-utilization of facilities;

7 (3) provision that local funding, in addition to student fees
8 or in-kind contributions, may be provided for support of those general
9 education courses, described in sec. 20(3) of this chapter, or secondary
10 school-related courses as the school district, municipality, federal
11 agency, nonprofit corporation or association, or the University of
12 Alaska considers appropriate; and

13 (4) provision for periodic review of the agreement.

14 (b) If separate facilities are financed, constructed or maintained
15 from federal, state or private funds for programs and activities of the
16 community college, extension center or outreach program, then the board
17 has title to and control of the separate facilities used for these pur-
18 poses. If separate facilities are financed, constructed or maintained
19 from school district, municipality or nonprofit corporation or associa-
20 tion funds for community college or extension center or outreach pro-
21 grams and activities, the school district, municipality or nonprofit
22 corporation or association has title to and control of the separate
23 facilities used for these purposes.

24 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
25 and cultural opportunities in the state, to keep pace with the expansion
26 of knowledge and with the growth of the state in all fields of endeavor,
27 and to provide educational services and facilities of particular inter-
28 est to residents of the state, the board shall

29 (1) make a continuing study of the feasibility of expanding

1 the system of community colleges, extension centers and outreach pro-
2 grams in accordance with the criteria set out in sec. 220(b) of this
3 chapter;

4 (2) establish additional extension courses, outreach programs
5 and other accredited courses for students it considers advisable in
6 accordance with the procedures set out in secs. 210 - 230 of this
7 chapter;

8 (3) take all appropriate measures to implement this section.

9 (b) Laws of the state designed to meet requirements of the federal
10 government for the state's acceptance of federal grants and allotments
11 for educational and like purposes are extended to cover the establish-
12 ment and operation of the community college expansion program set out
13 in (a) of this section.

14 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

15 Sec. 14.41.260. FINANCE. (a) The state is basically responsible
16 for the funding for all community college, extension center or outreach
17 programs and activities. However, nothing in this chapter prohibits a
18 school district, municipality, federal agency or nonprofit corporation
19 or association from providing funds for additional courses and programs
20 which may be considered appropriate under sec. 240(a)(3) of this chap-
21 ter.

22 (b) The colleges shall prepare a complete program budget for each
23 community college, extension center and outreach program including all
24 courses, programs and activities regardless of the source of funding,
25 including but not limited to funds from fees, grants, contracts, agree-
26 ments, bequests, gifts, trusts, or endowments.

27 (c) All funds received for community college, extension center or
28 outreach program operations shall be administered in the manner pre-
29 scribed by the board by regulation.

1 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
2 otherwise provided in this chapter, the Alaska Community Colleges shall
3 hold and manage all property acquired by it. The Department of Admin-
4 istration, upon requisitions by the Board of Governors, signed by its
5 chairman and secretary, shall pay to the treasurer of the board all
6 federal land grant college funds coming into the possession of the
7 Department of Administration and subject to requisition by the board.
8 The department shall disburse federal funds in aid of land grant col-
9 leges in accordance with federal law and regulations providing for
10 disbursement of those funds.

11 (b) All funds appropriated by the legislature for the establish-
12 ment, construction, operation, maintenance and support of the Alaska
13 Community Colleges shall, on requisition by the board, signed by its
14 chairman and secretary, be paid by the Department of Administration to
15 the treasurer of the board. The treasurer of the board shall disburse
16 these funds on properly drawn vouchers signed by its chairman and
17 secretary, or by the administrative officer of the colleges to whom the
18 board delegates the performances of this function.

19 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
20 Board of Governors may receive, manage, and invest money or other real,
21 personal or mixed property in any manner received from sources other
22 than the state legislature or federal appropriation for the purpose of
23 the colleges, its improvement or adornment, or the aid or advantage of
24 students or faculty, and, in general, may act as trustee on behalf of
25 the colleges for any of these purposes. However, the board shall make a
26 written report to the legislature, in accordance with sec. 360 of this
27 chapter, as to the administration and disposition of funds received
28 under this section.

29 (b) The board shall keep or have kept suitable books of account in

1 which there shall be recorded each gift, the essential facts of the
2 management of the gift, and the expenditure of income. A statement of
3 all trust funds shall be included in the annual report to the governor
4 and to the legislature under sec. 360 of this chapter.

5 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
6 bequests or endowments which are made to the colleges for the purpose of
7 the separate trust fund created under AS 14.40.400, to the extent the
8 Alaska Community Colleges is the successor to the University of Alaska,
9 shall be transferred to the Department of Revenue. The Department of
10 Revenue shall manage that money in accordance with AS 14.40.400. Title
11 to and control or possession of land, personal property, and all money
12 other than that transferred to the Department of Revenue, which is
13 devised, bequeathed or given to the colleges, shall be taken by the
14 colleges in its corporate capacity acting by and through the Board of
15 Governors, or its authorized agent, and shall be entered in the per-
16 petual inventory of the colleges.

17 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
18 or cause to be maintained a perpetual inventory of all permanent proper-
19 ty of the colleges.

20 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
21 petitive bid practices set out in AS 37.05.230 apply to the Alaska
22 Community Colleges, except that the provisions of that Act do not apply
23 in those cases where the work is to be performed substantially by
24 students enrolled in the colleges. Where the term "purchasing agent" is
25 used in AS 37.05, it means the administrative officer of the colleges so
26 designated either by the board or the chancellor.

27 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
28 established in the treasury of the Alaska Community Colleges a working
29 capital reserve fund. The fund consists of money appropriated by the

1 legislature for the purpose of providing current working capital for the
2 Alaska Community Colleges and is not available for appropriation by the
3 Board of Governors.

4 (b) A quarterly report of all activity of the working capital re-
5 serve fund shall be submitted to the Legislative Budget and Audit Com-
6 mittee.

7 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
8 extent the Alaska Community Colleges is considered a successor to the
9 University of Alaska as a land grant college, or for any other purposes,
10 and thus a beneficiary of federal grants of land or money under AS 14.-
11 40.350 - 14.40.450, insofar as the operation, management and control of
12 the community colleges, extension centers and outreach programs are
13 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
14 Alaska Community Colleges in the same manner they apply to the Univer-
15 sity of Alaska.

16 ARTICLE 6. GENERAL PROVISIONS.

17 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION OR
18 TESTS PROHIBITED. (a) No person may be deprived of the privileges or
19 services of the colleges because of age, sex, color or nationality.

20 (b) No instruction either sectarian in religion or partisan in
21 politics may be given in any department of the colleges, and no sec-
22 tarian or partisan test may be employed or applied in the appointment of
23 board or council members, faculty, or other officers or employees of the
24 colleges, or in the admission of students or for any purposes.

25 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) When the
26 campuses of the Alaska Community Colleges and the University of Alaska
27 are located in the same community or municipality either contiguous,
28 adjacent or reasonably close to one another, or when before the effec-
29 tive date of this chapter the community colleges as a part of the

1 University of Alaska shared or jointly used the same buildings and other
2 facilities as other colleges, departments, divisions, institutes, or
3 other units of the University of Alaska, the shared or joint use of
4 these facilities shall be continued after the effective date of this
5 chapter. The Board of Governors of the Alaska Community Colleges and
6 the Board of Regents of the University of Alaska shall enter into a
7 contract, consortium or other cooperative agreement for the continued
8 sharing or joint use of these buildings or facilities, including the
9 cost of their construction, operation and maintenance. When new build-
10 ings or facilities are required by either the colleges or the univer-
11 sity, and the same contiguous, adjacent or proximal physical location of
12 the campuses of the two institutions exists or would come into existence
13 by virtue of the location and construction of these buildings or facili-
14 ties, the two boards shall enter into a contract, consortium or other
15 cooperative agreement for the sharing or joint use of these buildings or
16 facilities, including the cost of their construction, operation and
17 maintenance.

18 (b) For purposes of (a) of this section, "buildings or facilities"
19 includes, but is not limited to, libraries, gymnasiums or other athletic
20 facilities, auditoriums, cafeterias or other food service facilities,
21 residence halls, dormitories or other student living accommodations,
22 laboratories, classrooms, offices, parking structures or facilities,
23 landscaping, roads, utilities, and other buildings, structures or
24 facilities of a like nature appropriate to or necessary for the opera-
25 tion and maintenance of an institution of higher education.

26 Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established
27 on each community college campus and, when feasible, for an extension
28 center or outreach program. This resource or service shall be made
29 available, and the library facility shall be open to, the community or

1 service area served by the college. The library's collection shall in-
2 clude material appropriate to the needs and interests of the community
3 or service area served.

4 Sec. 14.41.360. REPORT TO THE GOVERNOR, LEGISLATURE. The Board of
5 Governors shall make a written report to the governor and to the legis-
6 lature at the beginning of its regular sessions of the condition of the
7 colleges' property, of all receipts and expenditures, including but not
8 limited to the administration and disposition of appropriated and
9 restricted funds, and of the educational and other work performed.

10 Sec. 14.41.370. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established under this chapter independently or in co-
13 operation with a school district, municipality, an agency of the federal
14 government, a nonprofit corporation or association, or the University
15 of Alaska, shall be operated and maintained under regulations prescribed
16 by the board.

17 Sec. 14.41.380. DEFINITIONS. In this chapter

18 (1) "board" means the Board of Governors of the Alaska
19 Community Colleges;

20 (2) "chancellor" means the chancellor of the Alaska Community
21 Colleges;

22 (3) "colleges" means the Alaska Community Colleges, including
23 but not limited to the individual community colleges, extension centers
24 and outreach programs established, operated and maintained independently
25 by the board or in cooperation with a municipality, school district,
26 federal agency, nonprofit corporation or association, or the University
27 of Alaska;

28 (4) "council" means a community college council appointed for
29 an individual community college, extension center or outreach program;

1 (5) "municipality" means a home rule or general law borough
2 or city including but not limited to a unified municipality organized
3 under AS 29.68;

4 (6) "outreach program" means either an off-campus educational
5 delivery system or program, whether or not conducted in a physical
6 facility, designed for the conduct of instruction in localities in the
7 rural areas of the state where there is no community college or exten-
8 sion center;

9 (7) "service area" means one or more school districts or
10 municipalities, combinations or portions of each or of the unorganized
11 borough, which when combined are considered an educationally serviceable
12 unit for the establishment, operation and maintenance of a community
13 college, an extension center or an outreach program either independently
14 by the Alaska Community Colleges or in cooperation with a municipality,
15 school district, federal agency, nonprofit corporation or association,
16 or the University of Alaska.

17 Sec. 14.41.390. SHORT TITLE. Sections 10 - 390 of this chapter
18 may be cited as the Community College Act.

19 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

20 * Sec. 3. AS 14.40.460 is amended to read:

21 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
22 school student in each graduating class in each high school in the state
23 who, upon the completion of four years of high school work in a high
24 school in the state, obtains the highest average standing for all the
25 credits earned, and who is graduated at an annual commencement is
26 entitled to receive, during dormitory residence at the University of
27 Alaska or the Alaska Community Colleges, a scholarship covering dormi-
28 tory rent for a period of two years following the year of graduation
29 upon presenting to the registrar of the university or of the colleges

1 a certificate signed by the superintendent or principal of the high
2 school from which he graduated stating that the graduate named is
3 entitled to receive the benefits of the scholarship. Dormitory resi-
4 dence is governed by [THE RULES AND] regulations established by the
5 Board of Regents or the Board of Governors.

6 * Sec. 4. AS 14.40.480 is amended to read:

7 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
8 FICATES. A certificate shall be applied for and issued to a graduate
9 before August 2 of each year and shall be reported immediately to the
10 registrar of the university or of the colleges by the superintendent or
11 principal issuing it.

12 * Sec. 5. AS 14.40.490 is amended to read:

13 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
14 passing work in more than one subject during a semester, or withdrawal
15 or expulsion from the university or the colleges constitutes a for-
16 feiture during the following semester or semesters of the benefits of
17 secs. 460 and 470 of this chapter.

18 * Sec. 6. AS 14.40.500 is amended to read:

19 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
20 ships shall be made monthly to the university or the colleges upon
21 vouchers drawn upon the Department of Administration and duly certified
22 by the treasurer and the president of the Board of Regents or the
23 treasurer and chairman of the Board of Governors. No payments may be
24 made in excess of amounts specifically appropriated for this purpose.

25 * Sec. 7. AS 14.40.520 is amended to read:

26 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
27 sity of Alaska and the Board of Governors of the Alaska Community
28 Colleges shall offer not more than 15 new scholarships for each academic
29 year to Alaska Natives desiring to attend the University of Alaska or

1 the Alaska Community Colleges. The boards [BOARD] shall give preference
2 to Natives residing in the rural areas of the state who desire to re-
3 ceive training in the field of education. If there are more than 15
4 applications the boards [BOARD] shall award 15 scholarships to those
5 applicants who have the highest scholastic record or who the boards
6 determine [BOARD DETERMINES] are the most qualified among the applicants
7 and who are financially unable to obtain a higher education without
8 assistance. The university and the colleges shall provide such minimum
9 financial assistance to these students as is necessary in each indi-
10 vidual case, but not exceeding fees, board and room.

11 * Sec. 8. AS 14.40.530 is amended to read:

12 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
13 room and board shall be made from any funds available to the university
14 or the colleges. Each Native who receives a scholarship under secs.
15 510 - 550 of this chapter is entitled to retain the scholarship and to
16 receive free room and board during his attendance at the university or
17 the colleges as long as he maintains a grade average equivalent to a
18 "C" or better. However, no Native is entitled to the scholarship for
19 more than four years, or for more than the number of years necessary to
20 receive a bachelor's degree.

21 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

22 (6) two members of the Board of Governors of the Alaska
23 Community Colleges designated by the members of that body; and, if the
24 council is a separate and distinct entity from the Board of Governors,
25 one member of the state Advisory Council on Community Colleges desig-
26 nated by the members of that body;

27 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

28 (2) establish a state advisory council on community colleges
29 and develop a comprehensive statewide plan for the expansion and im-

1 improvement of the community colleges under sec. 1001 of Title X of the
2 Higher Education Act of 1965, as amended by the Education Amendments of
3 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however, to avoid the
4 establishment of duplicate agencies, the commission may designate the
5 Board of Governors of the Alaska Community Colleges as the state
6 Advisory Council on Community Colleges if the composition of the board's
7 membership meets the requirements of applicable federal law or regula-
8 tion;

9 * Sec. 11. AS 39.25.110(7) is amended to read:

10 (7) officers, members of the teaching staff, and employees
11 of the University of Alaska and the Alaska Community Colleges;

12 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

13 (LL) Alaska Community Colleges Board of Governors;

14 (AS 14.41.050).

15 * Sec. 13. TRANSITION: PROPERTY AND FUNDS. Under the direction of the
16 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
17 ments of Administration and Revenue, the Board of Regents of the University
18 of Alaska shall redistribute or transfer all the property, assets and state
19 or federal funds of the University of Alaska relating to the operation,
20 maintenance and support of the community colleges within the university to
21 the Alaska Community Colleges.

22 * Sec. 14. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
23 TIONS. All litigation, hearings, investigations and other proceedings pend-
24 ing under a law amended for functions which may be transferred by this Act,
25 continue in effect and may be continued and completed notwithstanding a
26 transfer or amendment provided for in this Act. Certificates, orders, rules
27 or regulations issued or filed under authority of a law amended by this Act
28 or functions which may be transferred by this Act, remain in effect for the
29 term issued, unless revoked, vacated, or otherwise modified under the pro-

1 visions of this Act. All contracts or other obligations created by a law
2 amended by this Act or by virtue of functions which may be transferred by
3 this Act, and in effect on the effective date of this Act, remain in effect
4 unless revoked or modified under the provisions of this Act.

5 * Sec. 15. TRANSITION: PERSONNEL. All faculty, staff, officers or em-
6 ployees in the community colleges of the University of Alaska, or those
7 statewide or regional faculty, staff, officers or employees of the univer-
8 sity whose functions, powers, duties and responsibilities relate in whole or
9 in the major part to community colleges and who have been retained for 1976-
10 1977 shall be terminated by the University of Alaska and shall be rehired
11 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
12 Education shall assist those community college faculty, staff, officers or
13 employees of the University of Alaska who are not transferred in finding
14 positions for which they are qualified.

15 * Sec. 16. TRANSITION: EXISTING COMMUNITY COLLEGES, COOPERATIVE AGREE-
16 MENTS. The Board of Governors of the Alaska Community Colleges succeeds the
17 Board of Regents of the University of Alaska as a party to an existing
18 cooperative agreement between the Board of Regents of the University of
19 Alaska and a school district, municipality, or an agency of the federal
20 government, or a nonprofit corporation or association with respect to the
21 establishment, operation and maintenance of a community college or an exten-
22 sion center. That agreement in effect on the effective date of this Act
23 shall remain in effect until its agreed expiration and may be modified or
24 extended by mutual agreement unless, before the agreed expiration, it is
25 mutually cancelled by the contracting parties in accordance with law. Nothing
26 in sec. 1 of this Act affects the status of a community college or extension
27 center established, maintained and in operation under a cooperative agreement
28 between the Board of Regents and a school district, municipality or an agency
29 of the federal government on the effective date of this Act, except that the

1 Board of Governors succeeds to the authority of the Board of Regents and as a
2 party to that agreement in all respects.

3 * Sec. 17. This Act takes effect July 1, 1976.
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Introduced: 2/16/76
Referred: Health, Education and Social
Services and Finance

1 IN THE SENATE

BY CROFT

2 SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. (a) It is the purpose of this chapter
13 to establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to:

28 (1) courses and curricula that lead to associate degrees,
29 or that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical skills
5 in a chosen trade or occupation and lead either to a degree or a certi-
6 ficate of completion;

7 (3) general education and public interest courses designed
8 to meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this subsection.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited
17 to off-campus study and credit and noncredit courses that may or may
18 not lead to associate, baccalaureate or advanced degrees.

19 ARTICLE 2. GOVERNANCE.

20 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There
21 is established a state corporation to be called the Alaska Community
22 Colleges. It may in that name

- 23 (1) sue and be sued;
- 24 (2) receive, hold and manage real and personal property;
- 25 (3) contract and be contracted with;
- 26 (4) adopt, use and alter a corporate seal;
- 27 (5) adopt bylaws and administrative rules for the management
28 and operation of the community colleges, extension centers and outreach
29 programs;

1 (6) accept grants or loans from and contract with the federal
2 government, the state, or its political subdivisions, and to that end
3 comply with the provisions of federal, state, or local programs when
4 necessary;

5 (7) do and have done all matters necessary for the purpose
6 of any function set out in this chapter.

7 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
8 Colleges shall be governed by a board of governors consisting of nine
9 members appointed by the governor, subject to confirmation by a majority
10 of the members of the legislature in joint session. One of the members
11 of the board shall be a member of the faculty and one shall be a member
12 of the student body of the Alaska Community Colleges. These two board
13 members shall be appointed by the governor in accordance with sec. 60
14 of this chapter.

15 (b) Board members shall be citizens of the United States and
16 residents of the State of Alaska for one year before appointment and
17 during the board member's term of office.

18 (c) One board member each shall be residents of Southeastern
19 Alaska, Western Alaska and Northern Alaska, respectively; two board
20 members shall be residents of Southcentral Alaska. However, this pro-
21 vision for the geographical distribution of board membership does not
22 apply to the appointment of faculty and student board members.

23 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
24 board member shall be appointed by the governor from among a list of
25 nominees submitted to him comprised of the names of at least three but
26 not more than five full-time community college, extension center or
27 outreach program faculty members. These faculty members shall be nomi-
28 nated from among the full-time faculty members of the community
29 colleges, extension centers and outreach programs in the manner pre-

1 scribed by the board by regulation. A full-time faculty member is one
2 who is teaching at least 9 credit hours a semester and who has taught in
3 the Alaska Community Colleges for at least two academic years. Failure
4 of the faculty board member to maintain full-time faculty status during
5 his term of office results in forfeiture of that office. Forfeiture
6 occurs on certification of the principal campus administrative officer
7 at the community college where the faculty member is or has been teach-
8 ing that the faculty member is no longer employed full-time.

9 (b) The student member of the board shall be appointed from a
10 list of nominees consisting of the names of two students from each cam-
11 pus of the Alaska Community Colleges, and one from each extension center
12 or outreach program, after an election is held at each campus, center
13 or program site. The elections shall be conducted under rules estab-
14 lished by the Governor's Commission on the Involvement of Young People
15 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
16 the requirements of sec. 50(b) of this chapter, the student board mem-
17 ber appointed under this section must

18 (1) have attended one of the Alaska Community Colleges, an
19 extension center or outreach program as a full-time student for at
20 least one academic year before appointment; and

21 (2) be enrolled as a full-time student at one of the Alaska
22 Community Colleges, extension centers or outreach programs at the time
23 of appointment.

24 (c) Failure of the student board member appointed under (b) of
25 this section to remain enrolled as a full-time student at one of the
26 Alaska Community Colleges, extension centers or outreach programs dur-
27 ing his term results in forfeiture of that office. The forfeiture
28 occurs upon certification by the registrar that the student board
29 member is no longer a full-time student. The governor shall appoint a

1 successor from among the list of nominees submitted to him under (b) of
2 this section at the time of original appointment.

3 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
4 faculty and student board members, members of the board of governors
5 serve for seven-year terms. The terms of the initial appointees shall
6 be staggered in such a manner that the term of office of one board
7 member expires each year for seven years.

8 (b) The term of office of the faculty board member is two years
9 and of the student board member, one year.

10 (c) Vacancies shall be filled in the same manner as original
11 appointment.

12 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice chair-
13 man and those other officers the board considers necessary shall be
14 elected from among the members of the board for a one-year term. No
15 member of the board may serve as chairman for more than two consecutive
16 one-year terms.

17 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
18 its own rules of procedure. A quorum is a majority of the members of
19 the board. The votes of the board members shall be recorded, and
20 effective action requires the affirmative vote of a majority of the
21 board members. No board member may, with respect to a matter before
22 the board, vote for or on behalf of, or in any way exercise the vote of,
23 another member of the board.

24 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least
25 once quarterly at a time and place determined by the chairman, and at
26 other times and places as the chairman or a majority of the members of
27 the board, consider necessary. However, 30 days notice is required for
28 all regular meetings and 10 days notice is required for special meet-
29 ings of the board, its committees or subcommittees called under the

1 bylaws or rules of procedure of the board. Emergency meetings may be
2 called without notice.

3 (b) Insofar as possible, board meetings shall be held at commun-
4 ity college campuses, in rotation, so that the board meets at each
5 community college at least once in three years. The board shall provide
6 adequate facilities for members of the public to attend the meetings of
7 the board, its committees or subcommittees.

8 (c) The provisions of AS 44.62.310 apply to meetings of the board.
9 All meetings of the board, its committees or subcommittees, are open to
10 the public and press except as otherwise provided in AS 44.62.310(c).
11 The findings of an executive session shall be made a part of the record
12 of the proceedings of the board. All records of the meetings and pro-
13 ceedings shall be open to inspection by the public and the press at
14 reasonable times.

15 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
16 serve without compensation but are entitled to per diem and travel ex-
17 penses as may be authorized by law for boards and commissions.

18 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
19 shall

20 (1) appoint the chancellor of the Alaska Community Colleges
21 by a majority vote of all members of the board;

22 (2) fix the compensation of the chancellor, faculty and other
23 officers and employees of the colleges;

24 (3) confer degrees appropriate to the community colleges that
25 the board may determine and prescribe;

26 (4) have the care, control and management of all the real
27 and personal property and all funds of the colleges; and, keep or have
28 kept a complete, accurate record of all funds received and disbursed;

29 (5) keep or have kept a correct and easily understood record

1 of the minutes of every meeting and all acts done by the board in the
2 pursuit of its duties;

3 (6) establish the policies within which the principal campus
4 administrative officers of the community colleges, the associated ex-
5 tension centers or outreach programs, and the community college councils
6 manage and control the operations of each community college, extension
7 center or outreach program;

8 (7) meet regularly with the community college councils to
9 determine the needs of each college, center or program.

10 (b) The board may

11 (1) adopt reasonable rules, orders and plans, with reasonable
12 penalties, for the good government of the colleges and for the regula-
13 tion of the board;

14 (2) determine and regulate the course of instruction in the
15 colleges with the advice of the chancellor, the principal campus admin-
16 istrative officers, and the community college councils at each college,
17 center or program.

18 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
19 any officer or employee of the colleges by a majority vote of all of
20 the members of the board when in its judgment the good of the Alaska
21 Community Colleges requires it.

22 ARTICLE 3. ADMINISTRATION.

23 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
24 the board of governors and of the Alaska Community Colleges is the
25 chancellor. His primary responsibility is the administration of the
26 community colleges, extension centers and outreach programs statewide,
27 working with the principal administrative officers for each community
28 college, extension center or outreach program.

29 (b) In addition to his responsibility for the administration of

1 on-campus programs for the community colleges and extension centers, the
2 chancellor shall develop and administer off-campus educational delivery
3 systems and outreach programs for rural areas of the state.

4 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
5 chancellor shall

6 (1) appoint the principal administrative officer for each
7 community college, extension center on recommendation of the community
8 college council for each, subject to the approval of the board;

9 (2) define the duties and supervise the performance of those
10 duties of the persons he appoints to positions established by the board;

11 (3) give general direction to the work of the colleges,
12 centers and programs in accordance with the policies established by the
13 board;

14 (4) in concert with the principal administrative officers,
15 coordinate the community colleges, extension centers and outreach pro-
16 grams and other activities of the Alaska Community Colleges.

17 (b) The chancellor may appoint the faculty and other officers
18 and employees of each community college, extension center or outreach
19 program, on recommendation of the principal administrative officer of
20 each; however, with the approval of the board, the chancellor may
21 delegate the authority to appoint faculty, officers and employees to
22 the principal administrative officer of each college, center or program.

23 Sec. 14.41.160. SUSPENSION, EXPULSION OF STUDENTS. The authority
24 to suspend and expel a student for misconduct or other cause or to re-
25 instate him is vested solely in the chancellor; however, the chancellor
26 may delegate this authority to the principal campus administrative offi-
27 cer of each community college.

28 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
29 istrative officer for each community college is a dean or director. He

1 is responsible directly to the chancellor and to the community college
2 council for the administration of the college. Subject to the approval
3 of the board, the dean or director shall be appointed by the chancellor,
4 on recommendation of the council for the college which the dean or
5 director will administer.

6 (b) Each extension center or outreach program, whether estab-
7 lished, operated or maintained by the board, or in cooperation with the
8 Board of Regents of the University of Alaska, or a school district,
9 municipality, an agency of the federal government or a nonprofit cor-
10 poration or association is under the direction of an administrator
11 appointed by the chancellor in the manner prescribed by the board by
12 regulation, or as prescribed in the cooperative agreement.

13 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The
14 board may establish statewide or central service organizations for the
15 community colleges, extension centers and outreach programs. Regional
16 service centers also may be established to administer the outreach
17 programs and to provide postsecondary educational services to the resi-
18 dents of the rural areas of the state in each service area for which a
19 regional center is established. In a service area where a community
20 college or an extension center is located, the regional service center
21 shall be integrated with the operation of the community college or
22 extension center.

23 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION (a) Full-time
24 members of the faculty and administrative staff of each community
25 college, extension center and outreach program are members of the fac-
26 ulty and administrative staff, respectively, of the Alaska Community
27 Colleges for all purposes.

28 (b) The chancellor is responsible for prescribing the qualifi-
29 cations, and for establishing the procedure for appointment, of all

1 community college and extension center faculty and administrative staff,
2 whether part or full-time.

3 (c) A community college, extension center or outreach program is
4 concerned with the total educational needs of the area it serves and
5 may coordinate and facilitate all public postsecondary and continuing
6 education in the area. Selected upper division and graduate courses
7 offered by the University of Alaska through its various divisions may
8 be coordinated through the principal administrative officer of a
9 community college, extension center, or an outreach program.

10 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
11 college council, the majority of whose members shall be persons served
12 by the programs developed and administered under this chapter, shall be
13 established for each community college. The council shall consist of
14 not less than seven nor more than 15 members who shall be broadly
15 representative of the area served, including faculty and student repre-
16 sentation. A council may be appointed for an extension center and
17 for each regional service center, when the center is not integrated
18 with a community college or extension center, at the discretion of the
19 board.

20 (b) The board, by regulation, shall prescribe the method of
21 selection of members of community college councils, prescribe the term
22 of office, procedure for removal and for the filling of vacancies on
23 the councils. Each community college council shall adopt bylaws which
24 shall provide for the election of officers, establishment of meeting
25 schedules and meeting notices, rules of procedure and quorums.

26 (c) Members of a council receive no compensation for their ser-
27 vices, but they may be reimbursed for the expenses incurred in the
28 performance of their duties in the manner prescribed by the board by
29 regulation.

1 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
2 apply to meetings of community college councils in the same manner and to
3 the same extent applicable to meetings of the board of governors, its
4 committees and subcommittees.

5 (e) A community college council acts in a policy-making capacity
6 with respect to the principal administrative officer of each community
7 college, coordinator of an extension center or administrator of an out-
8 reach program. It acts in an advisory capacity to the chancellor and to
9 the board of governors.

10 (f) The community college council serves as a communications
11 link between the area served by the community college, extension center
12 or outreach program and the Alaska Community Colleges. Requests and
13 recommendations by a community college council shall be answered in
14 writing by the addressee.

15 (g) A community college council shall review and make recommenda-
16 tions

17 (1) concerning the selection of the principal administrative
18 officer of the community college, extension center or outreach program;

19 (2) concerning the proposed program budget for the community
20 college, extension center or outreach program for each fiscal year
21 before it is submitted to the statewide administration and to the board
22 of governors; and

23 (3) relating to the general operation and management of the
24 community college, extension center or outreach program, including but
25 not limited to:

26 (A) planning for, and review of, the types and uses of
27 instructional programs and activities and types and uses of facili-
28 ties that the community college, extension center or outreach
29 program should provide to meet area needs;

SB 658

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1 (B) the level of staffing and funding for these pro-
2 grams, activities or facilities; and

3 (C) the means of gaining support for the college's pro-
4 gram in that area.

5 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

6 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
7 tinuing education is a statewide responsibility, the colleges, as the
8 need arises, may either independently establish, operate and maintain, or
9 enter into a cooperative agreement with an agency of the federal govern-
10 ment, a school district, a municipality or a nonprofit corporation or
11 association for the establishment, operation and maintenance of, appro-
12 priate public postsecondary and continuing educational programs and
13 activities in community colleges, extension centers or by other means.

14 (b) A community college or an extension center may be established
15 by the board of governors only in accordance with the minimum criteria
16 established by secs. 220 - 230 of this chapter, as supplemented by the
17 board by regulation.

18 (c) The establishment of a community college or an extension center
19 may be proposed by

20 (1) the governing body of a municipality, or a school dis-
21 trict;

22 (2) an agency of the federal government;

23 (3) petition of interested citizens in the community or area
24 to be served; a nonprofit corporation or association;

25 (4) the Alaska Commission on Postsecondary Education or the
26 state advisory council on community colleges created under AS 14.40.-
27 901 - 14.40.915;

28 (5) the legislature by concurrent resolution; or

29 (6) the board.

1 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
2 or a new extension center may not be established until a feasibility
3 study as to the need for its establishment in the community or area to
4 be served has been completed either as directed by the board, or by a
5 proponent under sec. 210(c) of this chapter, and approved by the board.
6 The feasibility study shall be submitted to the respective finance and
7 education policy committees of each house of the legislature and to
8 the Alaska Commission on Postsecondary Education.

9 (b) The feasibility study required in (a) of this section shall
10 include but is not limited to:

11 (1) an analysis of the population and educational needs of
12 the municipality, school district or service area in which the proposed
13 community college is to be located;

14 (2) a description of the boundary of the service area for
15 the proposed community college;

16 (3) estimated and projected enrollment;

17 (4) proposed core faculty and administrative staffing;

18 (5) a proposed budget for the initial fiscal year of opera-
19 tion together with a statement of sources of financial support required
20 for core faculty and administrative staff, curriculum and other pro-
21 grams and activities, and physical facilities;

22 (6) a plan for citizen involvement through a community
23 college council established under sec. 200 of this chapter; and

24 (7) a proposed agreement with the school district, munici-
25 pality or federal agency or a nonprofit corporation or association
26 under sec. 240 of this chapter.

27 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
28 community college has been proposed, the level of demand for postsecond-
29 ary and continuing education as determined by the feasibility study

1 required under sec. 220(a) of this chapter is more limited than that
2 required for the establishment of a comprehensive community college pro-
3 gram, the board may establish an extension center or an outreach program
4 either independently or in cooperation with the University of Alaska, a
5 school district, a municipality, a nonprofit corporation or association,
6 or an agency of the federal government.

7 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
8 FEDERAL AGENCY. (a) A school district, municipality, federal agency or
9 nonprofit corporation or association may make an agreement with the
10 Alaska Community Colleges for the establishment, operation and mainte-
11 nance of a community college, an extension center or off-campus instruc-
12 tion through an outreach program. The agreement shall include, but is
13 not limited to:

14 (1) recognition that complete operational authority resides
15 with the colleges, subject to periodic reviews by the cooperating school
16 district, municipality, federal agency or nonprofit corporation or
17 association and appropriate reports to ensure program articulation and
18 effective cross-utilization of facilities;

19 (2) provision for cooperative planning of program and facili-
20 ties needs and for cross-utilization of facilities;

21 (3) provision that local funding, in addition to student fees
22 or in-kind contributions, may be provided for support of those general
23 education courses, described in sec. 20(3) of this chapter, or secondary
24 school-related courses as the school district, municipality, federal
25 agency or nonprofit corporation or association considers appropriate;
26 and

27 (4) provision for periodic review of the agreement.

28 (b) If separate facilities are financed, constructed or maintained
29 from federal, state or private funds for programs and activities of the

1 community college, extension center or outreach program, then the board
2 has title to and control of the separate facilities used for these pur-
3 poses. If separate facilities are financed, constructed or maintained
4 from school district, municipality or nonprofit corporation or associa-
5 tion funds for community college or extension center or outreach programs
6 and activities, the school district, municipality or nonprofit corpora-
7 tion or association has title to and control of the separate facilities
8 used for these purposes.

9 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
10 and cultural opportunities in the state, to keep pace with the expansion
11 of knowledge and with the growth of the state in all fields of endeavor,
12 and to provide educational services and facilities of particular inter-
13 est to residents of the state, the board shall

14 (1) make a continuing study of the feasibility of expanding
15 the system of community colleges, extension centers and outreach pro-
16 grams in accordance with the criteria set out in sec. 220(b) of this
17 chapter;

18 (2) establish additional extension courses, outreach pro-
19 grams and other accredited courses for students it considers advisable
20 in accordance with the procedures set out in secs. 210 - 230 of this
21 chapter;

22 (3) take all appropriate measures to implement this section.

23 (b) Laws of the state designed to meet requirements of the federal
24 government for the state's acceptance of federal grants and allotments
25 for educational and like purposes are extended to cover the establish-
26 ment and operation of the community college expansion program set forth
27 in (a) of this section.

28 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

29 Sec. 14.41.260. FINANCE. (a) The state is basically responsible

1 for the funding for all community college, extension center or outreach
2 programs and activities. However, nothing in this chapter prohibits a
3 school district, municipality, federal agency or nonprofit corporation or
4 association from providing funds for additional courses and programs
5 which may be considered appropriate under sec. 240(a)(3) of this chapter.

6 (b) The colleges shall prepare a complete program budget for each
7 community college, extension center and outreach program including all
8 courses, programs and activities regardless of the source of funding,
9 including but not limited to funds from fees, grants, contracts, agree-
10 ments, bequests, gifts, trusts, or endowments.

11 (c) All funds received for community college, extension center or
12 outreach program operations shall be administered in the manner pre-
13 scribed by the board by regulation.

14 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
15 otherwise provided in this chapter, the Alaska Community Colleges shall
16 hold and manage all property acquired by it. The Department of Admin-
17 istration, upon requisitions by the board of governors, signed by its
18 chairman and secretary, shall pay to the treasurer of the board all
19 federal land grant college funds coming into the possession of the
20 Department of Administration and subject to requisition by the board.
21 The department shall disburse federal funds in aid of land grant
22 colleges in accordance with federal law and regulations providing for
23 disbursement of those funds.

24 (b) All funds appropriated by the legislature for the establish-
25 ment, construction, operation, maintenance and support of the Alaska
26 Community Colleges shall, on requisition by the board, signed by its
27 chairman and secretary, be paid by the Department of Administration to
28 the treasurer of the board. The treasurer of the board shall disburse
29 these funds on properly drawn vouchers signed by its chairman and

1 secretary, or by the administrative officer of the colleges to whom the
2 board delegates the performances of this function.

3 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
4 board of governors may receive, manage, and invest money or other real,
5 personal or mixed property in any manner received from sources other
6 than the state legislature or federal appropriation for the purpose of
7 the colleges, its improvement or adornment, or the aid or advantage of
8 students or faculty, and, in general, may act as trustee on behalf of
9 the colleges for any of these purposes. However, the board shall make
10 a written report to the legislature, in accordance with sec. 360 of this
11 chapter, as to the administration and disposition of funds received
12 under this section.

13 (b) The board shall keep or have kept suitable books of account
14 in which there shall be recorded each gift, the essential facts of the
15 management of the gift, and the expenditure of income. A statement of
16 all trust funds shall be included in the annual report to the governor
17 and to the legislature under sec. 360 of this chapter.

18 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
19 bequests or endowments which are made to the colleges for the purpose of
20 the separate trust fund created under AS 14.40.400, to the extent the
21 Alaska Community Colleges is the successor to the University of Alaska,
22 shall be transferred to the Department of Revenue. The Department of
23 Revenue shall manage that money in accordance with AS 14.40.400. Title
24 to and control or possession of land, personal property, and all money
25 other than that transferred to the Department of Revenue, which is
26 devised, bequeathed or given to the colleges shall be taken by the
27 colleges in its corporate capacity acting by and through the board of
28 governors, or its authorized agent, and shall be entered in the per-
29 petual inventory of the university.

1 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
2 or cause to be maintained a perpetual inventory of all permanent proper-
3 ty of the colleges.

4 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
5 petitive bid practices set forth in AS 37.05.230 apply to the Alaska
6 Community Colleges, except that the provisions of that act do not apply
7 in those cases where the work is to be performed substantially by
8 students enrolled in the colleges. Where the term "purchasing agent" is
9 used in AS 37.05, it means the administrative officer of the colleges
10 so designated either by the board or the chancellor.

11 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
12 established in the treasury of the Alaska Community Colleges a working
13 capital reserve fund. The fund consists of money appropriated by the
14 legislature for the purpose of providing current working capital for the
15 Alaska Community Colleges and is not available for appropriation by the
16 board of governors.

17 (b) A quarterly report of all activity of the working capital re-
18 serve fund shall be submitted to the Legislative Budget and Audit Com-
19 mittee.

20 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
21 extent the Alaska Community College is considered a successor to the
22 University of Alaska as a land grant college, or for any other purposes,
23 and thus a beneficiary of federal grants of land or money under AS 14.-
24 40.350 - 14.40.450, insofar as the operation, management and control of
25 the community colleges, extension centers and outreach programs are
26 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
27 Alaska Community Colleges in the same manner they apply to the Univer-
28 sity of Alaska.

29 ARTICLE 6. GENERAL PROVISIONS.

1 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION
2 OR TESTS PROHIBITED. (a) No person may be deprived of the privileges
3 or services of the colleges because of age, sex, color or nationality.

4 (b) No instruction either sectarian in religion or partisan in
5 politics may be given in any department of the colleges and no sectarian
6 or partisan test may be employed or applied in the appointment of board
7 or council members, faculty, or other officers or employees of the
8 colleges, or in the admission of students or for any purposes.

9 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) Where the
10 campuses of the Alaska Community Colleges and the University of Alaska
11 are located in the same community or municipality either contiguous,
12 adjacent or reasonably close to one another, or where before the effec-
13 tive date of this chapter, the community colleges as a part of the
14 University of Alaska shared and jointly used the same buildings and
15 other facilities as other colleges, departments, divisions, institutes,
16 or other units of the University of Alaska, the shared or joint use of
17 these facilities shall be continued after the effective date of this
18 chapter. The Board of Governors of the Alaska Community Colleges and
19 the Board of Regents of the University of Alaska shall enter into a
20 contract, consortium or other cooperative agreement for the continued
21 sharing or joint use of these buildings or facilities, including the
22 cost of their construction, operation and maintenance. Where new
23 buildings or facilities are required by either the colleges or the
24 university, and the same contiguous, adjacent or proximal physical
25 location of the campuses of the two institutions exists or would come
26 into existence by virtue of the location and construction of these
27 buildings or facilities, the two boards shall enter into a contract,
28 consortium or other cooperative agreement for the sharing or joint use
29 of these buildings or facilities, including the cost of their construc-

tion, operation and maintenance.

(b) For purposes of (a) of this section, "buildings or facilities" includes, but is not limited to, libraries, gymnasiums, or other athletic facilities, auditoriums, cafeterias, or other food service facilities, residence halls, dormitories, or other student living accommodations, laboratories, classrooms, offices, parking structures or facilities, landscaping, roads, utilities, and other buildings, structures or facilities of a like nature appropriate to or necessary for the operation and maintenance of an institution of higher education.

Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established on each community college campus and, where feasible for an extension center or outreach program. This resource or service shall be made available, and the library facility shall be open to, the community or service area served by the college. The library's collection shall include material appropriate to the needs and interests of the community or service area served.

Sec. 14.41.360. REPORT TO THE GOVERNOR; LEGISLATURE. The board of governors shall make a written report to the governor and to the legislature at the beginning of its regular sessions of the condition of the colleges' property, of all receipts and expenditures, including but not limited to the administration and disposition of appropriated and restricted funds, and of the educational and other work performed.

Sec. 14.41.370. REGULATIONS. A community college, an extension center, an outreach program, or a central or regional service center for that program, established under this chapter independently or in cooperation with a school district, municipality, an agency of the federal government or a nonprofit corporation or association, shall be operated and maintained under regulations prescribed by the board.

Sec. 14.41.380. DEFINITIONS. In this chapter

1 (1) "board" means the Board of Governors of the Alaska
2 Community Colleges;

3 (2) "chancellor" means the chancellor of the Alaska Commu-
4 nity Colleges;

5 (3) "colleges" means the Alaska Community Colleges, including
6 but not limited to the individual community colleges, extension centers
7 and outreach programs established, operated and maintained by the
8 board;

9 (4) "council" means a community college council appointed for
10 an individual community college, extension center or outreach program;

11 (5) "municipality" means a home rule or general law borough
12 or city including but not limited to a unified municipality organized
13 under AS 29.68;

14 (6) "outreach program" means either an off-campus educational
15 delivery system or program, whether or not conducted in a physical
16 facility, designed for the conduct of instruction in localities in the
17 rural areas of the state where there is no community college or exten-
18 sion center,

19 (7) "service area" means one or more school districts or
20 municipalities, combinations or portions of each or of the unorganized
21 borough, which when combined are considered an educationally serviceable
22 unit for the establishment, operation and maintenance of a community
23 college, an extension center or an outreach program either independently
24 or in cooperation with the Alaska Community Colleges or the University
25 of Alaska.

26 Sec. 14.41.390. SHORT TITLE. Sections 010 - 390 of this chapter
27 may be cited as the Community College Act.

28 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

29 * Sec. 3. AS 14.40.460 is amended to read:

1 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
2 school student in each graduating class in each high school in the
3 state who, upon the completion of four years of high school work in a
4 high school in the state, obtains the highest average standing for all
5 the credits earned, and who is graduated at an annual commencement is
6 entitled to receive, during dormitory residence at the University of
7 Alaska or the Alaska Community Colleges a scholarship covering dormi-
8 tory rent for a period of two years following the year of graduation
9 upon presenting to the registrar of the university or of the colleges
10 a certificate signed by the superintendent or principal of the high
11 school from which he graduated stating that the graduate named is
12 entitled to receive the benefits of the scholarship. Dormitory resi-
13 dence is governed by [THE RULES AND] regulations established by the
14 Board of Regents or the board of governors.

15 * Sec. 4. AS 14.40.480 is amended to read:

16 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
17 FICATES. A certificate shall be applied for and issued to a graduate
18 before August 2 of each year and shall be reported immediately to the
19 registrar of the university or of the colleges by the superintendent or
20 principal issuing it.

21 * Sec. 5. AS 14.40.490 is amended to read:

22 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
23 passing work in more than one subject during a semester, or withdrawal
24 or expulsion from the university or the colleges constitutes a for-
25 feiture during the following semester or semesters of the benefits of
26 secs. 460 and 470 of this chapter.

27 * Sec. 6. AS 14.40.500 is amended to read:

28 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
29 ships shall be made monthly to the university or the colleges upon

1 vouchers drawn upon the Department of Administration and duly certified
2 by the treasurer and the president of the Board of Regents or the
3 treasurer and chairman of the board of governors. No payments may be
4 made in excess of amounts specifically appropriated for this purpose.

5 * Sec. 7. AS 14.40.520 is amended to read:

6 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
7 sity of Alaska and the Board of Governors of the Alaska Community
8 Colleges shall offer not more than 15 new scholarships for each academic
9 year to Alaska Natives desiring to attend the University of Alaska or
10 the Alaska Community Colleges. The boards [BOARD] shall give preference
11 to Natives residing in the rural areas of the state who desire to re-
12 ceive training in the field of education. If there are more than 15
13 applications the boards [BOARD] shall award 15 scholarships to those
14 applicants who have the highest scholastic record or who the boards
15 determine [BOARD DETERMINES] are the most qualified among the applicants
16 and who are financially unable to obtain a higher education without
17 assistance. The university and the colleges shall provide such minimum
18 financial assistance to these students as is necessary in each indi-
19 vidual case, but not exceeding fees, board and room.

20 * Sec. 8. AS 14.40.530 is amended to read:

21 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
22 room and board shall be made from any funds available to the university
23 or the colleges. Each Native who receives a scholarship under secs.
24 510 - 550 of this chapter is entitled to retain the scholarship and to
25 receive free room and board during his attendance at the university or
26 the colleges as long as he maintains a grade average equivalent to a
27 "C" or better. However, no Native is entitled to the scholarship for
28 more than four years, or for more than the number of years necessary to
29 receive a bachelor's degree.

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1 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

2 (6) two members of the Board of Governors of the Alaska
3 Community Colleges designated by the members of that body; and, if the
4 council is a separate and distinct entity from the board of governors,
5 one member of the state Advisory Council on Community Colleges desig-
6 nated by the members of that body;

7 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

8 (2) establish a state advisory council on community colleges
9 and develop a comprehensive statewide plan for the expansion and im-
10 provement of the community colleges under sec. 1001 of Title X of the
11 Higher Education Act of 1965, as amended by the Education Amendments of
12 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however, to avoid the
13 establishment of duplicate agencies, the commission may designate the
14 Board of Governors of the Alaska Community Colleges as the state
15 Advisory Council on Community Colleges if the composition of the board's
16 membership meets the requirements of applicable federal law or regula-
17 tion;

18 * Sec. 11. AS 39.25.110(7) is amended to read:

19 (7) officers, members of the teaching staff, and employees
20 of the University of Alaska and the Alaska Community Colleges;

21 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

22 (LL) Alaska Community Colleges board of governors
23 (AS 14.41.050).

24 * Sec. 13. TRANSITION; PROPERTY AND FUNDS. Under the direction of the
25 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
26 ments of Administration and Revenue, the Board of Regents of the University
27 of Alaska shall redistribute or transfer all the property, assets and state
28 or federal funds of the University of Alaska relating to the operation,
29 maintenance and support of the community colleges within the university to

1 the Alaska Community Colleges.

2 * Sec. 14. TRANSITION; PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
3 TIONS. All litigation, hearings, investigations and other proceedings pend-
4 ing under a law amended for functions which may be transferred by this Act,
5 continue in effect and may be continued and completed notwithstanding a
6 transfer or amendment provided for in this Act. Certificates, orders, rules
7 or regulations issued or filed under authority of a law amended by this Act
8 or functions which may be transferred by this Act, remain in effect for the
9 term issued, unless revoked, vacated, or otherwise modified under the pro-
10 visions of this Act. All contracts or other obligations created by a law
11 amended by this Act or by virtue of functions which may be transferred by
12 this Act, and in effect on the effective date of this Act, remain in effect
13 unless revoked or modified under the provisions of this Act.

14 * Sec. 15. TRANSITION; PERSONNEL. All faculty, staff, officers or em-
15 ployees in the community colleges of the University of Alaska, or those
16 statewide or regional faculty, staff, officers or employees of the univer-
17 sity whose functions, powers, duties and responsibilities relate in whole or
18 in the major part to community colleges and who have been retained for 1976-
19 1977 shall be terminated by the University of Alaska and shall be rehired
20 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
21 Education shall assist those community college faculty, staff, officers or
22 employees of the University of Alaska who are not transferred in finding
23 positions for which they are qualified.

24 * Sec. 16. The Board of Governors of the Alaska Community Colleges
25 succeeds the Board of Regents of the University of Alaska as a party to an
26 existing cooperative agreement between the Board of Regents of the Univer-
27 sity of Alaska and a school district, municipality, or an agency of the
28 federal government, or a nonprofit corporation or association with respect
29 to the establishment, operation and maintenance of a community college or

1 an extension center. That agreement in effect on the effective date of this
2 Act shall remain in effect until its agreed expiration and may be modified
3 or extended by mutual agreement unless, before the agreed expiration, it is
4 mutually cancelled by the contracting parties in accordance with law.
5 Nothing in sec. 1 of this Act affects the status of a community college or
6 extension center established, maintained and in operation under a cooperative
7 agreement between the Board of Regents and a school district, municipality
8 or an agency of the federal government on the effective date of this Act,
9 except that the board of governors succeeds to the authority of the Board of
10 Regents and as a party to that agreement in all respects.

11 * Sec. 17. This Act takes effect July 1, 1976.
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ALASKA STATE LEGISLATURE

NINTH... Legislature .SECONDSession

SS SENATE BILL..... NO. 658.....

By ..CROFT.....

"An Act establishing the Alaska Community Colleges; and providing for an effective date."

establishing the Alaska Community Colleges

Introduced in the Senate 2/16 76, 19....

HISTORY IN THE SENATE

19 76

Read first time and referred to Committee on

2 16 Health, Education and Social Services and Finance

38 SS introduced
318 HESS do pass to fix money, 1 die not pass

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
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Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
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CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

Ma: Special Delivery

12 Garland Road
West Hartford, Conn. 06107
April 19, 1976

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Pouch V, Juneau, Alaska 99801

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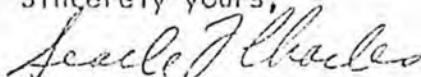
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cc: Representative Kathryn Ostrosky
Chairman, Interim Committee on Higher Education
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Substitute House Bill No. 6102

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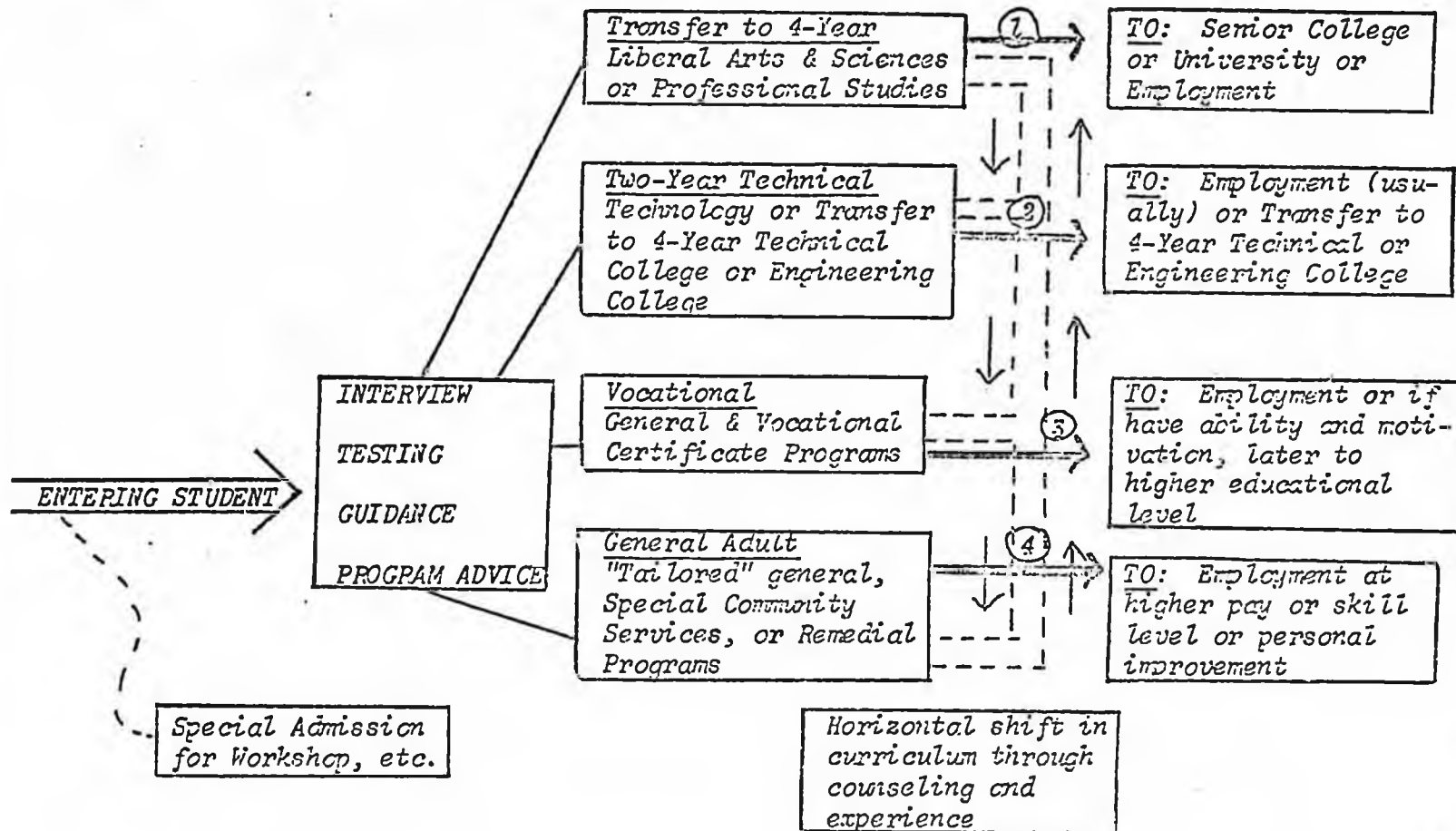
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Sec. 2. (NEW) (a) The primary responsibilities of the regional community colleges shall be (1) to provide programs of occupational, vocational and career education designed to provide training for immediate employment, job retraining or upgrading of skills to meet individual, community and state manpower needs; (2) to provide programs of general study including, but not limited to, remediation, general and adult education and continuing education designed to meet individual student goals; (3) to provide programs of study for college transfer representing the first two years of baccalaureate education; (4) to provide community service programs as defined in subsection (b) of this act and (5) to provide student support services including, but not limited to, admissions, counseling, testing, placement, individualized instruction and efforts to serve students with special needs.

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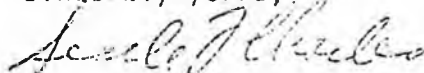
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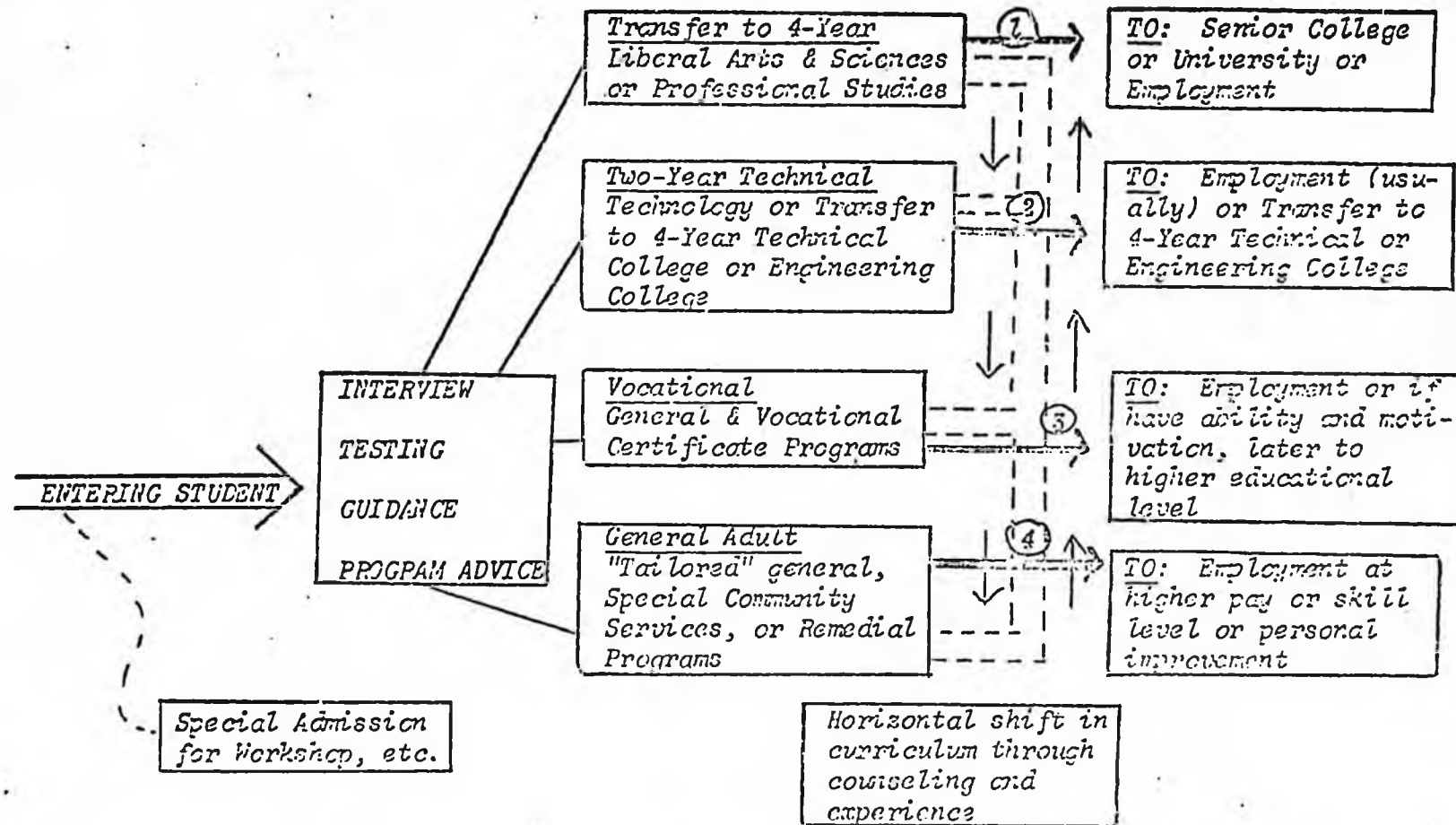
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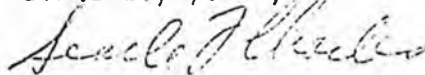
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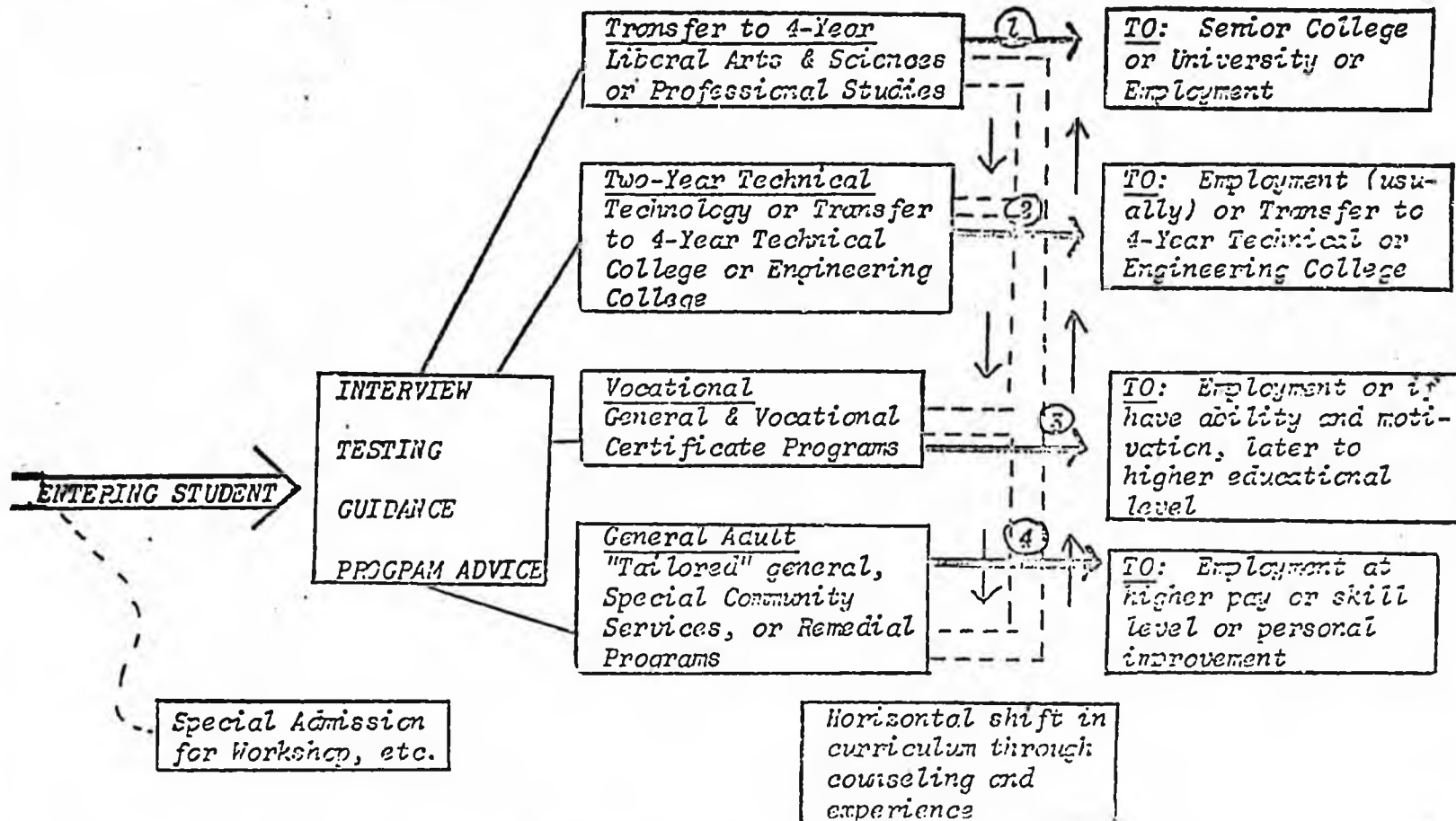
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Bill
UNIVERSITY OF ALASKA

(Prepared testimony by President Robert W. Hiatt for HESS Committee on SB 658 at Juneau March 9, 1:30 p. m.)

March 8, 1976

TO: The Honorable Frank Ferguson
Chairman, Senate Committee on Health, Education and Social Services

FROM: Robert W. Hiatt
President, University of Alaska

RE: Testimony on SB 658, "An Act Establishing the Alaska Community Colleges; and Providing for an Effective Date"

Mr. Chairman and members of the Committee:

My testimony will not be concerned with the textual details of SB 658, for it is the concept embodied in this proposed legislation which is of prime significance to the State of Alaska. Because this bill poses far more serious problems for the future of Alaska's public higher education than might appear on the surface through a "simple" shuffle of the community colleges and the newly established Rural Educational Program to a new public jurisdiction from the present University of Alaska Statewide System, I should like to spell out why I believe the action proposed is unwise and should not be enacted.

First, I should like to summarize my main points, and thereafter offer supporting information and seasoned opinion. These points are:

1. The healthy academic competition now experienced between units of the statewide University System - identified and encouraged in the University's recently completed Academic Development Plan - will be converted to political competition as a result of which all educational programs, and thus Alaskans, will be the losers.
2. Costly duplication of educational facilities and supporting services inevitably will occur.
3. Costly duplication of administrative and support functions inevitably will occur.
4. Coordination of programs between competing systems, and joint use of support facilities and programs and single urban campuses now housing both community college and senior college units will be virtually an impossibility despite layers upon layers of coordinating committees, boards and super-boards.
5. Present and future disparity among urban and rural community colleges will seriously jeopardize academic accreditation of rural units without the infusion of unwarranted additional funds to provide quality programs for subminimal enrollment.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-2-

6. Academic services now available from the strength of the entire University of Alaska System to support successful implementation of the unique Rural Educational Program just getting underway would be reduced drastically to the detriment of this unique outreach program.
7. The problem areas within any unified system would only be magnified by pitting two or more overlapping systems against each other in the political arena.

Background

Introduction of such a divisive bill as SB 658, if it does nothing else, should stimulate those managing public post-secondary education to inquire why. Problems not always evident may thus surface for attention, and this is good for any system. Systems - educational or legislative - are really people after all and all humans are fallible. Should we recognize error and not move to correction, we indeed stand to be condemned.

Two points in my inquiries seem most often stated: (1) the University of Alaska is not responsive to the needs of Alaska and Alaskans; and (2) the University represents bigness, and somehow that must be bad. Let me deal with responsiveness first.

Those of us long-experienced in higher education know full-well how the institutional image lags in the public mind - often ten years or more. Once great institutions subsequently have become only good or even mediocre, but the image of greatness carries on. Contrariwise, many institutions, especially in the West, have since the early 1960's become excellent, but their less exalted earlier image still persists.

These points are made because the "Fairbanks syndrome" is still pervasive in the State. This is not to denigrate the Fairbanks campus academically in any way, for it is vastly better than Alaskans really believe it is. But having programs centered only at Fairbanks for so many years has created the image that today it somehow dominates or suppresses system units in other parts of the State. This may once have been so, but in my short three years at the helm I can state unequivocally that this is no longer true. And several years from now it may even be believed.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8 , 1976

-3-

Responsiveness

When most people speak about responsiveness they really mean responsive to the needs of career education or, as it is often designated, voc-tech education. Has the University of Alaska been responsive? Let me just highlight a few points.

The Anchorage Community College has developed career education and training in a comprehensive and responsive fashion, placing almost half of its total teaching budget in support of such programs. Surely, there doubtless are a few more areas which could be covered, and indeed they will be given time and increased resources.

At Kodiak Community College we have developed outstanding technological programs in fishing and fish processing; at Kenai Peninsula Community College, with enviable success, we have developed petroleum technology and water-waste technology programs. At the Kuskokwim Community College great emphasis has been placed in outreach programs combining TV and personal contact to train inter alia, individual craftsmen to repair motors, build houses and wire and plumb them and to be handy in various trades for small village life where greater specialization in any one craft would most often render the person jobless; at Mat-Su Community College we specialize in refrigeration and heating; and at Ketchikan Community College we shall emphasize marine craft repair and electronics. At Tanana Valley Community College a special "Winter College" was developed to train craftsmen or upgrade their present skills during the winter while they are laid-off from pipeline or other construction employment.

Members of the Committee, these are only highlights to illustrate responsiveness; there are many more programs directly related to the needs of communities in which our community colleges and learning centers are located. Again, there are still unmet needs, but the programs possible with the funds available are spread where the greatest good can be achieved for the most people. We shall never have enough resources to be all things to all persons.

Apropos of the University's responsiveness, I should like to share with you a quotation from a letter written to Senator Croft regarding SB 658 by Dr. Glenn Massay, Director of the Tanana Valley Community College. He writes:

"I realize there are some difficulties within the system; however, I can attest to the fact that Tanana Valley Community College, which is less than two years old, has worked extremely well within the University of Alaska system in Fairbanks, and is now serving over 3,600 students in the Fairbanks area. This includes two major divisions: the credit-bearing classes in vocational/technical programs and community interest classes... This figure of over 3,600 represents more than 5 per cent of the Fairbanks area population. Tanana Valley Community College could not have

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on S'B 658

March 8, 1976

-4-

delivered educational services to that many people without the support and cooperation of the University of Alaska. It does not appear to me that decentralization of the present system is necessary to encourage innovative and responsive systems."

And former President of the Board of Regents, Robert MacFarland, had this to say, when being debriefed at his retirement from the Board, in response to a question about a break with the University when the community college system developed more fully:

"No. Such development (community college development) enhances the larger campus' programs...I think one enhances the other. If there were a split there would be a political question of funding. And economics tells you you can run one system better than if it's split..."

Bigness

The question of bigness has, of course, positive attributes as well as negative ones. Since my informants seem only to deal with negative ones, I will set aside for now the advantages bigness brings. The principal problem with bigness of the system in this vast State - they say - is how can one Board of Regents and one statewide administration know what is needed in this or that corner of the State?

First, representation on the Board is spread partly in accordance with population distribution and partly by geographic region. Additionally, an integral part of our community college and learning center concept is that there be a sizeable Citizens Advisory Committee for each unit. The principal function of these broadly representative committees is to advise the program administrator of perceived educational and training needs, and to work with the University to see that these needs are met.

Working with rural Alaskans and Native organizations who have diligently sought to have the University extend its educational arm to the outermost villages of the State, we have established the Rural Educational Program and recognized its importance by elevating its administrative head to the status of a Vice President of the University. To accomplish this program of even greater self-determination in education, local area policy councils are being established, as is one statewide Rural Education Task Force to guide this unique over-all educational effort. Thus, bigness, per se, has been already dissected into manageable segments - but segments of a whole system, not a politically divisive one. Having accomplished this

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-5-

extraordinary array of input and delivery mechanisms, does it make sense to dismantle it before it has a chance to function?

The Board of Regents has shown itself capable of putting this entire array known as the University of Alaska Statewide System together in an effective way. I sincerely doubt that two boards of regents to govern two overlapping and competing systems and overseen by a super-board of regents can orchestrate higher education in Alaska nearly as well as a single board can.

Academic competition vs. political competition

Healthy competition is beneficial in any sphere of activity, and higher education fits this concept perfectly. The University of Alaska is in constant competition with other universities for external sources of program funding which comprise nearly half of our total operating budget. We compete with "outside" universities for our faculty and some of our supporting staff.

Within our own statewide system a substantial measure of competition is present and encouraged for it is human nature to excel, to seek distinction, to rise from the masses and be recognized for accomplishment. A fundamental aspect of the University's new Academic Development Plan is the recognition that neither the individual campus units nor the entire University system can provide all things to all people. Yet, despite these limitations, each unit can have distinction and some uniqueness if it selects its area or areas of emphasis with care. This principle of selective emphasis need not, under sound guidance and appropriate public support, result in the sacrifice of balance and the necessary sense of proportion among programs.

The guidance toward academic competition within the University system is designed in part to forestall political competition. In any state, but in Alaska especially, because of its size and disparity economically political representation is necessarily locally oriented. Short-range political objectives are not guaranteed to fulfill long-range needs for a variety of reasons. But the educational system must transcend the short-range and target its objectives a generation or two in the future. To accomplish this, serious planning must occur with the assistance of interested community leaders. This is what went into the Academic Development Plan which, incidentally, will be updated at frequent intervals to maintain its viability as a guide for students, teachers, citizens of the community and their political representatives. Meeting the perceived needs of the community while concurrently emphasizing certain educational areas where natural educational resources allow an unusual measure of excellence to develop will provide the pride and uniqueness in accomplishment needed for healthy intrasystem competition.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-6-

Except for the states of Hawaii and Alaska, which achieved statehood later and thus could benefit from the mistakes and experiences of others, the rest are locked into the insurmountable political problem of attempting to achieve some measure of effective coordination between two or three systems of public higher education. California, Oregon and Washington, for example, have spent vast sums and energies trying to make sense out of politically competing systems. No real success has ever been achieved despite the establishment of super-boards, higher educational commissions, etc. Hawaii and Alaska with their single system and governing boards are the envy of every other state. Let's not undo this blessing, whatever its faults may be, to emulate those jurisdictions who are and will be in an educational morass academically and politically for years to come.

Duplication of facilities and educational resources

The ease with which all the program units of the University of Alaska share every resource available belies the trauma which inevitably would occur should these resources have to be shared between two competing political jurisdictions. Moreover, it is a proven historical fact that each program entity desires and eventually succeeds in getting its own facilities and supporting resources. Witness the fact that every community college or learning center in our System started life as a tenant in buildings not belonging to the University. All community colleges and some learning centers have their own buildings today.

Our urban campuses in Fairbanks, Anchorage and Juneau are each jointly occupied by a senior and a community college. They share buildings, library resources, student centers, bookstores and athletic facilities, with ease. Moreover, they provide space and support requirements for programs administered from other campuses of the System, such as the Criminal Justice Center, Center for Alcohol and Addiction, Cooperative Extension Services, Alaska Native Language Center, Fisheries education and the very extensive Rural Educational Program just in its early stage of implementation.

The take-home lesson in what I am stating is that despite all the good intentions of so-called consortium arrangements and joint usage as is pointed out above, the political divisiveness inherent in SB 658 will soon result in costly duplication of every facility and resource now being shared within the University's System.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-7-

Duplication of administrative and support functions

Like the facilities and educational resources mentioned above, the University System now shares with comparable ease administrative and student systems of considerable magnitude. I would be the first to admit that our systems do not now function as a well-greased wheel, but they have been improved measurably over the past two years with a statewide computer network to be operational on all urban campuses by 1 July 1976 and great strides made in our financial and accounting systems within the same time frame. By 1 July 1977, every data system required for management of the University is scheduled for completion. Few University systems in the nation will be able to match this system organization. All this has been made possible by having a single governing board which has been on top of the University's management problems.

Two separate, highly overlapping, higher educational systems as envisaged in SB 658 would require:

- A. Duplicate governing boards with an inevitable super-governing board to coordinate what now is coordinated by one board.
- B. Duplicate statewide administrative systems:
 - 1. Two President's or Chancellor's offices.
 - 2. Two academic planning and central staffs.
 - 3. Two staffs for planning, construction and maintenance of physical plant.
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- C. Duplicate on-campus systems where community colleges and the University co-exist.
 - 1. Two offices for admissions and records.
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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-8-

4. Two personnel offices.
5. Two counseling centers.

It goes without saying that this extensive duplication will be very costly indeed and, of course, obviously unnecessary in our single system.

Coordination of post-high school education

A super-board or higher educational coordinating commission has been required in every state having two or more post-secondary educational systems. None of these work well, for divided systems are set in political concrete. Statewide coordination studies, inevitable rounds of meetings with separate system boards or trustees, and such other activities required of a super-board require staff, operational funds and the energies of persons who could better direct their professional efforts elsewhere.

The Alaska Post-Secondary Educational Commission was established to help plan for and provide advice on higher education in Alaska. It is inconceivable that this structure should be bypassed by SB 658 before it has a chance to function. In my view, at least a year's study of these problems in other states would be required before reasonable advice could be given to the Legislature on this subject. I strongly recommend this route be taken.

Accreditation problems

Among the community colleges of Alaska only Anchorage Community College has been accredited on its own merits. All other units of our System are accredited because they are part of the University of Alaska. Because of the small size and general lack of complete two-year programs at this stage of their development, there is serious question that accreditation could be granted.

Accreditation is essential for all community colleges, learning centers and the Rural Educational Programs so that academic credits earned may be transferred to institutions outside the State or even to the University of Alaska. Moreover, all federal funding for educational programs requires that the institution receiving the funds be accredited. Thus, much of the funding for the extensive outreach program at the Kuskokwim Community College and the Rural Educational Affairs Program, for example, would dry up.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-9-

Impact on the Rural Educational Program

Much has been said already about how this program would be impacted, but I should like to stress these problems again for this is the most ambitious and innovative program ever to be attempted by any public university system to bring post-secondary education to all rural areas of a state. And when one realizes that Alaska's geography and its rural population pattern is so completely different from all others, we need all the resources of every type at our complete disposal to insure the success of this program.

Our rural community colleges and rural learning centers, formerly referred to as extension centers, have been placed under a single Vice President for Rural Educational Affairs. This was done because each existing unit must serve as a resource base where teaching personnel, program development and delivery and management systems for this rural program must focus. The central support function of educational and systems management will be deployed in Fairbanks and Anchorage where they can draw on the expertise of professional educational planners, media specialists of all types, and top advisors of both the Native and University communities. This program demands the input when and where needed of our total University organization.

On this subject I should like to quote from a letter written to Senator Croft by Regent Christopher Cooke of Bethel. It states in part:

"... Everyone I have spoken with on the subject (SB 658) in this area - teachers, administrators, students and community members - opposes separation of Kuskokwim Community College from the University. Rural and Alaska Native organizations worked very hard to have the University recognize the importance of rural community colleges and to elevate rural education within the administration to the status of a department headed by a vice president. Having accomplished this, these rural interests would not want this structure dismantled before it has a chance to function."

In closing, I should like to say that we have all the usual problems which any growing post-secondary system would have, and we are attacking them on a broad front. Some are managerial stemming from the growth characteristics of the emerging system, others are academic in responding to the needs of Alaskans on a very broad front - one without precedent in higher education. Whatever difficulties we are trying presently to surmount, they can only be magnified by dividing our system as SB 658 purports to do.

RWH:dm

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UNIVERSITY OF ALASKA

(Prepared testimony by President Robert W. Hiatt for HESS Committee on SB 658 at Juneau March 9, 1:30 p. m.)

March 8, 1976

TO: The Honorable Frank Ferguson
Chairman, Senate Committee on Health, Education and Social Services

FROM: Robert W. Hiatt
President, University of Alaska

RE: Testimony on SB 658, "An Act Establishing the Alaska Community Colleges; and Providing for an Effective Date"

Mr. Chairman and members of the Committee:

My testimony will not be concerned with the textual details of SB 658, for it is the concept embodied in this proposed legislation which is of prime significance to the State of Alaska. Because this bill poses far more serious problems for the future of Alaska's public higher education than might appear on the surface through a "simple" shuffle of the community colleges and the newly established Rural Educational Program to a new public jurisdiction from the present University of Alaska Statewide System, I should like to spell out why I believe the action proposed is unwise and should not be enacted.

First, I should like to summarize my main points, and thereafter offer supporting information and seasoned opinion. These points are:

1. The healthy academic competition now experienced between units of the statewide University System - identified and encouraged in the University's recently completed Academic Development Plan - will be converted to political competition as a result of which all educational programs, and thus Alaskans, will be the losers.
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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-2-

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Background

Introduction of such a divisive bill as SB 658, if it does nothing else, should stimulate those managing public post-secondary education to inquire why. Problems not always evident may thus surface for attention, and this is good for any system. Systems - educational or legislative - are really people after all and all humans are fallible. Should we recognize error and not move to correction, we indeed stand to be condemned.

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These points are made because the "Fairbanks syndrome" is still pervasive in the State. This is not to denigrate the Fairbanks campus academically in any way, for it is vastly better than Alaskans really believe it is. But having programs centered only at Fairbanks for so many years has created the image that today it somehow dominates or suppresses system units in other parts of the State. This may once have been so, but in my short three years at the helm I can state unequivocally that this is no longer true. And several years from now it may even be believed.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8 , 1976

-3-

Responsiveness

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"I realize there are some difficulties within the system; however, I can attest to the fact that Tanana Valley Community College, which is less than two years old, has worked extremely well within the University of Alaska system in Fairbanks, and is now serving over 3,600 students in the Fairbanks area. This includes two major divisions: the credit-bearing classes in vocational/technical programs and community interest classes... This figure of over 3,600 represents more than 5 per cent of the Fairbanks area population. Tanana Valley Community College could not have

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt
Testimony on SB 658
March 8, 1976

-4-

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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-5-

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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-6-

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The take-home lesson in what I am stating is that despite all the good intentions of so-called consortium arrangements and joint usage as is pointed out above, the political divisiveness inherent in SB 658 will soon result in costly duplication of every facility and resource now being shared within the University's System.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-7-

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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-8-

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It goes without saying that this extensive duplication will be very costly indeed and, of course, obviously unnecessary in our single system.

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Accreditation problems

Among the community colleges of Alaska only Anchorage Community College has been accredited on its own merits. All other units of our System are accredited because they are part of the University of Alaska. Because of the small size and general lack of complete two-year programs at this stage of their development, there is serious question that accreditation could be granted.

Accreditation is essential for all community colleges, learning centers and the Rural Educational Programs so that academic credits earned may be transferred to institutions outside the State or even to the University of Alaska. Moreover, all federal funding for educational programs requires that the institution receiving the funds be accredited. Thus, much of the funding for the extensive outreach program at the Kuskokwim Community College and the Rural Educational Affairs Program, for example, would dry up.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-9-

Impact on the Rural Educational Program

Much has been said already about how this program would be impacted, but I should like to stress these problems again for this is the most ambitious and innovative program ever to be attempted by any public university system to bring post-secondary education to all rural areas of a state. And when one realizes that Alaska's geography and its rural population pattern is so completely different from all others, we need all the resources of every type at our complete disposal to insure the success of this program.

Our rural community colleges and rural learning centers, formerly referred to as extension centers, have been placed under a single Vice President for Rural Educational Affairs. This was done because each existing unit must serve as a resource base where teaching personnel, program development and delivery and management systems for this rural program must focus. The central support function of educational and systems management will be deployed in Fairbanks and Anchorage where they can draw on the expertise of professional educational planners, media specialists of all types, and top advisors of both the Native and University communities. This program demands the input when and where needed of our total University organization.

On this subject I should like to quote from a letter written to Senator Croft by Regent Christopher Cooke of Bethel. It states in part:

"... Everyone I have spoken with on the subject (SB 658) in this area - teachers, administrators, students and community members - opposes separation of Kuskokwim Community College from the University. Rural and Alaska Native organizations worked very hard to have the University recognize the importance of rural community colleges and to elevate rural education within the administration to the status of a department headed by a vice president. Having accomplished this, these rural interests would not want this structure dismantled before it has a chance to function."

In closing, I should like to say that we have all the usual problems which any growing post-secondary system would have, and we are attacking them on a broad front. Some are managerial stemming from the growth characteristics of the emerging system, others are academic in responding to the needs of Alaskans on a very broad front - one without precedent in higher education. Whatever difficulties we are trying presently to surmount, they can only be magnified by dividing our system as SB 658 purports to do.

RWH:dm

~~BILL~~
UNIVERSITY OF ALASKA

(Prepared testimony by President Robert W. Hiatt for HESS Committee on SB 658 at Juneau March 9, 1:30 p. m.)

March 8, 1976

TO: The Honorable Frank Ferguson
Chairman, Senate Committee on Health, Education and Social Services

FROM: Robert W. Hiatt
President, University of Alaska

RE: Testimony on SB 658, "An Act Establishing the Alaska Community Colleges;
and Providing for an Effective Date"

Mr. Chairman and members of the Committee:

My testimony will not be concerned with the textual details of SB 658, for it is the concept embodied in this proposed legislation which is of prime significance to the State of Alaska. Because this bill poses far more serious problems for the future of Alaska's public higher education than might appear on the surface through a "simple" shuffle of the community colleges and the newly established Rural Educational Program to a new public jurisdiction from the present University of Alaska Statewide System, I should like to spell out why I believe the action proposed is unwise and should not be enacted.

First, I should like to summarize my main points, and thereafter offer supporting information and seasoned opinion. These points are:

1. The healthy academic competition now experienced between units of the statewide University System - identified and encouraged in the University's recently completed Academic Development Plan - will be converted to political competition as a result of which all educational programs, and thus Alaskans, will be the losers.
2. Costly duplication of educational facilities and supporting services inevitably will occur.
3. Costly duplication of administrative and support functions inevitably will occur.
4. Coordination of programs between competing systems, and joint use of support facilities and programs and single urban campuses now housing both community college and senior college units will be virtually an impossibility despite layers upon layers of coordinating committees, boards and super-boards.
5. Present and future disparity among urban and rural community colleges will seriously jeopardize academic accreditation of rural units without the infusion of unwarranted additional funds to provide quality programs for subminimal enrollment.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt
Testimony on SB 658
March 8, 1976

-2-

6. Academic services now available from the strength of the entire University of Alaska System to support successful implementation of the unique Rural Educational Program just getting underway would be reduced drastically to the detriment of this unique outreach program.
7. The problem areas within any unified system would only be magnified by pitting two or more overlapping systems against each other in the political arena.

Background

Introduction of such a divisive bill as SB 658, if it does nothing else, should stimulate those managing public post-secondary education to inquire why. Problems not always evident may thus surface for attention, and this is good for any system. Systems - educational or legislative - are really people after all and all humans are fallible. Should we recognize error and not move to correction, we indeed stand to be condemned.

Two points in my inquiries seem most often stated: (1) the University of Alaska is not responsive to the needs of Alaska and Alaskans; and (2) the University represents bigness, and somehow that must be bad. Let me deal with responsiveness first.

Those of us long-experienced in higher education know full-well how the institutional image lags in the public mind - often ten years or more. Once great institutions subsequently have become only good or even mediocre, but the image of greatness carries on. Contrariwise, many institutions, especially in the West, have since the early 1960's become excellent, but their less exalted earlier image still persists.

These points are made because the "Fairbanks syndrome" is still pervasive in the State. This is not to denigrate the Fairbanks campus academically in any way, for it is vastly better than Alaskans really believe it is. But having programs centered only at Fairbanks for so many years has created the image that today it somehow dominates or suppresses system units in other parts of the State. This may once have been so, but in my short three years at the helm I can state unequivocally that this is no longer true. And several years from now it may even be believed.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt
Testimony on SB 658
March 8 , 1976
-3-

Responsiveness

When most people speak about responsiveness they really mean responsive to the needs of career education or, as it is often designated, voc-tech education. Has the University of Alaska been responsive? Let me just highlight a few points.

The Anchorage Community College has developed career education and training in a comprehensive and responsive fashion, placing almost half of its total teaching budget in support of such programs. Surely, there doubtless are a few more areas which could be covered, and indeed they will be given time and increased resources.

At Kodiak Community College we have developed outstanding technological programs in fishing and fish processing; at Kenai Peninsula Community College, with enviable success, we have developed petroleum technology and water-waste technology programs. At the Kuskokwim Community College great emphasis has been placed in outreach programs combining TV and personal contact to train inter alia, individual craftsmen to repair motors, build houses and wire and plumb them and to be handy in various trades for small village life where greater specialization in any one craft would most often render the person jobless; at Mat-Su Community College we specialize in refrigeration and heating; and at Ketchikan Community College we shall emphasize marine craft repair and electronics. At Tanana Valley Community College a special "Winter College" was developed to train craftsmen or upgrade their present skills during the winter while they are laid-off from pipeline or other construction employment.

Members of the Committee, these are only highlights to illustrate responsiveness; there are many more programs directly related to the needs of communities in which our community colleges and learning centers are located. Again, there are still unmet needs, but the programs possible with the funds available are spread where the greatest good can be achieved for the most people. We shall never have enough resources to be all things to all persons.

Apropos of the University's responsiveness, I should like to share with you a quotation from a letter written to Senator Croft regarding SB 658 by Dr. Glenn Massay, Director of the Tanana Valley Community College. He writes:

"I realize there are some difficulties within the system; however, I can attest to the fact that Tanana Valley Community College, which is less than two years old, has worked extremely well within the University of Alaska system in Fairbanks, and is now serving over 3,600 students in the Fairbanks area. This includes two major divisions: the credit-bearing classes in vocational/technical programs and community interest classes... This figure of over 3,600 represents more than 5 per cent of the Fairbanks area population. Tanana Valley Community College could not have

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-4-

delivered educational services to that many people without the support and cooperation of the University of Alaska. It does not appear to me that decentralization of the present system is necessary to encourage innovative and responsive systems."

And former President of the Board of Regents, Robert MacFarland, had this to say, when being debriefed at his retirement from the Board, in response to a question about a break with the University when the community college system developed more fully:

"No. Such development (community college development) enhances the larger campus' programs... I think one enhances the other. If there were a split there would be a political question of funding. And economics tells you you can run one system better than if it's split..."

Bigness

The question of bigness has, of course, positive attributes as well as negative ones. Since my informants seem only to deal with negative ones, I will set aside for now the advantages bigness brings. The principal problem with bigness of the system in this vast State - they say - is how can one Board of Regents and one statewide administration know what is needed in this or that corner of the State?

First, representation on the Board is spread partly in accordance with population distribution and partly by geographic region. Additionally, an integral part of our community college and learning center concept is that there be a sizeable Citizens Advisory Committee for each unit. The principal function of these broadly representative committees is to advise the program administrator of perceived educational and training needs, and to work with the University to see that these needs are met.

Working with rural Alaskans and Native organizations who have diligently sought to have the University extend its educational arm to the outermost villages of the State, we have established the Rural Educational Program and recognized its importance by elevating its administrative head to the status of a Vice President of the University. To accomplish this program of even greater self-determination in education, local area policy councils are being established, as is one statewide Rural Education Task Force to guide this unique over-all educational effort. Thus, bigness, per se, has been already dissected into manageable segments - but segments of a whole system, not a politically divisive one. Having accomplished this

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-5-

extraordinary array of input and delivery mechanisms, does it make sense to dismantle it before it has a chance to function?

The Board of Regents has shown itself capable of putting this entire array known as the University of Alaska Statewide System together in an effective way. I sincerely doubt that two boards of regents to govern two overlapping and competing systems and overseen by a super-board of regents can orchestrate higher education in Alaska nearly as well as a single board can.

Academic competition vs. political competition

Healthy competition is beneficial in any sphere of activity, and higher education fits this concept perfectly. The University of Alaska is in constant competition with other universities for external sources of program funding which comprise nearly half of our total operating budget. We compete with "outside" universities for our faculty and some of our supporting staff.

Within our own statewide system a substantial measure of competition is present and encouraged for it is human nature to excel, to seek distinction, to rise from the masses and be recognized for accomplishment. A fundamental aspect of the University's new Academic Development Plan is the recognition that neither the individual campus units nor the entire University system can provide all things to all people. Yet, despite these limitations, each unit can have distinction and some uniqueness if it selects its area or areas of emphasis with care. This principle of selective emphasis need not, under sound guidance and appropriate public support, result in the sacrifice of balance and the necessary sense of proportion among programs.

The guidance toward academic competition within the University system is designed in part to forestall political competition. In any state, but in Alaska especially, because of its size and disparity economically political representation is necessarily locally oriented. Short-range political objectives are not guaranteed to fulfill long-range needs for a variety of reasons. But the educational system must transcend the short-range and target its objectives a generation or two in the future. To accomplish this, serious planning must occur with the assistance of interested community leaders. This is what went into the Academic Development Plan which, incidentally, will be updated at frequent intervals to maintain its viability as a guide for students, teachers, citizens of the community and their political representatives. Meeting the perceived needs of the community while concurrently emphasizing certain educational areas where natural educational resources allow an unusual measure of excellence to develop will provide the pride and uniqueness in accomplishment needed for healthy intrasystem competition.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-6-

Except for the states of Hawaii and Alaska, which achieved statehood later and thus could benefit from the mistakes and experiences of others, the rest are locked into the insurmountable political problem of attempting to achieve some measure of effective coordination between two or three systems of public higher education. California, Oregon and Washington, for example, have spent vast sums and energies trying to make sense out of politically competing systems. No real success has ever been achieved despite the establishment of super-boards, higher educational commissions, etc. Hawaii and Alaska with their single system and governing boards are the envy of every other state. Let's not undo this blessing, whatever its faults may be, to emulate those jurisdictions who are and will be in an educational morass academically and politically for years to come.

Duplication of facilities and educational resources

The ease with which all the program units of the University of Alaska share every resource available belies the trauma which inevitably would occur should these resources have to be shared between two competing political jurisdictions. Moreover, it is a proven historical fact that each program entity desires and eventually succeeds in getting its own facilities and supporting resources. Witness the fact that every community college or learning center in our System started life as a tenant in buildings not belonging to the University. All community colleges and some learning centers have their own buildings today.

Our urban campuses in Fairbanks, Anchorage and Juneau are each jointly occupied by a senior and a community college. They share buildings, library resources, student centers, bookstores and athletic facilities, with ease. Moreover, they provide space and support requirements for programs administered from other campuses of the System, such as the Criminal Justice Center, Center for Alcohol and Addiction, Cooperative Extension Services, Alaska Native Language Center, Fisheries education and the very extensive Rural Educational Program just in its early stage of implementation.

The take-home lesson in what I am stating is that despite all the good intentions of so-called consortium arrangements and joint usage as is pointed out above, the political divisiveness inherent in SB 658 will soon result in costly duplication of every facility and resource now being shared within the University's System.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-7-

Duplication of administrative and support functions

Like the facilities and educational resources mentioned above, the University System now shares with comparable ease administrative and student systems of considerable magnitude. I would be the first to admit that our systems do not now function as a well-greased wheel, but they have been improved measurably over the past two years with a statewide computer network to be operational on all urban campuses by 1 July 1976 and great strides made in our financial and accounting systems within the same time frame. By 1 July 1977, every data system required for management of the University is scheduled for completion. Few University systems in the nation will be able to match this system organization. All this has been made possible by having a single governing board which has been on top of the University's management problems.

Two separate, highly overlapping, higher educational systems as envisaged in SB 658 would require:

- A. Duplicate governing boards with an inevitable super-governing board to coordinate what now is coordinated by one board.
- B. Duplicate statewide administrative systems:
 - 1. Two President's or Chancellor's offices.
 - 2. Two academic planning and central staffs.
 - 3. Two staffs for planning, construction and maintenance of physical plant.
 - 4. Two staffs for on-site physical plant management.
 - 5. Two staffs for data gathering, processing and reporting.
 - 6. Two financial and personnel management systems.
 - 7. Duplicate statewide personnel offices.
- C. Duplicate on-campus systems where community colleges and the University co-exist.
 - 1. Two offices for admissions and records.
 - 2. Two offices for the administration of financial aids.
 - 3. Two business offices.

UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt
Testimony on SB 658
March 8, 1976
-8-

4. Two personnel offices.
5. Two counseling centers.

It goes without saying that this extensive duplication will be very costly indeed and, of course, obviously unnecessary in our single system.

Coordination of post-high school education

A super-board or higher educational coordinating commission has been required in every state having two or more post-secondary educational systems. None of these work well, for divided systems are set in political concrete. Statewide coordination studies, inevitable rounds of meetings with separate system boards or trustees, and such other activities required of a super-board require staff, operational funds and the energies of persons who could better direct their professional efforts elsewhere.

The Alaska Post-Secondary Educational Commission was established to help plan for and provide advice on higher education in Alaska. It is inconceivable that this structure should be bypassed by SB 658 before it has a chance to function. In my view, at least a year's study of these problems in other states would be required before reasonable advice could be given to the Legislature on this subject. I strongly recommend this route be taken.

Accreditation problems

Among the community colleges of Alaska only Anchorage Community College has been accredited on its own merits. All other units of our System are accredited because they are part of the University of Alaska. Because of the small size and general lack of complete two-year programs at this stage of their development, there is serious question that accreditation could be granted.

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UNIVERSITY OF ALASKA

The Honorable Frank Ferguson/ Robert W. Hiatt

Testimony on SB 658

March 8, 1976

-9-

Impact on the Rural Educational Program

Much has been said already about how this program would be impacted, but I should like to stress these problems again for this is the most ambitious and innovative program ever to be attempted by any public university system to bring post-secondary education to all rural areas of a state. And when one realizes that Alaska's geography and its rural population pattern is so completely different from all others, we need all the resources of every type at our complete disposal to insure the success of this program.

Our rural community colleges and rural learning centers, formerly referred to as extension centers, have been placed under a single Vice President for Rural Educational Affairs. This was done because each existing unit must serve as a resource base where teaching personnel, program development and delivery and management systems for this rural program must focus. The central support function of educational and systems management will be deployed in Fairbanks and Anchorage where they can draw on the expertise of professional educational planners, media specialists of all types, and top advisors of both the Native and University communities. This program demands the input when and where needed of our total University organization.

On this subject I should like to quote from a letter written to Senator Croft by Regent Christopher Cooke of Bethel. It states in part:

"... Everyone I have spoken with on the subject (SB 658) in this area - teachers, administrators, students and community members - opposes separation of Kuskokwim Community College from the University. Rural and Alaska Native organizations worked very hard to have the University recognize the importance of rural community colleges and to elevate rural education within the administration to the status of a department headed by a vice president. Having accomplished this, these rural interests would not want this structure dismantled before it has a chance to function."

In closing, I should like to say that we have all the usual problems which any growing post-secondary system would have, and we are attacking them on a broad front. Some are managerial stemming from the growth characteristics of the emerging system, others are academic in responding to the needs of Alaskans on a very broad front - one without precedent in higher education. Whatever difficulties we are trying presently to surmount, they can only be magnified by dividing our system as SB 658 purports to do.

RWH:dm

Introduced: 3/8/76
Referred: Health, Education
and Social Services and
Financed

1 IN THE SENATE

BY CROFT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. It is the purpose of this chapter to
13 establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to,

28 (1) courses and curricula that lead to associate degrees, or
29 that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical
5 skills in a chosen trade or occupation and lead either to a degree or a
6 certificate of completion;

7 (3) general education and public interest courses designed to
8 meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this section.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited to
17 off-campus study and credit and noncredit courses that may or may not
18 lead to associate, baccalaureate or advanced degrees through its rural
19 education affairs division.

20 ARTICLE 2. GOVERNANCE.

21 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There is
22 established a state corporation to be called the Alaska Community
23 Colleges. It may in that name

24 (1) sue and be sued;

25 (2) receive, hold and manage real and personal property;

26 (3) contract and be contracted with;

27 (4) adopt, use and alter a corporate seal;

28 (5) adopt bylaws and administrative rules for the management
29 and operation of the community colleges, extension centers and outreach

1 programs;

2 (6) accept grants or loans from and contract with the federal
3 government, the state, or its political subdivisions, and to that end
4 comply with the provisions of federal, state, or local programs when
5 necessary;

6 (7) do and have done all matters necessary for the purpose
7 of any function set out in this chapter.

8 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
9 Colleges shall be governed by a Board of Governors consisting of nine
10 members appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session. One of the members
12 of the board shall be a member of the faculty and one shall be a member
13 of the student body of the Alaska Community Colleges. These two board
14 members shall be appointed by the governor in accordance with sec. 60
15 of this chapter.

16 (b) Board members shall be citizens of the United States and
17 residents of the State of Alaska for one year before appointment and
18 during the board member's term of office.

19 (c) One board member each shall be residents of Southeastern
20 Alaska, Western Alaska and Northern Alaska, respectively; two board
21 members shall be residents of Southcentral Alaska. However, this pro-
22 vision for the geographical distribution of board membership does not
23 apply to the appointment of faculty and student board members.

24 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
25 board member shall be appointed by the governor from among a list of
26 nominees submitted to him comprised of the names of at least three but
27 not more than five full-time community college, extension center or
28 outreach program faculty members. These faculty members shall be nomi-
29 nated from among the full-time faculty members of the community

1 colleges, extension centers and outreach programs in the manner pre-
2 scribed by the board by regulation. A full-time faculty member is one
3 who is teaching at least nine credit hours a semester and who has taught
4 in the Alaska Community Colleges for at least two academic years.
5 Failure of the faculty board member to maintain full-time faculty status
6 during his term of office results in forfeiture of that office. For-
7 feiture occurs on certification by the principal campus administrative
8 officer at the community college where the faculty member is or has been
9 teaching that the faculty member is no longer employed full time.

10 (b) The student member of the board shall be appointed from a
11 list of nominees consisting of the names of two students from each cam-
12 pus of the Alaska Community Colleges, and one from each extension center
13 or outreach program, after an election is held at each campus, center
14 or program site. The elections shall be conducted under rules estab-
15 lished by the Governor's Commission on the Involvement of Young People
16 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
17 the requirements of sec. 50(b) of this chapter, the student board mem-
18 ber appointed under this section must

19 (1) have attended one of the Alaska Community Colleges, an
20 extension center or outreach program as a full-time student for at
21 least one academic year before appointment; and

22 (2) be enrolled as a full-time student at one of the Alaska
23 Community Colleges, extension centers or outreach programs at the time
24 of appointment.

25 (c) Failure of the student board member appointed under (b) of
26 this section to remain enrolled as a full-time student at one of the
27 Alaska Community Colleges, extension centers or outreach programs dur-
28 ing his term results in forfeiture of that office. The forfeiture
29 occurs upon certification by the registrar that the student board

1 member is no longer a full-time student. The governor shall appoint a
2 successor from among the list of nominees submitted to him under (b) of
3 this section at the time of original appointment.

4 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
5 faculty and student board members, members of the Board of Governors
6 serve for seven-year terms. The terms of the initial appointees shall
7 be staggered in such a manner that the term of office of one board
8 member expires each year for seven years.

9 (b) The term of office of the faculty board member is two years
10 and of the student board member, one year.

11 (c) Vacancies shall be filled in the same manner as original
12 appointment.

13 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice-
14 chairman and those other officers the board considers necessary shall be
15 elected from among the members of the board for a one-year term. No
16 member of the board may serve as chairman for more than two consecutive
17 one-year terms.

18 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
19 its own rules of procedure. A quorum is a majority of the members of
20 the board. The votes of the board members shall be recorded, and
21 effective action requires the affirmative vote of a majority of the
22 board members. No board member may, with respect to a matter before the
23 board, vote for or on behalf of, or in any way exercise the vote of,
24 another member of the board.

25 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least once
26 quarterly at a time and place determined by the chairman, and at other
27 times and places as the chairman or a majority of the members of the
28 board consider necessary. However, 30 days notice is required for all
29 regular meetings and 10 days notice is required for special meetings of

1 the board, its committees or subcommittees called under the bylaws or
2 rules of procedure of the board. Emergency meetings may be called
3 without notice.

4 (b) Insofar as possible, board meetings shall be held at community
5 college campuses, in rotation, so that the board meets at each community
6 college at least once in three years. The board shall provide adequate
7 facilities for members of the public to attend the meetings of the
8 board, its committees or subcommittees.

9 (c) The provisions of AS 44.62.310 apply to meetings of the board.
10 All meetings of the board, its committees or subcommittees, are open to
11 the public and press except as otherwise provided in AS 44.62.310(c).
12 The findings of an executive session shall be made a part of the record
13 of the proceedings of the board. All records of the meetings and pro-
14 ceedings shall be open to inspection by the public and the press at
15 reasonable times.

16 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
17 serve without compensation but are entitled to per diem and travel ex-
18 penses as may be authorized by law for boards and commissions.

19 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
20 shall

21 (1) appoint the chancellor of the Alaska Community Colleges
22 by a majority vote of all members of the board;

23 (2) fix the compensation of the chancellor, faculty and other
24 officers and employees of the colleges;

25 (3) confer degrees appropriate to the community colleges that
26 the board may determine and prescribe;

27 (4) have the care, control and management of all the real and
28 personal property and all funds of the colleges; and keep or have kept a
29 complete, accurate record of all funds received and disbursed;

1 (5) keep or have kept a correct and easily understood record
2 of the minutes of every meeting and all acts done by the board in the
3 pursuit of its duties;

4 (6) establish the policies within which the principal campus
5 administrative officers of the community colleges, the associated ex-
6 tension centers or outreach programs, and the community college councils
7 manage and control the operations of each community college, extension
8 center or outreach program;

9 (7) meet regularly with the community college councils to
10 determine the needs of each college, center or program.

11 (b) The board may

12 (1) adopt reasonable rules, orders and plans, with reasonable
13 penalties, for the good government of the colleges and for the regula-
14 tion of the board;

15 (2) determine and regulate the course of instruction in the
16 colleges with the advice of the chancellor, the principal campus admin-
17 istrative officers, and the community college councils at each college,
18 center or program.

19 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
20 any officer or employee of the colleges by a majority vote of all of the
21 members of the board when in its judgment the good of the Alaska Com-
22 munity Colleges requires it.

23 ARTICLE 3. ADMINISTRATION.

24 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
25 the Board of Governors and of the Alaska Community Colleges is the
26 chancellor. His primary responsibility is the administration of the
27 community colleges, extension centers and outreach programs statewide,
28 working with the vice-chancellor for each division and the principal
29 administrative officers for each community college, extension center or

1 outreach program.

2 (b) In addition to his responsibility for the administration of
3 on-campus programs for the community colleges and extension centers, the
4 chancellor shall develop and administer off-campus educational delivery
5 systems and outreach programs for rural areas of the state.

6 (c) The chancellor shall establish two administrative divisions
7 within the colleges: an urban division and a rural education affairs
8 division. The urban division consists of the community colleges and
9 extension centers designated by the board and that are located in the
10 major urban centers of, or within any other geographically identifiable
11 and self-contained region in, the state. The rural education affairs
12 division consists of the community colleges, extension centers and out-
13 reach programs designated by the board and that are located outside the
14 major urban centers of the state. The administrator for each division
15 shall be a vice-chancellor.

16 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
17 chancellor shall

18 (1) appoint the vice-chancellor for each division and, on
19 recommendation of the appropriate vice-chancellor, the principal admin-
20 istrative officer for each community college, extension center on
21 recommendation of the community college council for each, subject to the
22 approval of the board;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) give general direction to the work of the divisions,
26 colleges, centers and programs in accordance with the policies estab-
27 lished by the board;

28 (4) in concert with the principal administrative officers,
29 coordinate the divisions, community colleges, extension centers and

1 outreach programs and other activities of the Alaska Community Colleges.

2 (b) The chancellor may appoint the faculty and other officers and
3 employees of each community college, extension center or outreach
4 program, on recommendation of the vice-chancellor and the principal
5 administrative officer of each; however, with the approval of the board,
6 the chancellor may delegate the authority to appoint faculty, officers
7 and employees to the vice-chancellor or to the principal administrative
8 officer of each college, center or program.

9 Sec. 14.41.160. SUSPENSION, EXPULSION OF STUDENTS. The authority
10 to suspend and expel a student for misconduct or other cause or to re-
11 instate him is vested solely in the chancellor; however, the chancellor
12 may delegate this authority to the principal campus administrative offi-
13 cer of each community college.

14 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
15 istrative officer for each community college is a dean or director. He
16 is responsible directly to the chancellor and to the community college
17 council for the administration of the college. Subject to the approval
18 of the board, the dean or director shall be appointed by the chancellor,
19 on recommendation of the vice-chancellor and the council for the college
20 which the dean or director will administer.

21 (b) Each extension center or outreach program, whether estab-
22 lished, operated or maintained by the board, or in cooperation with the
23 Board of Regents of the University of Alaska, or a school district,
24 municipality, an agency of the federal government or a nonprofit cor-
25 poration or association, is under the direction of an administrator
26 appointed by the chancellor, on recommendation of the vice-chancellor,
27 in the manner prescribed by the board by regulation, or as prescribed in
28 the cooperative agreement.

29 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The

1 board may establish statewide or central service organizations for the
2 community colleges, extension centers and outreach programs. Regional
3 service centers also may be established to administer the outreach
4 programs and to provide postsecondary educational services to the resi-
5 dents of the rural areas of the state in each service area for which a
6 regional center is established. In a service area where a community
7 college or an extension center is located, the regional service center
8 shall be integrated with the operation of the community college or
9 extension center.

10 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
11 members of the faculty and administrative staff of each community
12 college, extension center and outreach program are members of the fac-
13 ulty and administrative staff, respectively, of the Alaska Community
14 Colleges for all purposes.

15 (b) The chancellor is responsible for prescribing the qualifi-
16 cations, and for establishing the procedure for appointment, of all
17 community college and extension center faculty and administrative staff,
18 whether part or full-time.

19 (c) A community college, extension center or outreach program is
20 concerned with the total educational needs of the area it serves and may
21 coordinate and facilitate all public postsecondary and continuing
22 education in the area. Selected upper division and graduate courses
23 offered by the University of Alaska through its various divisions may be
24 coordinated through the principal administrative officer of a community
25 college, extension center, or an outreach program.

26 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
27 college council, the majority of whose members shall be persons served
28 by the programs developed and administered under this chapter, shall be
29 established for each community college. The council shall consist of

1 not less than seven nor more than 15 members who shall be broadly
2 representative of the area served, including faculty and student repre-
3 sentation. A council may be appointed for an extension center and for
4 each regional service center, when the center is not integrated with a
5 community college or extension center, at the discretion of the board.

6 (b) The board, by regulation, shall prescribe the method of
7 selection of members of community college councils, prescribe the term
8 of office, procedure for removal and for the filling of vacancies on the
9 councils. Each community college council shall adopt bylaws which shall
10 provide for the election of officers, establishment of meeting schedules
11 and meeting notices, rules of procedure and quorums.

12 (c) Members of a council receive no compensation for their ser-
13 vices, but they may be reimbursed for the expenses incurred in the
14 performance of their duties in the manner prescribed by the board by
15 regulation.

16 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
17 apply to meetings of community college councils in the same manner and
18 to the same extent applicable to meetings of the Board of Governors, its
19 committees and subcommittees.

20 (e) A community college council acts in a policy-making capacity
21 with respect to the principal administrative officer of each community
22 college, coordinator of an extension center or administrator of an out-
23 reach program. It acts in an advisory capacity to the chancellor, the
24 appropriate vice-chancellor, and to the Board of Governors.

25 (f) The community college council serves as a communications link
26 between the area served by the community college, extension center or
27 outreach program and the Alaska Community Colleges. Requests and
28 recommendations by a community college council shall be answered in
29 writing by the addressee.

1 (g) A community college council shall review and make recommenda-
2 tions

3 (1) concerning the selection of the principal administrative
4 officer of the community college, extension center or outreach program;

5 (2) concerning the proposed program budget for the community
6 college, extension center or outreach program for each fiscal year
7 before it is submitted to the statewide administration and to the Board
8 of Governors; and

9 (3) relating to the general operation and management of the
10 community college, extension center or outreach program, including but
11 not limited to,

12 (A) planning for, and review of, the types and uses of
13 instructional programs and activities and types and uses of facili-
14 ties that the community college, extension center or outreach
15 program should provide to meet area needs;

16 (B) the level of staffing and funding for these pro-
17 grams, activities or facilities; and

18 (C) the means of gaining support for the college's pro-
19 gram in that area.

20 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

21 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
22 tinuing education is a statewide responsibility, the colleges, as the
23 need arises, may either independently establish, operate and maintain,
24 or enter into a cooperative agreement with an agency of the federal
25 government, a school district, a municipality or a nonprofit corporation
26 or association for the establishment, operation and maintenance of,
27 appropriate public postsecondary and continuing educational programs and
28 activities in community colleges, extension centers or by other means.

29 (b) A community college or an extension center may be established

1 by the Board of Governors only in accordance with the minimum criteria
2 established by secs. 220 - 230 of this chapter, as supplemented by the
3 board by regulation.

4 (c) The establishment of a community college or an extension
5 center may be proposed by

6 (1) the governing body of a municipality, or a school dis-
7 trict;

8 (2) an agency of the federal government;

9 (3) petition of interested citizens in the community or area
10 to be served; a nonprofit corporation or association;

11 (4) the Alaska Commission on Postsecondary Education or the
12 state advisory council on community colleges created under AS 14.40.-
13 901 - 14.40.915;

14 (5) the legislature by concurrent resolution; or

15 (6) the board.

16 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
17 or a new extension center may not be established until a feasibility
18 study as to the need for its establishment in the community or area to
19 be served has been completed either as directed by the board, or by a
20 proponent under sec. 210(c) of this chapter, and approved by the board.
21 The feasibility study shall be submitted to the respective finance and
22 education policy committees of each house of the legislature and to the
23 Alaska Commission on Postsecondary Education.

24 (b) The feasibility study required in (a) of this section shall
25 include but is not limited to

26 (1) an analysis of the population and educational needs of
27 the municipality, school district or service area in which the proposed
28 community college is to be located;

29 (2) a description of the boundary of the service area for the

1 proposed community college;

2 (3) estimated and projected enrollment;

3 (4) proposed core faculty and administrative staffing;

4 (5) a proposed budget for the initial fiscal year of opera-
5 tion together with a statement of sources of financial support required
6 for core faculty and administrative staff, curriculum and other programs
7 and activities, and physical facilities;

8 (6) a plan for citizen involvement through a community
9 college council established under sec. 200 of this chapter; and

10 (7) a proposed agreement with the school district, munici-
11 pality or federal agency or a nonprofit corporation or association under
12 sec. 240 of this chapter.

13 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
14 community college has been proposed the level of demand for postsecond-
15 ary and continuing education as determined by the feasibility study
16 required under sec. 220(a) of this chapter is more limited than that
17 required for the establishment of a comprehensive community college pro-
18 gram, the board may establish an extension center or an outreach program
19 either independently or in cooperation with the University of Alaska, a
20 school district, a municipality, a nonprofit corporation or association,
21 or an agency of the federal government.

22 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
23 FEDERAL AGENCY. (a) A school district, municipality, federal agency, a
24 nonprofit corporation or association, or the University of Alaska may
25 make an agreement with the Alaska Community Colleges for the estab-
26 lishment, operation and maintenance of a community college, an extension
27 center or off-campus instruction through an outreach program. The
28 agreement shall include, but is not limited to,

29 (1) recognition that complete operational authority resides

1 with the colleges, subject to periodic reviews by the cooperating school
2 district, municipality, federal agency, nonprofit corporation or associ-
3 ation, or the University of Alaska and appropriate reports to ensure
4 program articulation and effective cross-utilization of facilities;

5 (2) provision for cooperative planning of program and facili-
6 ties needs and for cross-utilization of facilities;

7 (3) provision that local funding, in addition to student fees
8 or in-kind contributions, may be provided for support of those general
9 education courses, described in sec. 20(3) of this chapter, or secondary
10 school-related courses as the school district, municipality, federal
11 agency, nonprofit corporation or association, or the University of
12 Alaska considers appropriate; and

13 (4) provision for periodic review of the agreement.

14 (b) If separate facilities are financed, constructed or maintained
15 from federal, state or private funds for programs and activities of the
16 community college, extension center or outreach program, then the board
17 has title to and control of the separate facilities used for these pur-
18 poses. If separate facilities are financed, constructed or maintained
19 from school district, municipality or nonprofit corporation or associa-
20 tion funds for community college or extension center or outreach pro-
21 grams and activities, the school district, municipality or nonprofit
22 corporation or association has title to and control of the separate
23 facilities used for these purposes.

24 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
25 and cultural opportunities in the state, to keep pace with the expansion
26 of knowledge and with the growth of the state in all fields of endeavor,
27 and to provide educational services and facilities of particular inter-
28 est to residents of the state, the board shall

29 (1) make a continuing study of the feasibility of expanding

1 the system of community colleges, extension centers and outreach pro-
2 grams in accordance with the criteria set out in sec. 220(b) of this
3 chapter;

4 (2) establish additional extension courses, outreach programs
5 and other accredited courses for students it considers advisable in
6 accordance with the procedures set out in secs. 210 - 230 of this
7 chapter;

8 (3) take all appropriate measures to implement this section.

9 (b) Laws of the state designed to meet requirements of the federal
10 government for the state's acceptance of federal grants and allotments
11 for educational and like purposes are extended to cover the establish-
12 ment and operation of the community college expansion program set out
13 in (a) of this section.

14 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

15 Sec. 14.41.260. FINANCE. (a) The state is basically responsible
16 for the funding for all community college, extension center or outreach
17 programs and activities. However, nothing in this chapter prohibits a
18 school district, municipality, federal agency or nonprofit corporation
19 or association from providing funds for additional courses and programs
20 which may be considered appropriate under sec. 240(a)(3) of this chap-
21 ter.

22 (b) The colleges shall prepare a complete program budget for each
23 community college, extension center and outreach program including all
24 courses, programs and activities regardless of the source of funding,
25 including but not limited to funds from fees, grants, contracts, agree-
26 ments, bequests, gifts, trusts, or endowments.

27 (c) All funds received for community college, extension center or
28 outreach program operations shall be administered in the manner pre-
29 scribed by the board by regulation.

1 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
2 otherwise provided in this chapter, the Alaska Community Colleges shall
3 hold and manage all property acquired by it. The Department of Admin-
4 istration, upon requisitions by the Board of Governors, signed by its
5 chairman and secretary, shall pay to the treasurer of the board all
6 federal land grant college funds coming into the possession of the
7 Department of Administration and subject to requisition by the board.
8 The department shall disburse federal funds in aid of land grant col-
9 leges in accordance with federal law and regulations providing for
10 disbursement of those funds.

11 (b) All funds appropriated by the legislature for the establish-
12 ment, construction, operation, maintenance and support of the Alaska
13 Community Colleges shall, on requisition by the board, signed by its
14 chairman and secretary, be paid by the Department of Administration to
15 the treasurer of the board. The treasurer of the board shall disburse
16 these funds on properly drawn vouchers signed by its chairman and
17 secretary, or by the administrative officer of the colleges to whom the
18 board delegates the performances of this function.

19 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
20 Board of Governors may receive, manage, and invest money or other real,
21 personal or mixed property in any manner received from sources other
22 than the state legislature or federal appropriation for the purpose of
23 the colleges, its improvement or adornment, or the aid or advantage of
24 students or faculty, and, in general, may act as trustee on behalf of
25 the colleges for any of these purposes. However, the board shall make a
26 written report to the legislature, in accordance with sec. 360 of this
27 chapter, as to the administration and disposition of funds received
28 under this section.

29 (b) The board shall keep or have kept suitable books of account in

1 which there shall be recorded each gift, the essential facts of the
2 management of the gift, and the expenditure of income. A statement of
3 all trust funds shall be included in the annual report to the governor
4 and to the legislature under sec. 360 of this chapter.

5 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
6 bequests or endowments which are made to the colleges for the purpose of
7 the separate trust fund created under AS 14.40.400, to the extent the
8 Alaska Community Colleges is the successor to the University of Alaska,
9 shall be transferred to the Department of Revenue. The Department of
10 Revenue shall manage that money in accordance with AS 14.40.400. Title
11 to and control or possession of land, personal property, and all money
12 other than that transferred to the Department of Revenue, which is
13 devised, bequeathed or given to the colleges, shall be taken by the
14 colleges in its corporate capacity acting by and through the Board of
15 Governors, or its authorized agent, and shall be entered in the per-
16 petual inventory of the colleges.

17 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
18 or cause to be maintained a perpetual inventory of all permanent proper-
19 ty of the colleges.

20 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
21 petitive bid practices set out in AS 37.05.230 apply to the Alaska
22 Community Colleges, except that the provisions of that Act do not apply
23 in those cases where the work is to be performed substantially by
24 students enrolled in the colleges. Where the term "purchasing agent" is
25 used in AS 37.05, it means the administrative officer of the colleges so
26 designated either by the board or the chancellor.

27 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
28 established in the treasury of the Alaska Community Colleges a working
29 capital reserve fund. The fund consists of money appropriated by the

1 legislature for the purpose of providing current working capital for the
2 Alaska Community Colleges and is not available for appropriation by the
3 Board of Governors.

4 (b) A quarterly report of all activity of the working capital re-
5 serve fund shall be submitted to the Legislative Budget and Audit Com-
6 mittee.

7 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
8 extent the Alaska Community Colleges is considered a successor to the
9 University of Alaska as a land grant college, or for any other purposes,
10 and thus a beneficiary of federal grants of land or money under AS 14.-
11 40.350 - 14.40.450, insofar as the operation, management and control of
12 the community colleges, extension centers and outreach programs are
13 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
14 Alaska Community Colleges in the same manner they apply to the Univer-
15 sity of Alaska.

16 ARTICLE 6. GENERAL PROVISIONS.

17 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION OR
18 TESTS PROHIBITED. (a) No person may be deprived of the privileges or
19 services of the colleges because of age, sex, color or nationality.

20 (b) No instruction either sectarian in religion or partisan in
21 politics may be given in any department of the colleges, and no sec-
22 tarian or partisan test may be employed or applied in the appointment of
23 board or council members, faculty, or other officers or employees of the
24 colleges, or in the admission of students or for any purposes.

25 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) When the
26 campuses of the Alaska Community Colleges and the University of Alaska
27 are located in the same community or municipality either contiguous,
28 adjacent or reasonably close to one another, or when before the effec-
29 tive date of this chapter the community colleges as a part of the

1 University of Alaska shared or jointly used the same buildings and other
2 facilities as other colleges, departments, divisions, institutes, or
3 other units of the University of Alaska, the shared or joint use of
4 these facilities shall be continued after the effective date of this
5 chapter. The Board of Governors of the Alaska Community Colleges and
6 the Board of Regents of the University of Alaska shall enter into a
7 contract, consortium or other cooperative agreement for the continued
8 sharing or joint use of these buildings or facilities, including the
9 cost of their construction, operation and maintenance. When new build-
10 ings or facilities are required by either the colleges or the univer-
11 sity, and the same contiguous, adjacent or proximal physical location of
12 the campuses of the two institutions exists or would come into existence
13 by virtue of the location and construction of these buildings or facili-
14 ties, the two boards shall enter into a contract, consortium or other
15 cooperative agreement for the sharing or joint use of these buildings or
16 facilities, including the cost of their construction, operation and
17 maintenance.

18 (b) For purposes of (a) of this section, "buildings or facilities"
19 includes, but is not limited to, libraries, gymnasiums or other athletic
20 facilities, auditoriums, cafeterias or other food service facilities,
21 residence halls, dormitories or other student living accommodations,
22 laboratories, classrooms, offices, parking structures or facilities,
23 landscaping, roads, utilities, and other buildings, structures or
24 facilities of a like nature appropriate to or necessary for the opera-
25 tion and maintenance of an institution of higher education.

26 Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established
27 on each community college campus and, when feasible, for an extension
28 center or outreach program. This resource or service shall be made
29 available, and the library facility shall be open to, the community or

1 service area served by the college. The library's collection shall in-
2 clude material appropriate to the needs and interests of the community
3 or service area served.

4 Sec. 14.41.360. REPORT TO THE GOVERNOR, LEGISLATURE. The Board of
5 Governors shall make a written report to the governor and to the legis-
6 lature at the beginning of its regular sessions of the condition of the
7 colleges' property, of all receipts and expenditures, including but not
8 limited to the administration and disposition of appropriated and
9 restricted funds, and of the educational and other work performed.

10 Sec. 14.41.370. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established under this chapter independently or in co-
13 operation with a school district, municipality, an agency of the federal
14 government, a nonprofit corporation or association, or the University
15 of Alaska, shall be operated and maintained under regulations prescribed
16 by the board.

17 Sec. 14.41.380. DEFINITIONS. In this chapter

18 (1) "board" means the Board of Governors of the Alaska
19 Community Colleges;

20 (2) "chancellor" means the chancellor of the Alaska Community
21 Colleges;

22 (3) "colleges" means the Alaska Community Colleges, including
23 but not limited to the individual community colleges, extension centers
24 and outreach programs established, operated and maintained independently
25 by the board or in cooperation with a municipality, school district,
26 federal agency, nonprofit corporation or association, or the University
27 of Alaska;

28 (4) "council" means a community college council appointed for
29 an individual community college, extension center or outreach program;

1 (5) "municipality" means a home rule or general law borough
2 or city including but not limited to a unified municipality organized
3 under AS 29.68;

4 (6) "outreach program" means either an off-campus educational
5 delivery system or program, whether or not conducted in a physical
6 facility, designed for the conduct of instruction in localities in the
7 rural areas of the state where there is no community college or exten-
8 sion center;

9 (7) "service area" means one or more school districts or
10 municipalities, combinations or portions of each or of the unorganized
11 borough, which when combined are considered an educationally serviceable
12 unit for the establishment, operation and maintenance of a community
13 college, an extension center or an outreach program either independently
14 by the Alaska Community Colleges or in cooperation with a municipality,
15 school district, federal agency, nonprofit corporation or association,
16 or the University of Alaska.

17 Sec. 14.41.390. SHORT TITLE. Sections 10 - 390 of this chapter
18 may be cited as the Community College Act.

19 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

20 * Sec. 3. AS 14.40.460 is amended to read:

21 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
22 school student in each graduating class in each high school in the state
23 who, upon the completion of four years of high school work in a high
24 school in the state, obtains the highest average standing for all the
25 credits earned, and who is graduated at an annual commencement is
26 entitled to receive, during dormitory residence at the University of
27 Alaska or the Alaska Community Colleges, a scholarship covering dormi-
28 tory rent for a period of two years following the year of graduation
29 upon presenting to the registrar of the university or of the colleges

1 a certificate signed by the superintendent or principal of the high
2 school from which he graduated stating that the graduate named is
3 entitled to receive the benefits of the scholarship. Dormitory resi-
4 dence is governed by [THE RULES AND] regulations established by the
5 Board of Regents or the Board of Governors.

6 * Sec. 4. AS 14.40.480 is amended to read:

7 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
8 FICATES. A certificate shall be applied for and issued to a graduate
9 before August 2 of each year and shall be reported immediately to the
10 registrar of the university or of the colleges by the superintendent or
11 principal issuing it.

12 * Sec. 5. AS 14.40.490 is amended to read:

13 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
14 passing work in more than one subject during a semester, or withdrawal
15 or expulsion from the university or the colleges constitutes a for-
16 feiture during the following semester or semesters of the benefits of
17 secs. 460 and 470 of this chapter.

18 * Sec. 6. AS 14.40.500 is amended to read:

19 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
20 ships shall be made monthly to the university or the colleges upon
21 vouchers drawn upon the Department of Administration and duly certified
22 by the treasurer and the president of the Board of Regents or the
23 treasurer and chairman of the Board of Governors. No payments may be
24 made in excess of amounts specifically appropriated for this purpose.

25 * Sec. 7. AS 14.40.520 is amended to read:

26 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
27 sity of Alaska and the Board of Governors of the Alaska Community
28 Colleges shall offer not more than 15 new scholarships for each academic
29 year to Alaska Natives desiring to attend the University of Alaska or

1 the Alaska Community Colleges. The boards [BOARD] shall give preference
2 to Natives residing in the rural areas of the state who desire to re-
3 ceive training in the field of education. If there are more than 15
4 applications the boards [BOARD] shall award 15 scholarships to those
5 applicants who have the highest scholastic record or who the boards
6 determine [BOARD DETERMINES] are the most qualified among the applicants
7 and who are financially unable to obtain a higher education without
8 assistance. The university and the colleges shall provide such minimum
9 financial assistance to these students as is necessary in each indi-
10 vidual case, but not exceeding fees, board and room.

11 * Sec. 8. AS 14.40.530 is amended to read:

12 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
13 room and board shall be made from any funds available to the university
14 or the colleges. Each Native who receives a scholarship under secs.
15 510 - 550 of this chapter is entitled to retain the scholarship and to
16 receive free room and board during his attendance at the university or
17 the colleges as long as he maintains a grade average equivalent to a
18 "C" or better. However, no Native is entitled to the scholarship for
19 more than four years, or for more than the number of years necessary to
20 receive a bachelor's degree.

21 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

22 (6) two members of the Board of Governors of the Alaska
23 Community Colleges designated by the members of that body; and, if the
24 council is a separate and distinct entity from the Board of Governors,
25 one member of the state Advisory Council on Community Colleges desig-
26 nated by the members of that body;

27 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

28 (2) establish a state advisory council on community colleges
29 and develop a comprehensive statewide plan for the expansion and im-

1 provement of the community colleges under sec. 1001 of Title X of the
2 Higher Education Act of 1965, as amended by the Education Amendments of
3 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however, to avoid the
4 establishment of duplicate agencies, the commission may designate the
5 Board of Governors of the Alaska Community Colleges as the state
6 Advisory Council on Community Colleges if the composition of the board's
7 membership meets the requirements of applicable federal law or regula-
8 tion;

9 * Sec. 11. AS 39.25.110(7) is amended to read:

10 (7) officers, members of the teaching staff, and employees
11 of the University of Alaska and the Alaska Community Colleges;

12 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

13 (LL) Alaska Community Colleges Board of Governors;

14 (AS 14.41.050).

15 * Sec. 13. TRANSITION: PROPERTY AND FUNDS. Under the direction of the
16 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
17 ments of Administration and Revenue, the Board of Regents of the University
18 of Alaska shall redistribute or transfer all the property, assets and state
19 or federal funds of the University of Alaska relating to the operation,
20 maintenance and support of the community colleges within the university to
21 the Alaska Community Colleges.

22 * Sec. 14. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
23 TIONS. All litigation, hearings, investigations and other proceedings pend-
24 ing under a law amended for functions which may be transferred by this Act,
25 continue in effect and may be continued and completed notwithstanding a
26 transfer or amendment provided for in this Act. Certificates, orders, rules
27 or regulations issued or filed under authority of a law amended by this Act
28 or functions which may be transferred by this Act, remain in effect for the
29 term issued, unless revoked, vacated, or otherwise modified under the pro-

1 visions of this Act. All contracts or other obligations created by a law
2 amended by this Act or by virtue of functions which may be transferred by
3 this Act, and in effect on the effective date of this Act, remain in effect
4 unless revoked or modified under the provisions of this Act.

5 * Sec. 15. TRANSITION: PERSONNEL. All faculty, staff, officers or em-
6 ployees in the community colleges of the University of Alaska, or those
7 statewide or regional faculty, staff, officers or employees of the univer-
8 sity whose functions, powers, duties and responsibilities relate in whole or
9 in the major part to community colleges and who have been retained for 1976-
10 1977 shall be terminated by the University of Alaska and shall be rehired
11 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
12 Education shall assist those community college faculty, staff, officers or
13 employees of the University of Alaska who are not transferred in finding
14 positions for which they are qualified.

15 * Sec. 16. TRANSITION: EXISTING COMMUNITY COLLEGES, COOPERATIVE AGREE-
16 MENTS. The Board of Governors of the Alaska Community Colleges succeeds the
17 Board of Regents of the University of Alaska as a party to an existing
18 cooperative agreement between the Board of Regents of the University of
19 Alaska and a school district, municipality, or an agency of the federal
20 government, or a nonprofit corporation or association with respect to the
21 establishment, operation and maintenance of a community college or an exten-
22 sion center. That agreement in effect on the effective date of this Act
23 shall remain in effect until its agreed expiration and may be modified or
24 extended by mutual agreement unless, before the agreed expiration, it is
25 mutually cancelled by the contracting parties in accordance with law. Nothing
26 in sec. 1 of this Act affects the status of a community college or extension
27 center established, maintained and in operation under a cooperative agreement
28 between the Board of Regents and a school district, municipality or an agency
29 of the federal government on the effective date of this Act, except that the

1 Board of Governors succeeds to the authority of the Board of Regents and as a
2 party to that agreement in all respects.

3 * Sec. 17. This Act takes effect July 1, 1976.
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Introduced: 3/8/76
Referred: Health, Education
and Social Services and
Financed

1 IN THE SENATE

BY CROFT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community Colleges; and
7 providing for an effective date."

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

9 * Section 1. AS 14 is amended by adding a new chapter to read:

10 CHAPTER 41. ALASKA COMMUNITY COLLEGES.

11 ARTICLE 1. DECLARATION OF POLICY AND PURPOSE.

12 Sec. 14.41.010. PURPOSE. It is the purpose of this chapter to
13 establish a system of comprehensive community colleges, extension
14 centers and outreach programs which are an integral part of a statewide
15 system consisting of degree and nondegree programs of postsecondary
16 and continuing education established by the Board of Governors of the
17 Alaska Community Colleges either independently or in cooperation with
18 the governing bodies of school districts or municipalities in the state,
19 with an agency of the federal government, or with a nonprofit corpora-
20 tion or association to expand the opportunity for obtaining a post-
21 secondary education throughout the state beyond the confines of an
22 established college or university campus at minimal cost to the student.

23 Sec. 14.41.020. THE COMPREHENSIVE COMMUNITY COLLEGE. The compre-
24 hensive community college includes flexible, versatile programs of post-
25 secondary instruction, counseling and advising, job placement and other
26 activities designed to meet the needs of the area it serves, including
27 but not limited to,

28 (1) courses and curricula that lead to associate degrees, or
29 that enable the student to transfer to a four-year institution of

1 higher education in pursuit of a baccalaureate degree;

2 (2) occupational education including vocational-technical
3 programs and cooperative education in conjunction with employment in
4 business and industry that enable the student to develop technical
5 skills in a chosen trade or occupation and lead either to a degree or a
6 certificate of completion;

7 (3) general education and public interest courses designed to
8 meet the needs of a community, to enable a person to expand his know-
9 ledge, improve the quality of his life, or acquire, change or update a
10 skill that a person lacks or that has become obsolete; and

11 (4) combinations of (1) - (3) of this section.

12 Sec. 14.41.030. OUTREACH PROGRAMS IN RURAL ALASKA. The Alaska
13 Community Colleges shall develop an educational delivery system the
14 principal objective of which is the outreach of the community colleges
15 into rural Alaska. The Alaska Community Colleges shall administer and
16 conduct postsecondary educational programs, including but not limited to
17 off-campus study and credit and noncredit courses that may or may not
18 lead to associate, baccalaureate or advanced degrees through its rural
19 education affairs division.

20 ARTICLE 2. GOVERNANCE.

21 Sec. 14.41.040. CORPORATION ESTABLISHED; GENERAL POWERS. There is
22 established a state corporation to be called the Alaska Community
23 Colleges. It may in that name

24 (1) sue and be sued;

25 (2) receive, hold and manage real and personal property;

26 (3) contract and be contracted with;

27 (4) adopt, use and alter a corporate seal;

28 (5) adopt bylaws and administrative rules for the management
29 and operation of the community colleges, extension centers and outreach

1 programs;

2 (6) accept grants or loans from and contract with the federal
3 government, the state, or its political subdivisions, and to that end
4 comply with the provisions of federal, state, or local programs when
5 necessary;

6 (7) do and have done all matters necessary for the purpose
7 of any function set out in this chapter.

8 Sec. 14.41.050. BOARD OF GOVERNORS. (a) The Alaska Community
9 Colleges shall be governed by a Board of Governors consisting of nine
10 members appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session. One of the members
12 of the board shall be a member of the faculty and one shall be a member
13 of the student body of the Alaska Community Colleges. These two board
14 members shall be appointed by the governor in accordance with sec. 60
15 of this chapter.

16 (b) Board members shall be citizens of the United States and
17 residents of the State of Alaska for one year before appointment and
18 during the board member's term of office.

19 (c) One board member each shall be residents of Southeastern
20 Alaska, Western Alaska and Northern Alaska, respectively; two board
21 members shall be residents of Southcentral Alaska. However, this pro-
22 vision for the geographical distribution of board membership does not
23 apply to the appointment of faculty and student board members.

24 Sec. 14.41.060. FACULTY, STUDENT BOARD MEMBERS. (a) The faculty
25 board member shall be appointed by the governor from among a list of
26 nominees submitted to him comprised of the names of at least three but
27 not more than five full-time community college, extension center or
28 outreach program faculty members. These faculty members shall be nomi-
29 nated from among the full-time faculty members of the community

1 colleges, extension centers and outreach programs in the manner pre-
2 scribed by the board by regulation. A full-time faculty member is one
3 who is teaching at least nine credit hours a semester and who has taught
4 in the Alaska Community Colleges for at least two academic years.
5 Failure of the faculty board member to maintain full-time faculty status
6 during his term of office results in forfeiture of that office. For-
7 feiture occurs on certification by the principal campus administrative
8 officer at the community college where the faculty member is or has been
9 teaching that the faculty member is no longer employed full time.

10 (b) The student member of the board shall be appointed from a
11 list of nominees consisting of the names of two students from each cam-
12 pus of the Alaska Community Colleges, and one from each extension center
13 or outreach program, after an election is held at each campus, center
14 or program site. The elections shall be conducted under rules estab-
15 lished by the Governor's Commission on the Involvement of Young People
16 in Government (AS 44.19.777 - 44.19.787). In addition to satisfying
17 the requirements of sec. 50(b) of this chapter, the student board mem-
18 ber appointed under this section must

19 (1) have attended one of the Alaska Community Colleges, an
20 extension center or outreach program as a full-time student for at
21 least one academic year before appointment; and

22 (2) be enrolled as a full-time student at one of the Alaska
23 Community Colleges, extension centers or outreach programs at the time
24 of appointment.

25 (c) Failure of the student board member appointed under (b) of
26 this section to remain enrolled as a full-time student at one of the
27 Alaska Community Colleges, extension centers or outreach programs dur-
28 ing his term results in forfeiture of that office. The forfeiture
29 occurs upon certification by the registrar that the student board

1 member is no longer a full-time student. The governor shall appoint a
2 successor from among the list of nominees submitted to him under (b) of
3 this section at the time of original appointment.

4 Sec. 14.41.070. TERM OF OFFICE; VACANCIES. (a) Except for the
5 faculty and student board members, members of the Board of Governors
6 serve for seven-year terms. The terms of the initial appointees shall
7 be staggered in such a manner that the term of office of one board
8 member expires each year for seven years.

9 (b) The term of office of the faculty board member is two years
10 and of the student board member, one year.

11 (c) Vacancies shall be filled in the same manner as original
12 appointment.

13 Sec. 14.41.080. OFFICERS OF THE BOARD. The chairman, vice-
14 chairman and those other officers the board considers necessary shall be
15 elected from among the members of the board for a one-year term. No
16 member of the board may serve as chairman for more than two consecutive
17 one-year terms.

18 Sec. 14.41.090. RULES, VOTES REQUIRED. The board shall prescribe
19 its own rules of procedure. A quorum is a majority of the members of
20 the board. The votes of the board members shall be recorded, and
21 effective action requires the affirmative vote of a majority of the
22 board members. No board member may, with respect to a matter before the
23 board, vote for or on behalf of, or in any way exercise the vote of,
24 another member of the board.

25 Sec. 14.41.100. MEETINGS. (a) The board shall meet at least once
26 quarterly at a time and place determined by the chairman, and at other
27 times and places as the chairman or a majority of the members of the
28 board consider necessary. However, 30 days notice is required for all
29 regular meetings and 10 days notice is required for special meetings of

1 the board, its committees or subcommittees called under the bylaws or
2 rules of procedure of the board. Emergency meetings may be called
3 without notice.

4 (b) Insofar as possible, board meetings shall be held at community
5 college campuses, in rotation, so that the board meets at each community
6 college at least once in three years. The board shall provide adequate
7 facilities for members of the public to attend the meetings of the
8 board, its committees or subcommittees.

9 (c) The provisions of AS 44.62.310 apply to meetings of the board.
10 All meetings of the board, its committees or subcommittees, are open to
11 the public and press except as otherwise provided in AS 44.62.310(c).
12 The findings of an executive session shall be made a part of the record
13 of the proceedings of the board. All records of the meetings and pro-
14 ceedings shall be open to inspection by the public and the press at
15 reasonable times.

16 Sec. 14.41.110. COMPENSATION AND PER DIEM. Members of the board
17 serve without compensation but are entitled to per diem and travel ex-
18 penses as may be authorized by law for boards and commissions.

19 Sec. 14.41.120. DUTIES AND POWERS OF THE BOARD. (a) The board
20 shall

21 (1) appoint the chancellor of the Alaska Community Colleges
22 by a majority vote of all members of the board;

23 (2) fix the compensation of the chancellor, faculty and other
24 officers and employees of the colleges;

25 (3) confer degrees appropriate to the community colleges that
26 the board may determine and prescribe;

27 (4) have the care, control and management of all the real and
28 personal property and all funds of the colleges; and keep or have kept a
29 complete, accurate record of all funds received and disbursed;

1 (5) keep or have kept a correct and easily understood record
2 of the minutes of every meeting and all acts done by the board in the
3 pursuit of its duties;

4 (6) establish the policies within which the principal campus
5 administrative officers of the community colleges, the associated ex-
6 tension centers or outreach programs, and the community college councils
7 manage and control the operations of each community college, extension
8 center or outreach program;

9 (7) meet regularly with the community college councils to
10 determine the needs of each college, center or program.

11 (b) The board may

12 (1) adopt reasonable rules, orders and plans, with reasonable
13 penalties, for the good government of the colleges and for the regula-
14 tion of the board;

15 (2) determine and regulate the course of instruction in the
16 colleges with the advice of the chancellor, the principal campus admin-
17 istrative officers, and the community college councils at each college,
18 center or program.

19 Sec. 14.41.130. REMOVAL POWER. The board may remove from office
20 any officer or employee of the colleges by a majority vote of all of the
21 members of the board when in its judgment the good of the Alaska Com-
22 munity Colleges requires it.

23
24 ARTICLE 3. ADMINISTRATION.

25 Sec. 14.41.140. CHANCELLOR. (a) The chief executive officer of
26 the Board of Governors and of the Alaska Community Colleges is the
27 chancellor. His primary responsibility is the administration of the
28 community colleges, extension centers and outreach programs statewide,
29 working with the vice-chancellor for each division and the principal
administrative officers for each community college, extension center or

1 outreach program.

2 (b) In addition to his responsibility for the administration of
3 on-campus programs for the community colleges and extension centers, the
4 chancellor shall develop and administer off-campus educational delivery
5 systems and outreach programs for rural areas of the state.

6 (c) The chancellor shall establish two administrative divisions
7 within the colleges: an urban division and a rural education affairs
8 division. The urban division consists of the community colleges and
9 extension centers designated by the board and that are located in the
10 major urban centers of, or within any other geographically identifiable
11 and self-contained region in, the state. The rural education affairs
12 division consists of the community colleges, extension centers and out-
13 reach programs designated by the board and that are located outside the
14 major urban centers of the state. The administrator for each division
15 shall be a vice-chancellor.

16 Sec. 14.41.150. DUTIES AND POWERS OF THE CHANCELLOR. (a) The
17 chancellor shall

18 (1) appoint the vice-chancellor for each division and, on
19 recommendation of the appropriate vice-chancellor, the principal admin-
20 istrative officer for each community college, extension center on
21 recommendation of the community college council for each, subject to the
22 approval of the board;

23 (2) define the duties and supervise the performance of those
24 duties of the persons he appoints to positions established by the board;

25 (3) give general direction to the work of the divisions,
26 colleges, centers and programs in accordance with the policies estab-
27 lished by the board;

28 (4) in concert with the principal administrative officers,
29 coordinate the divisions, community colleges, extension centers and

1 outreach programs and other activities of the Alaska Community Colleges.

2 (b) The chancellor may appoint the faculty and other officers and
3 employees of each community college, extension center or outreach
4 program, on recommendation of the vice-chancellor and the principal
5 administrative officer of each; however, with the approval of the board,
6 the chancellor may delegate the authority to appoint faculty, officers
7 and employees to the vice-chancellor or to the principal administrative
8 officer of each college, center or program.

9 Sec. 14.41.16C. SUSPENSION, EXPULSION OF STUDENTS. The authority
10 to suspend and expel a student for misconduct or other cause or to re-
11 instate him is vested solely in the chancellor; however, the chancellor
12 may delegate this authority to the principal campus administrative offi-
13 cer of each community college.

14 Sec. 14.41.170. CAMPUS ADMINISTRATION. (a) The principal admin-
15 istrative officer for each community college is a dean or director. He
16 is responsible directly to the chancellor and to the community college
17 council for the administration of the college. Subject to the approval
18 of the board, the dean or director shall be appointed by the chancellor,
19 on recommendation of the vice-chancellor and the council for the college
20 which the dean or director will administer.

21 (b) Each extension center or outreach program, whether estab-
22 lished, operated or maintained by the board, or in cooperation with the
23 Board of Regents of the University of Alaska, or a school district,
24 municipality, an agency of the federal government or a nonprofit cor-
25 poration or association, is under the direction of an administrator
26 appointed by the chancellor, on recommendation of the vice-chancellor,
27 in the manner prescribed by the board by regulation, or as prescribed in
28 the cooperative agreement.

29 Sec. 14.41.180. CENTRAL, REGIONAL SERVICE ORGANIZATIONS. The

1 board may establish statewide or central service organizations for the
2 community colleges, extension centers and outreach programs. Regional
3 service centers also may be established to administer the outreach
4 programs and to provide postsecondary educational services to the resi-
5 dents of the rural areas of the state in each service area for which a
6 regional center is established. In a service area where a community
7 college or an extension center is located, the regional service center
8 shall be integrated with the operation of the community college or
9 extension center.

10 Sec. 14.41.190. FACULTY; COURSE OF INSTRUCTION. (a) Full-time
11 members of the faculty and administrative staff of each community
12 college, extension center and outreach program are members of the fac-
13 ulty and administrative staff, respectively, of the Alaska Community
14 Colleges for all purposes.

15 (b) The chancellor is responsible for prescribing the qualifi-
16 cations, and for establishing the procedure for appointment, of all
17 community college and extension center faculty and administrative staff,
18 whether part or full-time.

19 (c) A community college, extension center or outreach program is
20 concerned with the total educational needs of the area it serves and may
21 coordinate and facilitate all public postsecondary and continuing
22 education in the area. Selected upper division and graduate courses
23 offered by the University of Alaska through its various divisions may be
24 coordinated through the principal administrative officer of a community
25 college, extension center, or an outreach program.

26 Sec. 14.41.200. COMMUNITY COLLEGE COUNCIL. (a) A community
27 college council, the majority of whose members shall be persons served
28 by the programs developed and administered under this chapter, shall be
29 established for each community college. The council shall consist of

1 not less than seven nor more than 15 members who shall be broadly
2 representative of the area served, including faculty and student repre-
3 sentation. A council may be appointed for an extension center and for
4 each regional service center, when the center is not integrated with a
5 community college or extension center, at the discretion of the board.

6 (b) The board, by regulation, shall prescribe the method of
7 selection of members of community college councils, prescribe the term
8 of office, procedure for removal and for the filling of vacancies on the
9 councils. Each community college council shall adopt bylaws which shall
10 provide for the election of officers, establishment of meeting schedules
11 and meeting notices, rules of procedure and quorums.

12 (c) Members of a council receive no compensation for their ser-
13 vices, but they may be reimbursed for the expenses incurred in the
14 performance of their duties in the manner prescribed by the board by
15 regulation.

16 (d) The provisions of sec. 100(c) of this chapter and AS 44.62.310
17 apply to meetings of community college councils in the same manner and
18 to the same extent applicable to meetings of the Board of Governors, its
19 committees and subcommittees.

20 (e) A community college council acts in a policy-making capacity
21 with respect to the principal administrative officer of each community
22 college, coordinator of an extension center or administrator of an out-
23 reach program. It acts in an advisory capacity to the chancellor, the
24 appropriate vice-chancellor, and to the Board of Governors.

25 (f) The community college council serves as a communications link
26 between the area served by the community college, extension center or
27 outreach program and the Alaska Community Colleges. Requests and
28 recommendations by a community college council shall be answered in
29 writing by the addressee.

1 (g) A community college council shall review and make recommenda-
2 tions

3 (1) concerning the selection of the principal administrative
4 officer of the community college, extension center or outreach program;

5 (2) concerning the proposed program budget for the community
6 college, extension center or outreach program for each fiscal year
7 before it is submitted to the statewide administration and to the Board
8 of Governors; and

9 (3) relating to the general operation and management of the
10 community college, extension center or outreach program, including but
11 not limited to,

12 (A) planning for, and review of, the types and uses of
13 instructional programs and activities and types and uses of facili-
14 ties that the community college, extension center or outreach
15 program should provide to meet area needs;

16 (B) the level of staffing and funding for these pro-
17 grams, activities or facilities; and

18 (C) the means of gaining support for the college's pro-
19 gram in that area.

20 ARTICLE 4. ESTABLISHMENT OF COMMUNITY COLLEGES.

21 Sec. 14.41.210. ESTABLISHMENT. (a) Since postsecondary and con-
22 tinuing education is a statewide responsibility, the colleges, as the
23 need arises, may either independently establish, operate and maintain,
24 or enter into a cooperative agreement with an agency of the federal
25 government, a school district, a municipality or a nonprofit corporation
26 or association for the establishment, operation and maintenance of,
27 appropriate public postsecondary and continuing educational programs and
28 activities in community colleges, extension centers or by other means.

29 (b) A community college or an extension center may be established

1 by the Board of Governors only in accordance with the minimum criteria
2 established by secs. 220 - 230 of this chapter, as supplemented by the
3 board by regulation.

4 (c) The establishment of a community college or an extension
5 center may be proposed by

6 (1) the governing body of a municipality, or a school dis-
7 trict;

8 (2) an agency of the federal government;

9 (3) petition of interested citizens in the community or area
10 to be served; a nonprofit corporation or association;

11 (4) the Alaska Commission on Postsecondary Education or the
12 state advisory council on community colleges created under AS 14.40.-
13 901 - 14.40.915;

14 (5) the legislature by concurrent resolution; or

15 (6) the board.

16 Sec. 14.41.220. FEASIBILITY STUDY. (a) A new community college
17 or a new extension center may not be established until a feasibility
18 study as to the need for its establishment in the community or area to
19 be served has been completed either as directed by the board, or by a
20 proponent under sec. 210(c) of this chapter, and approved by the board.
21 The feasibility study shall be submitted to the respective finance and
22 education policy committees of each house of the legislature and to the
23 Alaska Commission on Postsecondary Education.

24 (b) The feasibility study required in (a) of this section shall
25 include but is not limited to

26 (1) an analysis of the population and educational needs of
27 the municipality, school district or service area in which the proposed
28 community college is to be located;

29 (2) a description of the boundary of the service area for the

1 proposed community college;

2 (3) estimated and projected enrollment;

3 (4) proposed core faculty and administrative staffing;

4 (5) a proposed budget for the initial fiscal year of opera-
5 tion together with a statement of sources of financial support required
6 for core faculty and administrative staff, curriculum and other programs
7 and activities, and physical facilities;

8 (6) a plan for citizen involvement through a community
9 college council established under sec. 200 of this chapter; and

10 (7) a proposed agreement with the school district, munici-
11 pality or federal agency or a nonprofit corporation or association under
12 sec. 240 of this chapter.

13 Sec. 14.41.230. EXTENSION CENTERS. If in any community where a
14 community college has been proposed the level of demand for postsecond-
15 ary and continuing education as determined by the feasibility study
16 required under sec. 220(a) of this chapter is more limited than that
17 required for the establishment of a comprehensive community college pro-
18 gram, the board may establish an extension center or an outreach program
19 either independently or in cooperation with the University of Alaska, a
20 school district, a municipality, a nonprofit corporation or association,
21 or an agency of the federal government.

22 Sec. 14.41.240. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,
23 FEDERAL AGENCY. (a) A school district, municipality, federal agency, a
24 nonprofit corporation or association, or the University of Alaska may
25 make an agreement with the Alaska Community Colleges for the estab-
26 lishment, operation and maintenance of a community college, an extension
27 center or off-campus instruction through an outreach program. The
28 agreement shall include, but is not limited to,

29 (1) recognition that complete operational authority resides

1 with the colleges, subject to periodic reviews by the cooperating school
2 district, municipality, federal agency, nonprofit corporation or associ-
3 ation, or the University of Alaska and appropriate reports to ensure
4 program articulation and effective cross-utilization of facilities;

5 (2) provision for cooperative planning of program and facili-
6 ties needs and for cross-utilization of facilities;

7 (3) provision that local funding, in addition to student fees
8 or in-kind contributions, may be provided for support of those general
9 education courses, described in sec. 20(3) of this chapter, or secondary
10 school-related courses as the school district, municipality, federal
11 agency, nonprofit corporation or association, or the University of
12 Alaska considers appropriate; and

13 (4) provision for periodic review of the agreement.

14 (b) If separate facilities are financed, constructed or maintained
15 from federal, state or private funds for programs and activities of the
16 community college, extension center or outreach program, then the board
17 has title to and control of the separate facilities used for these pur-
18 poses. If separate facilities are financed, constructed or maintained
19 from school district, municipality or nonprofit corporation or associa-
20 tion funds for community college or extension center or outreach pro-
21 grams and activities, the school district, municipality or nonprofit
22 corporation or association has title to and control of the separate
23 facilities used for these purposes.

24 Sec. 14.41.250. EXPANSION OF COURSES. (a) To expand educational
25 and cultural opportunities in the state, to keep pace with the expansion
26 of knowledge and with the growth of the state in all fields of endeavor,
27 and to provide educational services and facilities of particular inter-
28 est to residents of the state, the board shall

29 (1) make a continuing study of the feasibility of expanding

1 the system of community colleges, extension centers and outreach pro-
2 grams in accordance with the criteria set out in sec. 220(b) of this
3 chapter;

4 (2) establish additional extension courses, outreach programs
5 and other accredited courses for students it considers advisable in
6 accordance with the procedures set out in secs. 210 - 230 of this
7 chapter;

8 (3) take all appropriate measures to implement this section.

9 (b) Laws of the state designed to meet requirements of the federal
10 government for the state's acceptance of federal grants and allotments
11 for educational and like purposes are extended to cover the establish-
12 ment and operation of the community college expansion program set out
13 in (a) of this section.

14 ARTICLE 5. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

15 Sec. 14.41.260. FINANCE. (a) The state is basically responsible
16 for the funding for all community college, extension center or outreach
17 programs and activities. However, nothing in this chapter prohibits a
18 school district, municipality, federal agency or nonprofit corporation
19 or association from providing funds for additional courses and programs
20 which may be considered appropriate under sec. 240(a)(3) of this chap-
21 ter.

22 (b) The colleges shall prepare a complete program budget for each
23 community college, extension center and outreach program including all
24 courses, programs and activities regardless of the source of funding,
25 including but not limited to funds from fees, grants, contracts, agree-
26 ments, bequests, gifts, trusts, or endowments.

27 (c) All funds received for community college, extension center or
28 outreach program operations shall be administered in the manner pre-
29 scribed by the board by regulation.

1 Sec. 14.41.270. PROPERTY AND FUNDS GENERALLY. (a) Except as
2 otherwise provided in this chapter, the Alaska Community Colleges shall
3 hold and manage all property acquired by it. The Department of Admin-
4 istration, upon requisitions by the Board of Governors, signed by its
5 chairman and secretary, shall pay to the treasurer of the board all
6 federal land grant college funds coming into the possession of the
7 Department of Administration and subject to requisition by the board.
8 The department shall disburse federal funds in aid of land grant col-
9 leges in accordance with federal law and regulations providing for
10 disbursement of those funds.

11 (b) All funds appropriated by the legislature for the establish-
12 ment, construction, operation, maintenance and support of the Alaska
13 Community Colleges shall, on requisition by the board, signed by its
14 chairman and secretary, be paid by the Department of Administration to
15 the treasurer of the board. The treasurer of the board shall disburse
16 these funds on properly drawn vouchers signed by its chairman and
17 secretary, or by the administrative officer of the colleges to whom the
18 board delegates the performances of this function.

19 Sec. 14.41.280. BOARD OF GOVERNORS TO ACT AS TRUSTEE. (a) The
20 Board of Governors may receive, manage, and invest money or other real,
21 personal or mixed property in any manner received from sources other
22 than the state legislature or federal appropriation for the purpose of
23 the colleges, its improvement or adornment, or the aid or advantage of
24 students or faculty, and, in general, may act as trustee on behalf of
25 the colleges for any of these purposes. However, the board shall make a
26 written report to the legislature, in accordance with sec. 360 of this
27 chapter, as to the administration and disposition of funds received
28 under this section.

29 (b) The board shall keep or have kept suitable books of account in

1 which there shall be recorded each gift, the essential facts of the
2 management of the gift, and the expenditure of income. A statement of
3 all trust funds shall be included in the annual report to the governor
4 and to the legislature under sec. 360 of this chapter.

5 Sec. 14.41.290. ENDOWMENTS AND DONATIONS. All monetary gifts,
6 bequests or endowments which are made to the colleges for the purpose of
7 the separate trust fund created under AS 14.40.400, to the extent the
8 Alaska Community Colleges is the successor to the University of Alaska,
9 shall be transferred to the Department of Revenue. The Department of
10 Revenue shall manage that money in accordance with AS 14.40.400. Title
11 to and control or possession of land, personal property, and all money
12 other than that transferred to the Department of Revenue, which is
13 devised, bequeathed or given to the colleges, shall be taken by the
14 colleges in its corporate capacity acting by and through the Board of
15 Governors, or its authorized agent, and shall be entered in the per-
16 petual inventory of the colleges.

17 Sec. 14.41.300. INVENTORY OF PROPERTY. The board shall maintain
18 or cause to be maintained a perpetual inventory of all permanent proper-
19 ty of the colleges.

20 Sec. 14.41.310. APPLICABILITY OF FISCAL PROCEDURES ACT. The com-
21 petitive bid practices set out in AS 37.05.230 apply to the Alaska
22 Community Colleges, except that the provisions of that Act do not apply
23 in those cases where the work is to be performed substantially by
24 students enrolled in the colleges. Where the term "purchasing agent" is
25 used in AS 37.05, it means the administrative officer of the colleges so
26 designated either by the board or the chancellor.

27 Sec. 14.41.320. WORKING CAPITAL RESERVE FUND. (a) There is
28 established in the treasury of the Alaska Community Colleges a working
29 capital reserve fund. The fund consists of money appropriated by the

1 legislature for the purpose of providing current working capital for the
2 Alaska Community Colleges and is not available for appropriation by the
3 Board of Governors.

4 (b) A quarterly report of all activity of the working capital re-
5 serve fund shall be submitted to the Legislative Budget and Audit Com-
6 mittee.

7 Sec. 14.41.330. APPLICABILITY OF CERTAIN FEDERAL LAWS. To the
8 extent the Alaska Community Colleges is considered a successor to the
9 University of Alaska as a land grant college, or for any other purposes,
10 and thus a beneficiary of federal grants of land or money under AS 14.-
11 40.350 - 14.40.450, insofar as the operation, management and control of
12 the community colleges, extension centers and outreach programs are
13 concerned, the provisions of AS 14.40.350 - 14.40.450 apply to the
14 Alaska Community Colleges in the same manner they apply to the Univer-
15 sity of Alaska.

16 ARTICLE 6. GENERAL PROVISIONS.

17 Sec. 14.41.340. DISCRIMINATION, RELIGIOUS, PARTISAN INSTRUCTION OR
18 TESTS PROHIBITED. (a) No person may be deprived of the privileges or
19 services of the colleges because of age, sex, color or nationality.

20 (b) No instruction either sectarian in religion or partisan in
21 politics may be given in any department of the colleges, and no sec-
22 tarian or partisan test may be employed or applied in the appointment of
23 board or council members, faculty, or other officers or employees of the
24 colleges, or in the admission of students or for any purposes.

25 Sec. 14.41.350. JOINT USE OF FACILITIES REQUIRED. (a) When the
26 campuses of the Alaska Community Colleges and the University of Alaska
27 are located in the same community or municipality either contiguous,
28 adjacent or reasonably close to one another, or when before the effec-
29 tive date of this chapter the community colleges as a part of the

1 University of Alaska shared or jointly used the same buildings and other
2 facilities as other colleges, departments, divisions, institutes, or
3 other units of the University of Alaska, the shared or joint use of
4 these facilities shall be continued after the effective date of this
5 chapter. The Board of Governors of the Alaska Community Colleges and
6 the Board of Regents of the University of Alaska shall enter into a
7 contract, consortium or other cooperative agreement for the continued
8 sharing or joint use of these buildings or facilities, including the
9 cost of their construction, operation and maintenance. When new build-
10 ings or facilities are required by either the colleges or the univer-
11 sity, and the same contiguous, adjacent or proximal physical location of
12 the campuses of the two institutions exists or would come into existence
13 by virtue of the location and construction of these buildings or facili-
14 ties, the two boards shall enter into a contract, consortium or other
15 cooperative agreement for the sharing or joint use of these buildings or
16 facilities, including the cost of their construction, operation and
17 maintenance.

18 (b) For purposes of (a) of this section, "buildings or facilities"
19 includes, but is not limited to, libraries, gymnasiums or other athletic
20 facilities, auditoriums, cafeterias or other food service facilities,
21 residence halls, dormitories or other student living accommodations,
22 laboratories, classrooms, offices, parking structures or facilities,
23 landscaping, roads, utilities, and other buildings, structures or
24 facilities of a like nature appropriate to or necessary for the opera-
25 tion and maintenance of an institution of higher education.

26 Sec. 14.41.350. LIBRARY SERVICES. Libraries shall be established
27 on each community college campus and, when feasible, for an extension
28 center or outreach program. This resource or service shall be made
29 available, and the library facility shall be open to, the community or

1 service area served by the college. The library's collection shall in-
2 clude material appropriate to the needs and interests of the community
3 or service area served.

4 Sec. 14.41.360. REPORT TO THE GOVERNOR, LEGISLATURE. The Board of
5 Governors shall make a written report to the governor and to the legis-
6 lature at the beginning of its regular sessions of the condition of the
7 colleges' property, of all receipts and expenditures, including but not
8 limited to the administration and disposition of appropriated and
9 restricted funds, and of the educational and other work performed.

10 Sec. 14.41.370. REGULATIONS. A community college, an extension
11 center, an outreach program, or a central or regional service center for
12 that program, established under this chapter independently or in co-
13 operation with a school district, municipality, an agency of the federal
14 government, a nonprofit corporation or association, or the University
15 of Alaska, shall be operated and maintained under regulations prescribed
16 by the board.

17 Sec. 14.41.380. DEFINITIONS. In this chapter

18 (1) "board" means the Board of Governors of the Alaska
19 Community Colleges;

20 (2) "chancellor" means the chancellor of the Alaska Community
21 Colleges;

22 (3) "colleges" means the Alaska Community Colleges, including
23 but not limited to the individual community colleges, extension centers
24 and outreach programs established, operated and maintained independently
25 by the board or in cooperation with a municipality, school district,
26 federal agency, nonprofit corporation or association, or the University
27 of Alaska;

28 (4) "council" means a community college council appointed for
29 an individual community college, extension center or outreach program;

1 (5) "municipality" means a home rule or general law borough
2 or city including but not limited to a unified municipality organized
3 under AS 29.68;

4 (6) "outreach program" means either an off-campus educational
5 delivery system or program, whether or not conducted in a physical
6 facility, designed for the conduct of instruction in localities in the
7 rural areas of the state where there is no community college or exten-
8 sion center;

9 (7) "service area" means one or more school districts or
10 municipalities, combinations or portions of each or of the unorganized
11 borough, which when combined are considered an educationally serviceable
12 unit for the establishment, operation and maintenance of a community
13 college, an extension center or an outreach program either independently
14 by the Alaska Community Colleges or in cooperation with a municipality,
15 school district, federal agency, nonprofit corporation or association,
16 or the University of Alaska.

17 Sec. 14.41.390. SHORT TITLE. Sections 10 - 390 of this chapter
18 may be cited as the Community College Act.

19 * Sec. 2. AS 14.40.560 - 14.40.640 are repealed.

20 * Sec. 3. AS 14.40.460 is amended to read:

21 Sec. 14.40.460. STUDENTS ENTITLED TO SCHOLARSHIP. The high
22 school student in each graduating class in each high school in the state
23 who, upon the completion of four years of high school work in a high
24 school in the state, obtains the highest average standing for all the
25 credits earned, and who is graduated at an annual commencement is
26 entitled to receive, during dormitory residence at the University of
27 Alaska or the Alaska Community Colleges, a scholarship covering dormi-
28 tory rent for a period of two years following the year of graduation
29 upon presenting to the registrar of the university or of the colleges

1 a certificate signed by the superintendent or principal of the high
2 school from which he graduated stating that the graduate named is
3 entitled to receive the benefits of the scholarship. Dormitory resi-
4 dence is governed by [THE RULES AND] regulations established by the
5 Board of Regents or the Board of Governors.

6 * Sec. 4. AS 14.40.480 is amended to read:

7 Sec. 14.40.480. APPLICATIONS FOR AND ISSUANCE AND REPORT OF CERTI-
8 FICATES. A certificate shall be applied for and issued to a graduate
9 before August 2 of each year and shall be reported immediately to the
10 registrar of the university or of the colleges by the superintendent or
11 principal issuing it.

12 * Sec. 5. AS 14.40.490 is amended to read:

13 Sec. 14.40.490. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to do
14 passing work in more than one subject during a semester, or withdrawal
15 or expulsion from the university or the colleges constitutes a for-
16 feiture during the following semester or semesters of the benefits of
17 secs. 460 and 470 of this chapter.

18 * Sec. 6. AS 14.40.500 is amended to read:

19 Sec. 14.40.500. PAYMENT OF SCHOLARSHIPS. Payment of the scholar-
20 ships shall be made monthly to the university or the colleges upon
21 vouchers drawn upon the Department of Administration and duly certified
22 by the treasurer and the president of the Board of Regents or the
23 treasurer and chairman of the Board of Governors. No payments may be
24 made in excess of amounts specifically appropriated for this purpose.

25 * Sec. 7. AS 14.40.520 is amended to read:

26 Sec. 14.40.520. SCHOLARSHIPS. The Board of Regents of the Univer-
27 sity of Alaska and the Board of Governors of the Alaska Community
28 Colleges shall offer not more than 15 new scholarships for each academic
29 year to Alaska Natives desiring to attend the University of Alaska or

1 the Alaska Community Colleges. The boards [BOARD] shall give preference
2 to Natives residing in the rural areas of the state who desire to re-
3 ceive training in the field of education. If there are more than 15
4 applications the boards [BOARD] shall award 15 scholarships to those
5 applicants who have the highest scholastic record or who the boards
6 determine [BOARD DETERMINES] are the most qualified among the applicants
7 and who are financially unable to obtain a higher education without
8 assistance. The university and the colleges shall provide such minimum
9 financial assistance to these students as is necessary in each indi-
10 vidual case, but not exceeding fees, board and room.

11 * Sec. 8. AS 14.40.530 is amended to read:

12 Sec. 14.40.530. CONTINUATION OF SCHOLARSHIPS. The award of free
13 room and board shall be made from any funds available to the university
14 or the colleges. Each Native who receives a scholarship under secs.
15 510 - 550 of this chapter is entitled to retain the scholarship and to
16 receive free room and board during his attendance at the university or
17 the colleges as long as he maintains a grade average equivalent to a
18 "C" or better. However, no Native is entitled to the scholarship for
19 more than four years, or for more than the number of years necessary to
20 receive a bachelor's degree.

21 * Sec. 9. AS 14.40.903(a)(6) is repealed and re-enacted to read:

22 (6) two members of the Board of Governors of the Alaska
23 Community Colleges designated by the members of that body; and, if the
24 council is a separate and distinct entity from the Board of Governors,
25 one member of the state Advisory Council on Community Colleges desig-
26 nated by the members of that body;

27 * Sec. 10. AS 14.40.909(b)(2) is amended to read:

28 (2) establish a state advisory council on community colleges
29 and develop a comprehensive statewide plan for the expansion and im-

1 provement of the community colleges under sec. 1001 of Title X of the
2 Higher Education Act of 1965, as amended by the Education Amendments of
3 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however, to avoid the
4 establishment of duplicate agencies, the commission may designate the
5 Board of Governors of the Alaska Community Colleges as the state
6 Advisory Council on Community Colleges if the composition of the board's
7 membership meets the requirements of applicable federal law or regula-
8 tion;

9 * Sec. 11. AS 39.25.110(7) is amended to read:

10 (7) officers, members of the teaching staff, and employees
11 of the University of Alaska and the Alaska Community Colleges;

12 * Sec. 12. AS 39.50.200(9) is amended by adding a new paragraph to read:

13 (LL) Alaska Community Colleges Board of Governors;
14 (AS 14.41.050).

15 * Sec. 13. TRANSITION: PROPERTY AND FUNDS. Under the direction of the
16 Alaska Commission on Postsecondary Education, in cooperation with the Depart-
17 ments of Administration and Revenue, the Board of Regents of the University
18 of Alaska shall redistribute or transfer all the property, assets and state
19 or federal funds of the University of Alaska relating to the operation,
20 maintenance and support of the community colleges within the university to
21 the Alaska Community Colleges.

22 * Sec. 14. TRANSITION: PENDING PROCEEDINGS; REGULATIONS; LEGAL OBLIGA-
23 TIONS. All litigation, hearings, investigations and other proceedings pend-
24 ing under a law amended for functions which may be transferred by this Act,
25 continue in effect and may be continued and completed notwithstanding a
26 transfer or amendment provided for in this Act. Certificates, orders, rules
27 or regulations issued or filed under authority of a law amended by this Act
28 or functions which may be transferred by this Act, remain in effect for the
29 term issued, unless revoked, vacated, or otherwise modified under the pro-

1 visions of this Act. All contracts or other obligations created by a law
2 amended by this Act or by virtue of functions which may be transferred by
3 this Act, and in effect on the effective date of this Act, remain in effect
4 unless revoked or modified under the provisions of this Act.

5 * Sec. 15. TRANSITION: PERSONNEL. All faculty, staff, officers or em-
6 ployees in the community colleges of the University of Alaska, or those
7 statewide or regional faculty, staff, officers or employees of the univer-
8 sity whose functions, powers, duties and responsibilities relate in whole or
9 in the major part to community colleges and who have been retained for 1976-
10 1977 shall be terminated by the University of Alaska and shall be rehired
11 by the Alaska Community Colleges. The Alaska Commission on Postsecondary
12 Education shall assist those community college faculty, staff, officers or
13 employees of the University of Alaska who are not transferred in finding
14 positions for which they are qualified.

15 * Sec. 16. TRANSITION: EXISTING COMMUNITY COLLEGES, COOPERATIVE AGREE-
16 MENTS. The Board of Governors of the Alaska Community Colleges succeeds the
17 Board of Regents of the University of Alaska as a party to an existing
18 cooperative agreement between the Board of Regents of the University of
19 Alaska and a school district, municipality, or an agency of the federal
20 government, or a nonprofit corporation or association with respect to the
21 establishment, operation and maintenance of a community college or an exten-
22 sion center. That agreement in effect on the effective date of this Act
23 shall remain in effect until its agreed expiration and may be modified or
24 extended by mutual agreement unless, before the agreed expiration, it is
25 mutually cancelled by the contracting parties in accordance with law. Nothing
26 in sec. 1 of this Act affects the status of a community college or extension
27 center established, maintained and in operation under a cooperative agreement
28 between the Board of Regents and a school district, municipality or an agency
29 of the federal government on the effective date of this Act, except that the

1 Board of Governors succeeds to the authority of the Board of Regents and as a
2 party to that agreement in all respects.

3 * Sec. 17. This Act takes effect July 1, 1976.
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