

HB

411

The question on the amendment to the motion was called for and a roll call vote was taken:

YEAS

Jack Townshend
Beverly Horn
Thelma Langdon

NAYS

Jan Hohman
June Nelson
Vince Casey

MOTION FAILED.

Next, the question was called for the motion and a roll call vote was taken:

YEAS

Vince Casey
June Nelson
Beverly Horn
Jack Townshend
Jan Hohman
Thelma Langdon

NAYS

MOTION CARRIED UNANIMOUSLY.

The Board discussed various legislative items and Mr. Hole explained each of the bills individually.

The Board recessed from 10:25 to 10:35 a.m.

Marilou Madden commented on House Bill 411 which supplements existing laws and regulations pertaining to sex discrimination in education. General discussion followed.

Beverly Horn moved and June Nelson seconded the motion that the Board support House Bill 411 which deals with sex discrimination in education.

MOTION

Roll call vote was taken;

YEAS

Beverly Horn
June Nelson
Thelma Langdon

NAYS

Jan Hohman
Jack Townshend
Vince Casey

MOTION FAILED.

NOTE: Jack Townshend and Jan Hohman approved of the concept of this bill, but felt that some of the problems would be more effectively dealt with in a more comprehensive approach in dealing with discrimination.

3-22-79

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO.
Education	Parker	HP--411
DEPARTMENT POSITION		
The State Board of Education does not support this bill.		
DIVISION DIRECTOR	DATE	COMMISSIONER
		<i>William D. Thompson</i>
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED	<input type="checkbox"/> POSITION APPROVED	<input type="checkbox"/> POSITION DISAPPROVED
BY:	DATE:	
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL Commission on the Status of Women Civil Rights Commission	/	(2) b. ORGANIZATIONAL OPPOSITION TO BILL
(3) PROGRAM EFFECTS OF BILL		
None		
(4) FISCAL IMPACT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		

(6) COMMENTS:

See attached excerpt of Board minutes.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB-411

Title An Act prohibiting sex discrimination in education in the state...

Requested by House HESS

Date April 2, 1979

II. FISCAL DETAIL

Agency Affected Education

Program Category Affected Education Program Support, Executive Administration

Budget Request Unit(s) Affected K-12, Program Evaluation, Boards and Commissions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME		-0-	-0-	-0-	-0-	-0-
TEMPORARY		-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill has no fiscal impact.

IV. DATE April 2, 1979

PREPARED BY William D. Thomson

AGENCY Education

PHONE 465-2800

Original: Legislative Finance


cc: Budget and Management

Prime Sponsor (First Legislator Named)

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT Education	SPONSOR (PRINCIPAL) Parker	BILL NO. HB-411
DEPARTMENT POSITION The State Board of Education does not support this bill.		
DIVISION DIRECTOR	DATE	COMMISSIONER <i>William D. Thomas Per</i>
GOVERNOR'S OFFICE USE <input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED BY: _____ DATE: _____		
SUMMARY (1) RELATED BILLS (SIMILAR OR CONFLICTING) (2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL Commission on the Status of Women Civil Rights Commission		
(2) b. ORGANIZATIONAL OPPOSITION TO BILL		
(3) PROGRAM EFFECTS OF BILL None		
(4) FISCAL IMPACT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

See attached excerpt of Board minutes.

FISCAL NOTE

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OTHER (Specify)						

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FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME		-0-	-0-	-0-	-0-	-0-
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IV. DATE April 2, 1979

PREPARED BY William D. Thomson

AGENCY Education

PHONE 465-2800

Original: Legislative Finance

Budget and Management

Prime Sponsor (First Legislator Named)



HB 411 file

Foster F. Gebold
President

UNIVERSITY OF ALASKA

FAIRBANKS, ALASKA 99701

April 27, 1979

The Honorable Samuel R. Cotten
Chairman, House Rules Committee
Pouch V
Juneau, Alaska 99811

Dear Chairman Cotten:

On behalf of the University of Alaska, I am writing to comment on CS for House Bill No. 411 (Judiciary), "An Act prohibiting sex discrimination in education in the state and implementing art. I, sec. 3 of the Alaska Constitution".

Initially, I would like to comment on Sec. 14.18.020, DISCRIMINATION IN EMPLOYMENT PROHIBITED. As subsections (1) and (2) are currently worded, it would seem that affirmative action hiring and promotion would be prohibited. I assume such is not the effect intended, and would suggest alternative language be provided.

In Sec. 14.18.030, DISCRIMINATION IN COUNSELING AND GUIDANCE SERVICES PROHIBITED; it would seem more to the point to amend the first sentence to read, "All guidance and counseling services in public education are available to all students without regard to sex".

In reference to Sec. 14.18.040, DISCRIMINATION IN RECREATIONAL AND ATHLETIC ACTIVITIES PROHIBITED, subsection (c); it is our position that while we would probably be amenable to administering surveys to students, such a management decision would ultimately rest with the Board of Regents.

In Sec. 14.18.050, DISCRIMINATION IN COURSE OFFERINGS PROHIBITED, reference is made to "public education classes", and in Sec. 14.18.040(b), to "public schools". Are these wordings intended to encompass the University?

In Sec. 14.18.070, REGULATIONS, I suggest that the wording "and the Board of Regents of the University of Alaska" be excluded, as the University adopts internal regulations through its own mechanisms.

In Sec. 14.18.040, DISCRIMINATION IN RECREATIONAL AND ATHLETIC ACTIVITIES PROHIBITED, I would suggest that the sentence, "When separate school-sponsored teams are not provided in a particular sport, females and males must be allowed to compete equally for places on the school-sponsored team" be amended to read, "In instances when separate school-sponsored

UNIVERSITY OF ALASKA

The Honorable Samuel R. Cotten
April 27, 1979

Page Two

teams are not provided in a particular sport, schools must balance their athletic programs with an equal number of sport teams for males and females, according to expressed interests".

In order for us to comply with the requirement that there be comparable facilities for both sexes, either by use of separate facilities (showers, toilets, training rooms) or by scheduling separate use of a single facility, remodeling at the Patty Gymnasium, UAF, would be required. Funds necessary for such work are not currently budgeted and the job would cost about \$100,000.

Sincerely,



Foster F. Diebold
President

FFD/bkd

cc: Members, House Rules Comm.
Chairman & Members, House Judiciary Comm.

amendments for OS HB 411
by the Finance Judiciary Committee

page 3, sec. 14.18.060

classes not prohibited
"Nothing in this section shall prohibit
use of the literary classes.

page 4, line 3 -
delete "or"

line 4 -

delete "(3)"

insert "(6)" after a

journal ~~that a~~ ^{meeting} by the
board that a ~~meeting~~ ^{meeting} of regional
education attendance area has not

complied with AS 14.18.020-14.18.060,
and that the measures taken under
(a) (1) & (2) of this section have been
implemented, the board shall

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
707-455-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 3, 1979

SUBJECT: HB 411: Sex discrimination in education.
TO: Representative Thelma Buchholdt, Chairman
House Health, Education & Social Services Committee
FROM: Richard A. Bradley, Legislative Counsel. **B**

The committee substitute requested is enclosed. Some changes from the precise request of the committee were made.

In my view, the injection of the Board of Regents into parallel references with the Department of Education causes awkward results. Accordingly, separate sections are established for Regents' responsibilities. See Secs. 80(b) and (new) 100.

The earlier omission of the Regents from the bill was not accidental.

The Department of Education is in a substantially different relationship to the districts and REAA's than the Regents are to the university.

The Department is not the decision-maker for districts and REAA's. Whatever the University does, however, it must be assumed that it was done at the direction of the Regents.

If this premise is valid, the complaints regarding district and REAA compliance can properly be brought to the Department; it seemed, on the other hand, a fruitless task to direct that complaints about the University go to the Regents as an impartial arbiter.

And, there is no reason to direct the Board of Regents to sue itself [the amendment adding the Regents to page 4, line 5 would have this result]. Similarly, the Regents need not terminate funds from one of its divisions if a problem is discovered; it simply directs the proper action sought [the amendment adding the Regents to page 4, line 7 would have sought this result].

If I can assist further, please advise.

RAB:nem
Enclosure