

HB

211

COMMITTEE REPORT
SENATE

FURTHER: None

3/27/79

Date: 4/4/79

Mr. President:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSHB 211 am relating to public elementary and secondary education

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Ferguson

Robert...

CHAIRMAN

CSHB 211A7M "Budget relating to public elementary and secondary education." provided for
by HESS comm. S HESS 79 80

Introduced 3-15-79
Logged - 3-27-79
Referrals none
Comm. Meeting 4-4-79 heard -
Comm. Action

Gov's letter re F/W lesson
HESS referred Janice (Mrs. Ayman)
Gov's Office "

EDUCATION
(elementary &
secondary)

*Glenn
History of HB 211 AM*

HOUSE BILL NO. 211, by the RULES COMMITTEE by request of the Governor. Amends AS-14.03.030 "School Term" to read: "The school term begins and ends on the dates fixed by the governing body of the school district. However, the term shall include not less than 180 days in session, except that, subject to the approval of the commissioner, a day used for in-service training of teachers may be substituted for a day in session, up to a maximum of 10 days. [THE COMMISSIONER MAY APPROVE A SCHOOL SCHEDULE ADOPTED BY A SCHOOL BOARD FOR A SCHOOL TERM OF LESS THAN 180 DAYS IN SESSION IF THE TOTAL HOURS DEVOTED TO INSTRUCTION OF PUPILS OR TO STUDY PERIODS FOR THE PUPILS UNDER THE SCHEDULE EQUAL OR EXCEED AT LEAST 680 HOURS, EXCLUSIVE OF INTERMISSIONS AND IN-SERVICE TRAINING OF TEACHERS, FOR THE FIRST, SECOND AND THIRD GRADES AND AT LEAST 850 HOURS, EXCLUSIVE OF INTERMISSIONS AND IN-SERVICE TRAINING OF TEACHERS, FOR ALL OTHER GRADES.]" (Note: Bracketed language deleted).

Amends AS 14.07.020(9), making available correspondence study programs from the state if none is offered from the local school district. See governor's letter for explanation of further amendments and repeals.

Provides section 1 and sections 3-7 take effect immediately and sections 2 and 8 take effect July 1, 1979.

Education
(elementary
& secondary)

HOUSE BILL NO. 211, (see page 209). Reported back to the House on March 15 by HESS with a majority recommending replace with SUBSTITUTE and reporting back with individual recommendations. Buchholdt (Chmn), Munson and Hurlbert recommend do pass. Miles, Chatterton, Barnes and Beirne have no recommendation. To Rules. Adds new section to AS 14.08 (Education in the Unorganized Borough) "046. ADVISORY SCHOOL BOARDS IN REGIONAL EDUCATIONAL ARRENDANCE AREAS" which states "A regional school board may establish advisory school boards, and by regulation shall prescribe their manner of selection, and organization, and their powers and duties." Amends AS 14.14.-140 "Restriction on Employment" by stating that school board

members and immediate family may not be employed by the school board "except upon written approval of the commissioner." Deletes proposed amendment to AS 14.14.170(d) and new subsection (g) in original bill. Sec. 6 repeals AS 14.14.170 (Community school committees); 14.14.180 (Qualifications of community school committee members and voters); 14.14.200 (Duties). Sec. 7 repeals AS 14.40.700-14.40.730 "Compact for Education. Provides Sec. 1-6 take effect immediately and Sec. 7 takes effect July 1, 1979.

Education
(elem. & sec.)

HOUSE BILL NO. 211, (SUBSTITUTE) (AMENDED) (see pages 209;393). On March 21 the SUBSTITUTE was adopted (see page 393) and Amendment No. 1 by Moss and Buchholdt was adopted. The amendment deletes language relating to school board members or their families being employed on the school board unless with written approval of the commissioner. Replaces with "(a) While serving on the school board, a member may not be employed by that local school board. Members of the immediate family of a school board member may not be employed by the school board without written approval of the commissioner." (Note: underlined language added). CSHB 211am was then returned to Rules in 3rd reading. The bill came up again on March 23 and Passed the House 28-2-10. Nays: Barnes and Martin. Not Voting: Bettisworth, Brown, Buchholdt, Carney, Eliason, Freeman, Moss, O'Connell, Parker and Randolph. The effective date clause was adopted.

April 4, 1979

CSHB 211 am

Bill Thompson. CSHB 211am was originally requested by the Governor at the request of the Department of Education and is cleanup legislation that we feel will help us administer education law a little better.

The first section deals with the school term. About 5 years ago there was some language adopted that the commissioner could approve a shorter school term than 180 days if basically the instructional time remained the same. This was in light of the energy crises at the time. None of the school districts in the state have requested a shorter than 180 days for that particular purpose, nor has there been any approvals by the commissioner under that section. Therefore, we consider this superfluous and not needed.

Sen. Sturgulewski. I have been in communication with out school district. This does eliminate the commissioner's discretion. There is a potential here for throwing some additional costs on the district such as under the act of God problem with the Mat-Su wind. It would mean those days would have to be made up. You might have some areas where you didn't get the word out to all teachers and they were paid and you had to have additional days, you might be throwing in some additional costs. Also, that is true I think on the question of busses where you have to pay even though you dou don't have school 50% of the contracted costs. I realise the state reimburses there. Is it such a burden for you to have some discretion in some of these matters.

Bill Thompson. No, this would not affect days of closures. Days of closures is in a different section. That is a different section of the law and does require the commissioner's approval.

Section 2 at the current time there is an inconsistency between regional education attendance areas and city and borough school districts. Regional education attendance areas are required to have a community school committee in each community that is served that's advisory to the district board. This amendment would say that the establishment of those committees is at the determination of the regional board; rather than being mandated that those committees be provided. The idea being that SB 35 establishing the REAA boards have been in existence long enough and it is a determination, a local determination, whether or not the advisory boards in each of the communities are needed. It's permissive rather than mandatory.

Section 3 deals with recall. Currently it says the commissioner of education shall be the clerk and the State Board of Education shall act as the assembly or the council. The department believes that this more properly belongs in the Lt. Governor's office and that the director of the Division of Elections who handles all other elections should also handle the recall elections.

There has been in the three year history, there has been 6 recalls.

Sen. Sturgulewski. There will be quite a lot of work done in the interim having to do with elections and certainly in recalls, but this is just a very simply thing. All it does is to move from you (DOE) to Elections.

Sen. Ferguson. The House has introduced HB 245 dealing with elections and I believe that Sen. Kelly with his election reform bill is going to take a look at the whole works in recall and not to necessarily hinder people from having someone recalled, but to stipulate certain items.

Bill Thompson. Section 4 would change who appoints the non-voting member of the military community when the department contracts with the contiguous municipalities for educational services in the on-base schools. That representative would be appointed by the affected school board rather than the State Board of Education.

Section 5, This clarifies restrictions on employment and nepotism and what exactly is the course.

Sen. Hackney. The repealers are as simply pointed out in Sen. Ferguson's memorandum.

Bill Thompson. Section 6 is repealers dealing with community school committees because it becomes superfluous with the adoption of section 2 of the bill.

Se Section 7 repeals the Alaska participation in the education compact of the states which is the educational commission of the states. Our recommendation for that is that each year the dues are increasing and we can get the same information as far as an informative service from other sources, U. S. Office of Education, Teacher councils, National School Boards Association, and so on. As you know there is a fiscal note attached that becomes effective in 1981. The way the law reads, for Alaska participation, we have to notify them a year ahead that we are no longer going to participate therefore we would have to pay our dues in FY 80. But in FY 81 it would have a negative impact of \$18.8 thousand.

Basically the ^{education commission is} ~~community school advisory committees~~ are more political than professional. Alaska's membership is made up as legislators, the governor's office, state board of education and the commissioner and what they do is an exchange of information between states. That's as far as what they provide in professional assistance to the department on educational finance, teacher certification, whatever.

Sen. Sturgulewski. I move CSHB 211am move from committee with a do pass recommendation.

NO objections so ordered.

- Sec. 1 Clean up language Specifies school term shall include not less than 180 days in session
- Sec. 2 Allows regional school boards to establish advisory school boards
- Sec. 3 ~~makes director of division of elections~~ Duties of State office in charge of recall elections instead of Comm. of Ed
- Sec. 4 Changes the appointing body for non-voting delegates from Mil. Res. from State Bd. of Ed. to the local school bd.
- Sec. 5 Local Bd members can't be employed by board and immediate family members only with written approval of Comm.
members of immediate family of a segt. may be employed only with written approval of board
- Sec. 6 Repealers apply to community school committees and their duties as it becomes superfluous with adoption of Sec 2.
- Sec. 7 would allow state to withdraw from compact for education

Original sponsor: Rules/Governor

Offered: 3/15/79
Referred: Rules

*Our copy
Please do not remove
from file.*

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

CS FOR HOUSE BILL NO. 211 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - FIRST SESSION

A BILL

3 For an Act entitled: "An Act relating to public elementary and secondary
4 education; and providing for an effective date."

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

6 * Section 1. AS 14.03.030 is amended to read:

7 Sec. 14.03.030. SCHOOL TERM. The school term begins and ends on
8 the dates fixed by the governing body of the school district. However,
9 the term shall include not less than 180 days in session, except that,
10 subject to the approval of the commissioner, a day used for in-service
11 training of teachers may be substituted for a day in session, up to a
12 maximum of 10 days. [THE COMMISSIONER MAY APPROVE A SCHOOL SCHEDULE
13 ADOPTED BY A SCHOOL BOARD FOR A SCHOOL TERM OF LESS THAN 180 DAYS IN
14 SESSION IF THE TOTAL HOURS DEVOTED TO INSTRUCTION OF PUPILS OR TO STUDY
15 PERIODS FOR THE PUPILS UNDER THE SCHEDULE EQUAL OR EXCEED AT LEAST 680
16 HOURS, EXCLUSIVE OF INTERMISSIONS AND IN-SERVICE TRAINING OF TEACHERS,
17 FOR THE FIRST, SECOND AND THIRD GRADES AND AT LEAST 850 HOURS, EXCLUSIVE
18 OF INTERMISSIONS AND IN-SERVICE TRAINING OF TEACHERS, FOR ALL OTHER
19 GRADES.]

20 * Sec. 2. AS 14.08 is amended by adding a new section to read:

21 Sec. 14.08.046. ADVISORY SCHOOL BOARDS IN REGIONAL EDUCATIONAL
22 ATTENDANCE AREAS. A regional school board may establish advisory school
23 boards, and by regulation shall prescribe their manner of selection, and
24 organization, and their powers and duties.

25 * Sec. 3. AS 14.08.081 is amended to read:

26 Sec. 14.08.081. RECALL. The members of a regional school board

1 are subject to recall in accordance with AS 29.28.130 - 29.28.250,
2 except that the director of the division of elections [COMMISSIONER OF
3 EDUCATION] shall perform the functions of a municipal clerk, and the
4 lieutenant governor [STATE BOARD OF EDUCATION] shall perform the
5 functions of the assembly or council under those sections.

6 * Sec. 4. AS 14.12.030(d) is amended to read:

7 (d) Each city or borough school district that is operating schools
8 on a military reservation under AS 14.12.020(a) has one nonvoting
9 delegate from the military reservation or reservations to the school
10 district board to advise and assist the board in matters relating to the
11 military reservation schools operated by the school district and to act
12 as liaison between the board and the military community. The nonvoting
13 delegate shall be appointed by the school district board [STATE BOARD OF
14 EDUCATION], shall serve at the pleasure of the school district board
15 [STATE BOARD OF EDUCATION], and must [SHALL] be an inhabitant of the
16 area served by the military reservation schools operated by the school
17 district by contract. If an elected community school committee is
18 established on a military reservation, the only inhabitants of that
19 military reservation who are eligible for appointment as the nonvoting
20 delegate are those inhabitants who are members of the elected school
21 committee.

22 * Sec. 5. AS 14.14.140 is amended to read:

23 Sec. 14.14.140. RESTRICTION ON EMPLOYMENT. (a) While serving
24 on the school board, a member may not be employed by that local school
25 board. Members of the immediate family of a school board member
26 [SCHOOL BOARD MEMBERS, OR MEMBERS OF THEIR IMMEDIATE FAMILIES,] may
27 not be employed by the school board except upon written approval of
28 the commissioner.

29 (b) Members of the immediate family of a chief school administra-

1 tor may not be employed by the chief school administrator except upon
2 written approval of the school board [APPROV. L OF THE COMMISSIONER].

3 * Sec. 6. AS 14.14.170, 14.14.180, 14.14.190 and 14.14.200 are repealed.

4 * Sec. 7. AS 14.40.700 - 14.40.730 are repealed.

5 * Sec. 8. Sections 1 - 6 of this Act take effect immediately in
6 accordance with AS 01.10.070(c).

7 * Sec. 9. Section 7 of this Act takes effect July 1, 1979.

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OFFICIAL BUSINESS

Alaska State Legislature

Senate

POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

MEMORANDUM

TO: Senator Glen Hackney
Chairman Senate HESS Committee

DATE: April 4, 1979

FR: Senator Frank Ferguson

SUBJ: CSHB 211

Following is an explanation of the amendment I proposed to the House HESS Committee which resulted in some of the changes incorporated in CSHB 211:

Sec. 2 of CSHB 211 allows the REAA's to establish advisory school boards. This new section 14.08.046 reads exactly the same as 14.12.035 (attached) which allows borough school districts to establish advisory school boards.

Sec. 6 of CSHB 211 repeals all sections of the statutes which relate to Community School Committees for the REAA's. (all sections attached). AS 14.14.170 establishes the community school committees. AS 14.14.180 relates to the qualifications of the community school committee members. AS 14.14.190 relates to the terms of office of community school members. AS 14.14.200 relates to the duties of community school committee members.

The amendments I proposed to CSHB 211 repeal all sections of the statutes relating to Community School Committees for the Regional Educational Attendance Areas; and adds a section to the statutes which allows the REAA's to establish advisory school boards. These amendments put the REAA's on the same footing as the Borough School Districts.

cc: Sen. Colletta
Sen. Sturgulewski
Sen. Fahrenkamp

school board shall be determined in the manner prescribed by AS 29.23.020.

(d) Each city or borough school district that is operating schools on a military reservation under § 20(a) of this chapter has one nonvoting delegate from the military reservation or reservations to the school district board to advise and assist the board in matters relating to the military reservation schools operated by the school district and to act as liaison between the board and the military community. The nonvoting delegate shall be appointed by the state Board of Education, shall serve at the pleasure of the state Board of Education, and shall be an inhabitant of the area served by the military reservation schools operated by the school district by contract. If an elected community school committee is established on a military reservation, the only inhabitants of that military reservation who are eligible for appointment as the nonvoting delegate are those inhabitants who are members of the elected school committee. (§ 1 ch 98 SLA 1966; am § 1 ch 71 SLA 1969; am § 1 ch 83 SLA 1974; am § 2 ch 13 SLA 1975; am § 6 ch 124 SLA 1975)

Effect of amendments. — The 1974 amendment added subsection (c).

The first 1975 amendment, effective March 16, 1975, added subsection (d).

The second 1975 amendment, effective July 1, 1975, deleted "from among the

membership of the advisory school board if there is an elected advisory board" following "state Board of Education" in the second sentence of subsection (d) and added the third sentence of that subsection.

Sec. 14.12.035. Advisory school boards in borough school districts. A borough school district board may establish advisory school boards, and by regulation shall prescribe their manner of selection, organization, powers and duties. (§ 1 ch 81 SLA 1974)

Sec. 14.12.040. Transition. The transition from a five-man to a seven-man school board shall be made at the regular election following, or being held within 90 days preceding, the completion of the second regular school term during which the district maintains an average daily membership exceeding 5,000 or at the regular election following the effective date of an ordinance increasing board membership as provided in § 30(a) of this chapter. Once the district has a seven-man school board, the number of members shall not be changed. (§ 1 ch 98 SLA 1966; am § 2 ch 71 SLA 1969)

Sec. 14.12.050. School board terms. (a) The term of office of a member of a borough or city school board is three years and until a successor takes office. However, the members of a newly created five-man school board hold office for initial terms as follows: two for a term of three years, two for a term of two years and one for a term of one year, the terms being assigned to the members by lot. The members of a newly created seven-man school board hold office for initial terms as follows: three for a term of three years, two for a term of two years

School Boards is recognized as the organization and representative agency of the members of the school boards of the state. (§ 1 ch 98 SLA 1966)

Sec. 14.14.160. Cooperation and support of certain association functions. (a) The department and local districts may cooperate with the Association of Alaska School Boards in its inservice training program for school board members and in encouraging and fostering cooperation among the school boards affiliated with the Association of Alaska School Boards.

(b) School districts may expend district money to carry out the provisions of (a) of this section. (§ 1 ch 98 SLA 1966)

Sec. 14.14.170. Community school committees. (a) There is established a community school committee in each community or military reservation served by a school operated by a regional educational attendance area. If the regional educational attendance area school has an average daily membership of less than 251 pupils, the community school committee consists of three members. If the average daily membership is more than 250 pupils, the community school committee consists of five members.

(b) [deleted]

(c) In communities qualifying for three-member community school committees under (a) of this section, voters qualified under § 180 of this chapter may increase the committee to five members by referendum conducted at an election coinciding with an election for community school committee members. In communities qualifying for five-member community school committees under (a) of this section, voters qualified under § 180 of this chapter may increase the committee to seven members by referendum conducted at an election coinciding with an election for community school committee members.

(d) The date of election for community school committee members is the same as that for regular municipal elections in the second class city having the largest population in the area served by the committee or, if there is no second class city within the area, on an annual election date for such elections fixed by regulations of the department.

(e) Elections under (c) and (d) of this section shall be conducted upon such notice and otherwise substantially in the same manner as regular municipal elections which are held within the largest second class city in the area served by the committee. If there is no second class city within the area, elections shall be conducted upon at least 10 days published or posted public notice of the election and of the question or nominees to be voted on and under general rules for the elections as may be promulgated by regulation of the department. Elections relating to community school committees shall be supervised by the regional school board but shall be administered within second class cities as part of the regular municipal election.

(f) Electe recall in ac except tha attendance the regiona or council u 1970; am § ch 53 SLA §§ 4, 5 ch

ERM "A amen - 1971 "enrol sentences of The secon subsections (The 197 "second" for (d) and thre The first subsection (f The secon July 1, 197 subsection reservation, school," and school distri to the end "which sha body of the on-base sch sentence in second sent The first March 16, borough sch state" from subsection The seco July 1, 19 community references throughout (f), substit attendance or borough the state" of subjecti attendance the second deleted sub substituted department of director

Sec. 1 member

(f) Elected members of community school committees are subject to recall in accordance with the provisions of AS 29.28.130—29.28.250, except that the chief school administrator of a regional educational attendance area shall perform the functions of the municipal clerk, and the regional school board shall perform the functions of the assembly or council under those sections. (§ 1 ch 98 SLA 1966; am § 10 ch 46 SLA 1970; am § 12 ch 32 SLA 1971; am § 1 ch 101 SLA 1971; am §§ 23, 24 ch 53 SLA 1973; am § 1 ch 37 SLA 1974; am §§ 3, 4 ch 72 SLA 1974; am §§ 4, 5 ch 13 SLA 1975; am § 7 ch 124 SLA 1975)

Effect of amendments. — The first 1971 amendment substituted "membership" for "enrollment" in the second and third sentences of subsection (a).

The second 1971 amendment added subsections (c) (d), and (e).

The 1973 amendment substituted "second" for "fourth" twice in subsection (d) and three times in subsection (e).

The first 1974 amendment added subsection (f).

The second 1974 amendment, effective July 1, 1975, in the first sentence of subsection (a), inserted "or military reservation," deleted "and" following "a school," and added "or by a city or borough school district by contract with the state" to the end. The amendment also added "which shall be advisory to the governing body of the school district that operates the on-base schools" to the end of the first sentence in subsection (b) and added the second sentence of that subsection.

The first 1975 amendment, effective March 16, 1975, deleted "or by a city or borough school district by contract with the state" from the end of the first sentence of subsection (a) and repealed subsection (b).

The second 1975 amendment, effective July 1, 1975, substituted references to community school committees for references to advisory school boards throughout subsections (a) and (c) through (f), substituted "a regional educational attendance area" for "the state or by a city or borough school district by contract with the state" at the end of the first sentence of subsection (a) and "regional educational attendance areas" for "state-operated" in the second sentence of that subsection, and deleted subsection (b). The amendment also substituted "regulations of the department" for "regulation of the board of directors for state-operated schools" at

the end of subsection (d), substituted "department" for "board of directors for state-operated schools" at the end of the second sentence in subsection (e) substituted "regional school board" for "director of state-operated schools" in the third sentence of that subsection, and substituted "chief school administrator of a regional educational attendance area" for "director of state-operated schools" and "regional school board" for "board of directors for state-operated schools" in subsection (f).

Editor's note. — Section 9, ch. 72, SLA 1974 provides: "The term of office of a member of the Board of Directors for State-Operated Schools who is a resident of a military reservation whose schools are operated by a city or borough school district in accordance with a contract entered into under AS 14.14.110 by direction of the Department of Education shall be terminated on the effective date of the contract."

Section 10, ch. 72, SLA 1974 provides: "When on-base schools are operated by a city or borough school district by contract, the terms of office of those members of the on-base advisory school board that would expire during the transitional period shall be extended until the next regular municipal election provided for by AS 14.14.170(b), as amended by sec. 4 of this Act."

Section 8, ch. 13, SLA 1975, makes ch. 72, SLA 1974 effective on May 9, 1974, in accordance with AS 01.10.070(c).

Legislative committee reports. — For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 135. For report on ch. 53, SLA 1973 (CSHB 352), see 1973 House Journal, pp. 793, 855. For report on ch. 72, SLA 1974 (HCS CSSB 122 [Finance]) am. H., see 1974 House Journal, p. 519.

Sec. 14.14.180. Qualifications of community school committee members and voters. (a) A person may vote at an election for community

school committee members and may be elected to membership on a community school committee who

- (1) is a citizen of the United States;
- (2) has passed his 18th birthday;
- (3) is an inhabitant of the area served by the school for at least 30 days preceding the election.

(b) Election to a community school committee is not an election to a civil office of this state. (§ 1 ch 98 SLA 1966; am § 67 ch 32 SLA 1971; am § 5 ch 72 SLA 1974; am § 8 ch 124 SLA 1975)

Effect of amendments. — The 1971 amendment substituted "18th" for "19th" in subsection (a)(2).

The 1974 amendment repealed paragraph (4) of subsection (a).

The 1975 amendment, effective July 1, 1975, substituted references to community school committees for references to advisory school boards in subsection (a) and (b).

Editor's note. — Section 8, ch. 18, SLA 1975, makes ch. 72, SLA 1974, effective on May 9, 1974, in accordance with AS 01.10.070 (c).

Legislative committee reports. — For report on ch. 32, SLA 1971 (r1B 111 am), see 1971 House Journal, pp. 138, 404. For report on ch. 72, SLA 1974 (HCS CSSB 122 [Finance] am H), see 1974 House Journal, p. 519.

Sec. 14.14.190. Terms of office and vacancy. (a) The terms of the initial members of a three-member community school committee are one, two, and three years, respectively, and until a successor takes office. Thereafter, members shall be elected to terms of three years and until a successor takes office.

(b) Of the initial members of a community school committee which consists of five members, one member is elected for a one-year term, two members for a two-year term, and two members for a three-year term, and until a successor takes office. Thereafter, all members are elected to terms of three years and until a successor takes office.

(c) If a three-member community school committee is increased to a five-member committee, the two additional members are elected for terms of two years and three years respectively. Thereafter, all members are elected to three-year terms. If a five-member committee is increased to a seven-member committee, the two additional members are elected for terms of two years and three years respectively. Thereafter, all members are elected to three-year terms and until a successor takes office.

(d) Vacancies on community school committees will be filled by the remaining members until the next regular election. At that time an election will be held for the remaining portion of the term. (§ 1 ch 98 SLA 1966; am § 2 ch 101 SLA 1971; am § 9 ch 124 SLA 1975)

Effect of amendments. — The 1971 amendment, in subsection (c), deleted the phrase "of advisory school board"

following "advisory school board" in the first sentence and added the third and fourth sentences.

The 1975 amendment substituted school committee advisory school boards of subsections

Sec. 14.14. and make re attendance ; operation of t and function: 98 SLA 1966

Effect of a amendment, eff this section.

Article 2.

- Section
- 250. Establishm
- 260. Compositi
- 270. Compensa
- 280. Functions

Editor's not 1972, provides: the legislature provide an o people of Alas institutions

Sec. 14.1 create a co people in s

Sec. 14.1 consist of affairs, ed endeavor, from the 1 of minority; manner pr and shall designated (1972)

The 1975 amendment, effective July 1, 1975, substituted references to community school committees for references to advisory school boards in the first sentence of subsections (a) and (b), throughout subsection (c), and in subsection (d), and deleted "each" preceding "until a successor takes office" in the first sentence of subsections (a) and (b).

Sec. 14.14.200. Duties. A community school committee shall review and make recommendations to the board of the regional educational attendance area concerning the curriculum, program and general operation of the local school and shall exercise additional responsibilities and functions as may be delegated by the regional school board. (§ 1 ch 98 SLA 1966; am § 11 ch 46 SLA 1970; am § 10 ch 124 SLA 1975)

Effect of amendment. — The 1975 amendment, effective July 1, 1975, rewrote this section.

Article 2. Involvement of Young People in School Governance.

Section	Section
250. Establishment of committee	290. Interns
260. Composition and chairman	300. Appointment to district committees or other advisory bodies
270. Compensation and per diem	
280. Functions of the committee	310. Definitions

Editor's note. — Section 1, ch. 40, SLA 1972, provides: "Purpose. It is the intent of the legislature in enacting this statute to provide an opportunity for the young people of Alaska to become involved in the institutions and processes of local government and school governance comparable to that embodied in AS 44.19.777 — 44.19.787 (enacted in ch. 121, SLA 1971), providing for participation in the executive branch of state government."

Sec. 14.14.250. Establishment of committee. A school board may create a committee or other advisory body on the involvement of young people in school governance. (§ 4 ch 40 SLA 1972)

Sec. 14.14.260. Composition and chairman. The committee may consist of not more than nine members, drawn from the fields of public affairs, education, the sciences, the professions, other fields of private endeavor, from the state or local service, and three additional members from the 17—22 age group, and shall include women and representatives of minority groups. The members shall be appointed by the board in the manner prescribed by the board without regard to political affiliation and shall serve at the pleasure of that body. One member shall be designated by the board as chairman of the committee. (§ 4 ch 40 SLA 1972)

to this state, the governor shall execute the Compact on behalf of the state and perform other acts requisite to its formal ratification and promulgation. (§ 3 ch 164 SLA 1955)

Sec. 14.40.685. Provisions of services. State participation under Articles VIII and XIII of the Western Regional Higher Education Compact shall be limited to the provision of adequate services and facilities in the fields of law, dentistry (to include dental hygiene), medicine, public health, veterinary medicine, pharmacy, physical therapy, occupational therapy, optometry, podiatry, forestry and graduate library studies. (§ 2 ch 70 SLA 1971; am § 1 ch 96 SLA 1972; am § 1 ch 78 SLA 1974)

Effect of amendments. — The 1972 amendment deleted "provided for in the original compact, namely services and facilities" following "facilities" and inserted "law" preceding "dentistry."

The 1974 amendment added the language beginning "pharmacy, physical therapy" to the end of the section.

Editor's note. — Section 3, ch. 78, SLA 1974 provides: "On the effective date of this Act, the administration of the state's participation in the Western Regional Higher Education Compact (AS 14.40.660—14.40.695) shall be transferred from the Office of the Governor to the Alaska Commission on Postsecondary Education."

Sec. 14.40.690. Members of the commission. (a) The governor, with the advice and consent of the legislature, shall appoint the members for this state of the Western Interstate Commission for Higher Education, created under the provisions of Article III of the Western Regional Higher Education Compact.

(b) The qualifications and terms of office of the members of the commission of this state shall conform with the provisions of Article IV of the Compact.

(c) The commissioners shall serve without compensation and shall be reimbursed for actual and necessary expenses by the Western Interstate Commission for Higher Education. (§ 4 ch 164 SLA 1955)

Sec. 14.40.695. Administration. The Alaska Commission on Postsecondary Education shall administer the state's participation in the Western Regional Higher Education Compact. (§ 2 ch 78 SLA 1974)

Editor's note. — Section 3, ch. 78, SLA 1974 provides: "On the effective date of this Act, the administration of the state's participation in the Western Regional

Higher Education Compact (AS 14.40.660—14.40.695) shall be transferred from the Office of the Governor to the Alaska Commission on Postsecondary Education."

Article 8. Compact for Education.

Section
700. Entry into Compact
710. Terms and provisions of Compact

Section
720. Execution of Compact by governor
730. Members of the commission

Sec. 14.40.700. Entry into Compact. The Compact for Education is enacted into law and entered into in behalf of the State of Alaska with

all other states and jurisdictions legally joining in it in a form substantially as contained in § 710 of this chapter. (§ 1 ch 108 SLA 1966)

Sec. 14.40.710. Terms and provisions of Compact. The terms and provisions of the Compact referred to in § 700 of this chapter are as follows:

COMPACT FOR EDUCATION.

ARTICLE I. PURPOSE AND POLICY.

Section A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the Nation, so that the executive and legislative branches of State Government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of State and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

Section B. It is the policy of this Compact to encourage and promote local and State initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and States.

Section C. The party States recognize that each of them has an interest in the quality and quantity of education furnished in each of the other States, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the Nation, and because the products and services contributing to the health, welfare and economic advancement of each State are supplied in significant part by persons educated in other States.

ARTICLE II. THE COMMISSION.

Section A. The Education Commission of the States, hereinafter called "the Commission," is hereby established. The Commission shall consist of seven members representing each party State. In addition to any other principles or requirements which a State may establish for the appointment and service of its members of the Commission, the guiding principle for the composition of the membership on the Commission from each party State shall be that the members representing such State shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the State Government, higher education, the State education system, local education and lay and professional public and nonpublic educational leadership. In addition to the members of the Commission representing the party States, there may be not to exceed ten nonvoting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

Section B. The members of the Commission shall be entitled to one vote each on the Commission. No action of the Commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the Commission are cast in favor thereof. Action of the Commission shall be only at a meeting at which a majority of the Commissioners are present. The Commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the Commission may delegate the exercise of any of its powers to the steering committee or the Executive Director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article III and adoption of the annual report pursuant to Article II (j).

Section C. The Commission shall have a seal.

Section D. The Commission shall elect annually, from among its members, a chairman, who shall be a Governor, a vice chairman and a treasurer. The Commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the Commission, and together with the treasurer and such other personnel as the Commission may deem appropriate shall be bonded in such amount as the Commission shall determine. The executive director shall be secretary.

Section E. Irrespective of the civil service, personnel or other merit system laws of any of the party States, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the Commission, and shall fix the duties and compensation of such personnel. The Commission in its bylaws shall provide for the personnel policies and programs of the Commission.

Section F. The Commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

Section G. The Commission may accept for any of its purposes and functions under this Compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any State, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the Commission pursuant to this paragraph or services borrowed pursuant to paragraph (f) of this Article shall be reported in the annual report of the Commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

Section H. The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

Section I. The Commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The Commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party State..

Section J. The Commission annually shall make to the Governor and legislature of each party State a report covering the activities of the Commission for the preceding year. The Commission may make such additional reports as it may deem desirable.

ARTICLE III. POWERS.

In addition to authority conferred on the Commission by other provisions of the Compact, the Commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.
2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.
3. Develop methods for adequate financing of education as a whole and at each of its many levels.
4. Conduct or participate in research of the types referred to in this Article in any instance where the Commission finds that such research is necessary for the advancement of the purposes and policies of this Compact, utilizing fully the resources of national associations, regional

compact organizations for higher education, and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this Compact.

ARTICLE IV. COOPERATION WITH FEDERAL GOVERNMENT.

Section A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the Federal Government, the United States may be represented on the Commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to Federal law, and may be drawn from any one or more branches of the Federal Government, but no such representative shall have a vote on the Commission.

Section B. The Commission may provide information and make recommendations to any executive or legislative agency or officer of the Federal Government concerning the common educational policies of the States, and may advise with any such agencies or officers concerning any matter of mutual interest.

ARTICLE V. COMMITTEES.

Section A. To assist in the expeditious conduct of its business when the full Commission is not meeting, the Commission shall have a steering committee of thirty-two members which, subject to the provisions of this Compact and consistent with the policies of the Commission, shall be constituted and function as provided in the bylaws of the Commission. One-fourth of the membership of the steering committee shall consist of Governors, one-fourth shall consist of legislators, and the remainder shall consist of other members of the Commission. A Federal representative on the Commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the Commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the Commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the Commission at its next regularly ensuing

meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

Section B. The Commission may establish advisory and technical committees composed of State, local, and Federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the States concerned, be established to consider any matter of special concern to two or more of the party States.

Section C. The Commission may establish such additional committees as its bylaws may provide.

ARTICLE VI. FINANCE.

Section A. The Commission shall advise the Governor or designated officer or officers of each party State of its budget and estimated expenditures for such period as may be required by the laws of that party State. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States.

Section B. The total amount of appropriation requests under any budget shall be apportioned among the party States as follows: one-third in equal shares; and the remainder in proportion to the population of each party State as shown in the most recent decennial census of population taken by the United States Bureau of the Census, or any agency successor thereto.

Section C. The Commission shall not pledge the credit of any party State. The Commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article II (g) of this Compact, provided that the Commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the Commission makes use of funds available to it pursuant to Article II (g) thereof, the Commission shall not incur any obligation prior to the allotment of funds by the party States adequate to meet the same.

Section D. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the Commission.

Section E. The accounts of the Commission shall be open at any reasonable time for inspection by duly constituted officers of the party States and by any persons authorized by the Commission.

Section F. Nothing contained herein shall be construed to prevent Commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the Commission.

ARTICLE VII. ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL.

Section A. This Compact shall have as eligible parties all States, Territories, and Possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a Governor, the term "Governor," as used in this Compact, shall mean the closest equivalent official of such jurisdiction.

Section B. Any State or other eligible jurisdiction may enter into this Compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

Section C. Any party State or jurisdiction may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the Governor of the withdrawing State or other jurisdiction has given notice in writing of the withdrawal to the Governors of all other party States and jurisdictions. No withdrawal shall affect any liability already incurred by or chargeable to a party State or jurisdiction prior to the time of such withdrawal.

ARTICLE VIII. CONSTRUCTION AND SEVERABILITY.

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any State or of the United States, or the applicability thereof to any Government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any Government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any State participating therein, the Compact shall remain in full force and effect as to the State affected as to all severable matters.

ARTICLE IX. STATE DEFINED.

As used in this Compact, "State" means a State, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. (§ 1 ch 108 SLA 1966; am §§ 1 — 4 ch 30 SLA 1967)

Revisor's note. — Chapter 30, SLA 1967, is from the Model Compact for Education.

Sec. 14.40.720. Execution of Compact by governor. Upon ratification and approval of the Compact for Education by 10 or more of the eligible party jurisdictions, including the State of Alaska, the governor shall execute the Compact on behalf of the state and perform other acts requisite to its formal ratification and promulgation. (§ 1 ch 108 SLA 1966)

Sec. 14.40.730. Members of the commission. (a) One of the commission members shall be the governor; one shall be the state commissioner of education; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; one shall be the president of the state Board of Education; and two shall be appointed at large by and serve at the pleasure of the governor.

(b) The terms of office of the at-large members shall be four years; provided, however, that the first members shall be appointed as follows: one for two years, and one for four years. Each member shall hold office until his successor is appointed and qualified.

(c) The legislative and at-large members of the commission shall not receive compensation for their services, but they shall receive the travel expenses and per diem provided by AS 39.20.180 (2). (§ 1 ch 108 SLA 1966)

Article 9. Scholarship Loans and Tuition Grants.

Section	Section
751. Loan and tuition funds created	773. [Repealed]
753. Financial aid committee	776. Tuition grants
755. Applications	781. Limitation on grants
757. Administration of program	786. Conditions of grants
759. Undergraduate loans	791. Eligibility of students
761. Graduate loans	796. Application and certification
763. Conditions of loans	801. Fiscal and business management practices
765. Eligibility of students	806. Definitions
767. Selection criteria	
769. Discrimination prohibited	
771. Enforceability of certain contracts with minors	

Repeal of former article. — Section 2, ch. 98, SLA 1971 repealed former Article 9, entitled "Scholarship Grants and Loans." The former article consisted of §§ 14.40.750

— 14.40.849, and derived from ch. 112, SLA 1968, and ch. 230, SLA 1970. Former AS 14.40.830 had been previously repealed by § 14, ch. 230, SLA 1970.