

HB

210

FISCAL NOTE

STATE OF ALASKA

BILL NO. HB210

1994 LEGISLATIVE SESSION

Revision Date: December 8, 1993

Department Affected: Education

Title: An Act relating to employment of chief

BRU: K-12 Support

school administrators

Component: Foundation Program

Sponsor: Rep. Martin

Requestor: Rep. Martin

COMPONENT SERIAL NO. 141

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:

(Thousands of Dollars)

FUNDING:						
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

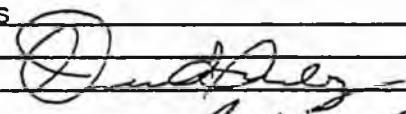
POSITIONS:

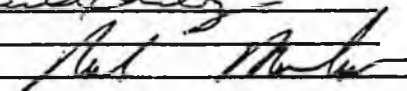
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary.)
 HB210 will not have a fiscal impact on the Department of Education.

Prepared by: Eddy Jeans Phone: 465-8685

Division: School Finance  Date: December 8, 1993

Approved by Commissioner: Jerry Covey  Date: 12-8-93

Agency: Education

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HOUSE COMMITTEE REPORT

(9)

Date Referred: March 10, 1993

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/31/94

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 210

HOUSE BILL NO. 210

HIRING OF CHIEF SCHOOL ADMINISTRATOR

"An Act relating to employment of chief school administrators."

RECOMMENDATIONS:

be replaced with _____

CS HB 210 (HESS)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note Education

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Car Bunde</i>	<input checked="" type="checkbox"/>	<i>Al Vigen</i>		<input checked="" type="checkbox"/>	
		<i>Pete Foster</i>		<input checked="" type="checkbox"/>	
		<i>Jan L. Jan</i>			<input checked="" type="checkbox"/>
		<i>John Doe</i>	<input checked="" type="checkbox"/>		

Car Bunde
CHAIRMAN'S SIGNATURE



Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: 3/31/94

PLACE: Capitol Room 106

SUBJECT OF MEETING:
 SB 225: INSURANCE TAX CREDIT: GIFTS TO COLLEGES
 HB 210: HIRING OF CHIEF SCHOOL ADMINISTRATOR
 HB 351: ID REQUIRED TO ENROLL CHILD IN SCHOOL

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Al Alvarez	AK Pacific University	4101 University Dr Anchorage	99508	345-2164	564-8347	<input checked="" type="radio"/>	<input type="radio"/>	SB 225
Larry Meyers	D. O. R.			2320		<input type="radio"/>	<input checked="" type="radio"/>	SB 225
Steve Mophetres	ACSA	3200 4th St. #104	91801	6-9702		<input checked="" type="radio"/>	<input type="radio"/>	HB 210
Stow, Jeffrey	SELF	2601 Monmouth	99500	w/A	-	<input type="radio"/>	<input checked="" type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
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						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	

H/HESS ROLL CALL FORM

BILL HB 210 DATE 3/31/94
 TAPE 94-103, A NUMBER ~~430~~ 470
 SUBJECT OF VOTE TO ADOPT AMENDMENT 1

MEMBER	YEA	NAY	ABS
Rep. Cynthia Toohey	—	✓	—
Rep. Con Bunde	✓	—	—
Rep. Gary Davis	—	✓	—
Rep. Al Vezey	✓	—	—
Rep. Pete Kott	✓	—	—
Rep. Harley Olberg	—	—	—
Rep. Bettye Davis	—	—	—
Rep. Irene Nicholia	—	—	—
Rep. Tom Brice	—	—	—
TOTAL	<u>3</u>	<u>2</u>	—

+++++
 BILL HB 210 DATE 3/31/94
 TAPE 94-103, A NUMBER 106
 SUBJECT OF VOTE TO PASS HB 210 AS AMENDED OUT OF COMMITTEE

MEMBER	YEA	NAY	ABS
Rep. Con Bunde	✓	—	—
Rep. Gary Davis	—	✓	—
Rep. Al Vezey	✓	—	—
Rep. Pete Kott	✓	—	—
Rep. Harley Olberg	—	—	—
Rep. Bettye Davis	—	—	—
Rep. Irene Nicholia	—	—	—
Rep. Tom Brice	—	—	—
Rep. Cynthia Toohey	—	✓	—
TOTAL	<u>3</u>	<u>2</u>	—

HB 210

District	ADM	# Cent. Office Staff	# Principals	Total Central Office	Total Administrative	Total Budget	Admin Payroll as	Superintendent	Assistant Superintendent	Business Manager		
		(Includes Supts.)	(Incl. ass(st.))	and Principals	Payroll	%age of Budget	Salary	Base Salary	Top Salary	Base Salary	Top Salary	
ADAK	674	4.5	1.5	6	\$369,000	\$5,391,385	7%	\$88,000	\$70,000	\$70,000	\$39,400	\$70,000
ALASKA GATEWAY	509	4	2	6	\$426,599	\$5,398,462	8%	\$95,137				\$53,958
ALEUTIAN REGION	23	1.4	0	1.4	\$76,706	\$760,549	10%	\$85,000			\$47,840	\$63,856
ALEUTIANS EAST	459	4	2	6	\$332,440	\$5,262,014	6%	\$81,120		\$74,175		\$53,750
ANCHORAGE	46,115	26	111	137	\$9,770,685	\$286,701,533	3%	\$101,000	\$86,992	\$89,088		\$85,734
ANNETTE ISLANDS	417	2.5	2	4.5	\$302,661	\$3,487,374	9%	\$90,000				
BERING STRAIT	1,580	10	17	27	\$1,906,000	\$22,034,629	9%	\$92,500	\$75,276	\$85,944		
BRISTOL BAY	318	2	1	3	\$169,424	\$3,174,438	5%	\$90,527				
CHATHAM	356	2	2	4	\$288,664	\$4,306,000	7%	\$73,100		\$69,360		
CHUGACH	147	3	0.55	3.55	\$206,436	\$1,939,761	11%	\$83,000				\$54,745
COPPER RIVER	608	3	3	6	\$400,550	\$5,538,035	7%	\$76,000				\$52,500
CORDOVA	488	1.5	1.5	3	\$215,771	\$3,829,333	6%	\$87,720				\$56,424
CRAIG	358	4	1	5	\$251,177	\$2,300,066	11%	\$76,650				\$35,000
DELTA GREELY	946	3	3	6	\$382,069	\$6,527,876	6%	\$78,300		\$70,600		
DENALI	373	2	2	4	\$279,922	\$3,412,095	8%	\$78,000		\$63,000		
DILLINGHAM	497	6	2	8	\$464,292	\$4,961,709	9%	\$87,478				\$63,860
FAIRBANKS	15,608	7	39	46	\$3,104,724	\$5,762,900	3%	\$100,000	\$56,751	\$83,997		
GALENA	156	1	0.5	1.5	\$105,664	\$2,003,573	5%	\$73,000				
HAINES	433	1	2	3	\$195,548	\$3,361,628	6%	\$70,098				
HOONAH	268	1	1	2	\$135,570	\$2,824,769	5%	\$75,000				
HYDABURG	117	2	0.75	2.75	\$142,873	\$1,328,150	11%	\$65,000				
IDITAROD	446	4.5	6	10.5	\$623,619	\$5,751,419	11%	\$85,000				\$61,172
JUNEAU	5,413	9.5	12.5	22	\$1,518,052	\$34,241,000	4%	\$91,000			\$72,944	\$81,665
KAKE	176	1	1	2	\$119,695	\$2,086,669	6%	\$65,000				
KASHUNAMIUT	192	3	1	4	\$246,975	\$1,904,669	13%	\$84,450				\$50,425
KEVAI	9,597	11	40	51	\$3,520,260	\$67,124,275	5%	\$95,500	\$74,500	\$79,000		\$79,000
KETCHIKAN	2,837	5.5	8	13.5	\$923,339	\$16,207,124	6%	\$85,000		\$80,810		\$69,818
KLAWOCK	202	1	1	2	\$130,260	\$2,198,013	6%	\$75,210				
KODIAK	2,564	5	10	15	\$1,064,094	\$17,829,545	6%	\$85,000	\$76,590	\$81,880	\$57,500	\$67,160
KUSLUK	431	4	4	8	\$557,962	\$5,700,693	10%	\$90,308				
LAKE & PENINSULA	469	13	7	20	\$1,208,424	\$8,295,900	15%	\$106,482		\$85,456		\$79,700
LOWER KUSKOKWIM	3,079	10	25	35	\$2,579,426	\$43,368,778	6%	\$90,000		\$81,703	\$63,096	\$85,532
LOWER YUKON	1,660	9	11	20	\$1,425,803	\$17,035,469	8%	\$90,000	\$63,037	\$83,839	\$50,430	\$67,071
MATANUSKA-SUSITNA	10,688	11	36	47	\$3,260,982	\$67,265,276	5%	\$98,289	\$93,609	\$98,289		
NENANA	229	1	1	2	\$116,639	\$2,450,000	5%	\$65,000				
NOME	724	2	3	5	\$351,977	\$6,385,635	6%	\$74,000				
NORTH SLOPE	1,826	3	13	22	\$2,054,247	\$36,975,000	6%	\$110,000		\$109,000	\$69,790	\$96,273
NORTHWEST ARCTIC	1,942	15	13	32	\$1,973,888	\$21,264,000	9%	\$93,450		\$76,732	\$66,675	\$75,779
PELICAN	48	2	0	2	\$103,753	\$698,719	15%	\$55,000				\$48,753
PETERSBURG	706	3	2	5	\$273,343	\$4,692,899	6%	\$76,600			\$29,994	\$38,834
PRIBLOF	164	2	0	2	\$127,000	\$2,200,000	6%	\$87,000				\$40,000
SITKA	1,845	3	6	9	\$534,757	\$10,708,090	5%	\$74,000		\$69,000	\$39,790	\$44,200
SKAGWAY	170	2	0	2	\$106,890	\$1,369,300	8%	\$64,000				\$42,890
SOUTHEAST ISLAND	416	7	1	8	\$598,463	\$5,848,312	10%	\$87,776		\$77,418		\$53,550
SOUTHWEST REGION	637	6	3	9	\$654,614	\$8,669,031	8%	\$90,270		\$71,506		\$72,720
ST. MARYS	127	5	1	6	\$158,500	\$2,167,589	7%	\$82,500				\$46,000

District	ADM	# Cent. Office Staff (Includes Supts.)	# Principals (Incl. assist.)	Total Central Office and Principals	Total Administrative Payroll	Total Budget	Admin Payroll as %age of Budget	Superintendent Salary	Assistant Superintendent Base Salary	Top Salary	Business Manager Base Salary	Top Salary
TANANA	120	1	0.5	1.5	\$107,000	\$1,728,070	6%	\$75,000				
UNALASKA	374	2.1	1	3.1	\$188,356	\$3,777,615	5%	\$85,000			\$47,840	\$63,856
VALDEZ	964	2.67	3	5.67	\$416,317	\$6,840,310	6%	\$89,529			\$66,943	\$73,601
WRANGELL	521	1	2	3	\$193,452	\$3,671,330	5%	\$70,600				
YAKUTAT	144	1	0	1	\$68,000	\$1,300,000	5%	\$68,000				
YUKON FLATS	454	4	5	9	\$585,273	\$6,251,967	9%	\$97,000		\$72,255		\$61,800
YUKON-KOYUKUK	580	5	9	14	\$982,816	\$8,196,442	12%	\$90,000				
YUPIK	364	4.75	4.5	9.25	\$476,987	\$5,400,000	9%	\$97,000			\$55,000	\$70,000

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE MARTIN

TO: HB 210

Page 1, line 9:

Delete "500"

Insert "1,000"

Page 1, line 10, after "district;"

Insert "a district that does not meet the minimum average daily membership requirement of this paragraph may employ a chief school administrator if the district shares the services of the chief school administrator with another district and the combined average daily membership of the districts meets the minimum average daily membership requirement of this paragraph;"

Page 2, line 4:

Delete "500"

Insert "1,000"

Page 2, line 5, after "district.":

Insert "A district that does not meet the minimum average daily membership requirement of this subsection may employ a chief school administrator if the district shares the services of the chief school administrator with another district and the combined average daily membership of the districts meets the minimum average daily membership requirement of this subsection."

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To: The Honorable Con Bunde, Co-Chair
The Honorable Cynthia Toohey, Co-Chair
House Hess Committee

From: David Dossett, Assistant Superintendent
Southeast Island School District

Subject: HB 210

Date: March 29, 1994

As Assistant Superintendent of Southeast Island School District I would like to address a number of concerns regarding the possible adoption of HB 210, "An Act Relating to Employment of Chief School Administrators." As an administrator of a Regional Education Attendance Area I will focus my comments mainly on those areas directly relating to REAA's. However, I believe that most of my comments are relevant to other sections of this bill as well.

This bill will make significant changes in the ways in which school districts are operated. While some of the motivation for this bill may well be to reduce education costs throughout the state, certain aspects of this bill will significantly alter the administration of schools and, as a result, significantly increase costs, for both the State of Alaska and local districts.

For many years, Section 3 AS 14.08.111 (3) has required school districts to employ a chief school administrator. The removal of this requirements should not be taken lightly. It appears that under the addition of Section 2 AS 14.08.101 (11) districts may employ a chief school administrator if there are at least 500 students in ADM. However, it appears that there is no requirement that they do so. Since the proposed bill does not address districts with under 500 ADM, I am uncertain as to whether districts may do as they please or may not hire a chief school administrator at all. This seems to be an odd way of approaching school administration in Alaska, and I would offer the following observations:

1. I believe strongly that the lack of a chief school administrator in a district, given the training required for certification and the extensive experience required to be hired, would place local school boards and

the district in general in frequent positions of high liability. The State of Alaska has concerned and responsible school boards. At the same time, the vast majority of Board members are not trained in the detailed legal and fiscal requirements regarding the operation of schools. Without a plan to provide that kind of support and direction in the absence of a chief school administrator, I believe that Alaska school districts would quickly find themselves in a sea of litigation. While many of the various forms of the school reform movement advocate decentralization of decision-making and authority (e.g. site-based management), I know of none that seriously espouse the absence of a chief school administrator.

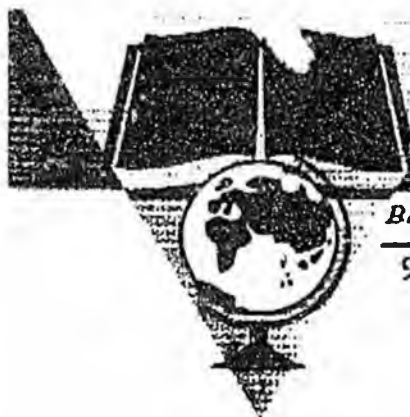
2. For those of us in districts with less than 500 ADM, the intent of this bill is confusing at best. There appear to be three possible scenarios. First, if Section 2 AS 14.08.101 (11) implies that districts of ADM less than 500 may not hire a chief school administrator, I believe that approximately 70% of the districts in the state will be affected. This is a striking change in the administration of small school districts, with no plan in place whatsoever to provide boards with training or communities with any means of determining appropriate alternate forms of school governance. If the paragraph implies that districts under 500 ADM may do what they wish, then I would suspect that most districts will retain a chief school administrator and no savings would be seen from this change.
3. I have heard a third scenario implied -- which is that small districts would band together and jointly hire a chief school administrator. This means that two or more district boards would share a superintendent. I believe that this scenario implies a major lack of understanding of the role of the chief school administrator and the role of local boards in determining their own destiny in the education process. Having both observed and participated in the process of preparation for board meetings, as well as establishing lines of communication so that a board is well-informed, I would suggest that doing so with multiple boards would consume most of the time of a chief school administrator, leaving little time for other administrative duties. This would require additional administrators to be available in each district. Most small

district administrators wear many hats. Working with multiple school boards will only mean that some of those hats will have to be passed to another administrator, thus again removing any savings this proposal might have thought to achieve.

4. In addition to working with multiple school boards, a shared superintendent will, in many cases, work with both REAA's and small city districts, each driven by different statutes, different funding formulas, different tax bases, different problems and different solutions. Wearing many hats is one thing. Riding many horses is an entirely different matter. I suggest that this is an unworkable situation for a superintendent. A shared superintendent could easily find him/herself expected to be on both sides of testimony in a legislative hearing. Worse yet, he/she could be expected to represent districts on opposite sides of a lawsuit. Shared superintendencies will inevitably result in untenable positions.

I would summarize by saying that this bill will create confusion for districts in its implementation, provide untried options for school governance without proper support and leadership for such drastic changes, and could result in considerable liability and litigation for both school districts and the State of Alaska. I seriously urge you to reject this bill.

DD:eb



CRAG SCHOOL DISTRICT

Bob Whicher, Principal

907/826-3274

Dr. Martin Laster, Superintendent

FAX: 907/826-3322

To: House Health, Education and Social Services Committee
From: Paul Thibodeau, Board President Craig City Schools
Martin Laster, Superintendent Craig City Schools
Subject: HB210
Date: March 28, 1994

Honorable Members of House HESS:

At any time it is worthy to consider legislation that has the potential to reduce costs and support direct services to constituents. Most certainly during periods of fiscal challenge, such as this session, it is inexcusable not to review administrative costs for potential reductions. Education should be able to withstand such scrutiny.

In return, the legislation should be thoughtful, systematic and a genuine approach to enhancing direct services to students. We would, therefore, like to offer the following testimony against HB210.

First, we are concerned that there is no mechanism suggested for implementing the massive changes this legislation mandates. If the bill stays in its current form, 31 of the 54 districts or 57% of the state is impacted. If amended to read "at least 1000 students", 40 districts or approximately 75% of the state's school systems will have to decide how they are going to operate in this new environment. It seems to us that this will shift the focus from students and education to politics and economics.

While Sec. 8 AS. 14.20.025 does not speak specifically to this issue, it does address displaced personnel. It appears to preserve "seniority, salary level, tenure, leave, and retirement." This begs the question who bears fiscal implications of this bill? Does the legislature, the originally hiring district or do the coopted districts cover the cost of displaced but contracted personnel?

These are difficult times that call for innovative, well conceived solutions.

Chief school administrator's jobs clearly differ in large and small student population districts. In a large district one can rely on levels of administrative support that does not exist in small districts. In a smaller setting, the superintendent must do more while still being accountable for the same laws and regulations which affect larger settings.

Legislators must have faith that school board members, elected officials like themselves, are doing their job and reviewing the superintendent's performance. There is a similar base of expertise and sense of responsibility on local school boards as in the legislature. We are certain that it is not the legislature's intent to usurp local control and responsibility from well over half the district boards in the state. Local control should not be sacrificed for perceived cost savings.

Boards and superintendents have responsibility to be cost effective and deliver on high expectations for student performance. The Craig City School Board has taken these challenges seriously. We are involved in a series of collaborative efforts with neighboring districts to cut costs and expand service. These strategies include:

- Shared speech services
- Shared music instruction
- Shared testing services
- Shared professional resources
- Shared staff development opportunities

In addition, we are currently developing an interactive video classroom network to deliver instruction in multiple schools at the same time, thereby reducing cost.

As you can see these build capacity and keep costs down. No one mandated these efforts: we just know that it is responsible school governance. We are also listening to our community and holding our school system accountable for increased student performance.

Listening and responding to constituents is what boards, legislators, and superintendents are expected to do. We are trusting that responsible solutions will come from those we serve. We ask that you also have faith that local boards, administrators, staffs, students, and communities are in this effort with you. We recognize that these are tough times but we ask that the actions you take preserve choice for local decision makers in developing innovative, well conceived solutions to our mutual yet unique challenges.

Thank you.

TANANA CITY SCHOOL DISTRICT

P.O. Box 89
Tanana, Alaska 99777
(907) 366-7203 / 7207
FAX: (907) 366-7201

Ron DeLay
Superintendent

Wednesday
March 30, 1994

Representatives Con Bunde and Cynthia Toohey
House Health, Education, and Social Services Committee
Room 106, Capitol
Juneau, Alaska 99801

Re: HB 521 Remove De Novo Trials
HB 210 Limit Administrators

Dear Representatives Bunde and Toohey:

I was unable to get on teleconference this afternoon to testify on the bills referenced above, so please consider the following:

HB 210 Remove De Novo Trials

As you may have heard in Justice Moore's "State of the Judiciary" message yesterday afternoon, our Alaska Court System is jammed beyond capacity with cases, many of which may not see court room resolution for years. The Justice's solution? Simplify, simplify, simplify-get rid of unnecessary trials!

Right now trial de novo embodies exactly what Justice Moore is suggesting be eliminated. Trial de novo adds a step to due process that no other public employee, save a public school teacher, is granted. If I were an attorney, I would love trial de novo because it guarantees double my fee because it doubles the length of the process. As a teacher, I love it, for it guarantees an added safeguard, albeit already guaranteed by statute, which will cost school districts thousands upon thousands of extra dollars.

As a teaching administrator of a small, single-site school district, trial de novo as it is now in statute is a budget killer. We may well be heading into such a situation involving de novo as of this writing. As a district we do everything we can to help a teacher improve. Not only is it common sense to do that, but it is the most cost effective way to ensure the best is ^{happening} ~~being~~ in the classroom for kids. That said, when you have exhausted all the options for helping a teacher and it comes down to a

The mission of the Tanana City School District, in partnership with the community, is to produce students who possess the necessary attitudes, skills, and knowledge to pursue their dreams through a curriculum which celebrates the diversity of all people while preserving each individual's unique cultural heritage.

hearing of non-retention or dismissal, that hearing alone can cost in the neighborhood of \$30,000 (Hearing officer, attorney costs, depositions, costs of subs, et al). I wish I were guilty of hyperbole, but I just spoke with our attorney. And those costs are pre de novo. My point is,

H E L P! Get Rid of De Novo!

HB 210 Limit Administrators

What Representative Martin's bill is talking about is consolidation and that is where the Athabascan Indian Community of Tanana takes issue. While it may be good press to go after those "high priced" administrators, what Representative Martin is talking about is eliminating local control and self-determination. The village fought long and hard to gain what little it has--by any standards--and it is not willing to give up its direct role in the education of its children. Though Tanana is a first class city, it is basically a poor village in the middle of the Yukon with very few homes boasting running water or indoor plumbing. What the village can boast is a school district which serves its predominantly native population, few if any dropouts, and a supportive community/school relationship. Do not take away what little Tanana has, especially given the negligible cost savings if any.

Am I saying all of this to save my job? NO. My daily rate of pay was significantly more when I was teaching full time than I now make as a "high priced" administrator. Note the duties someone like me has in a district like Tanana. I do everything but the windows here.

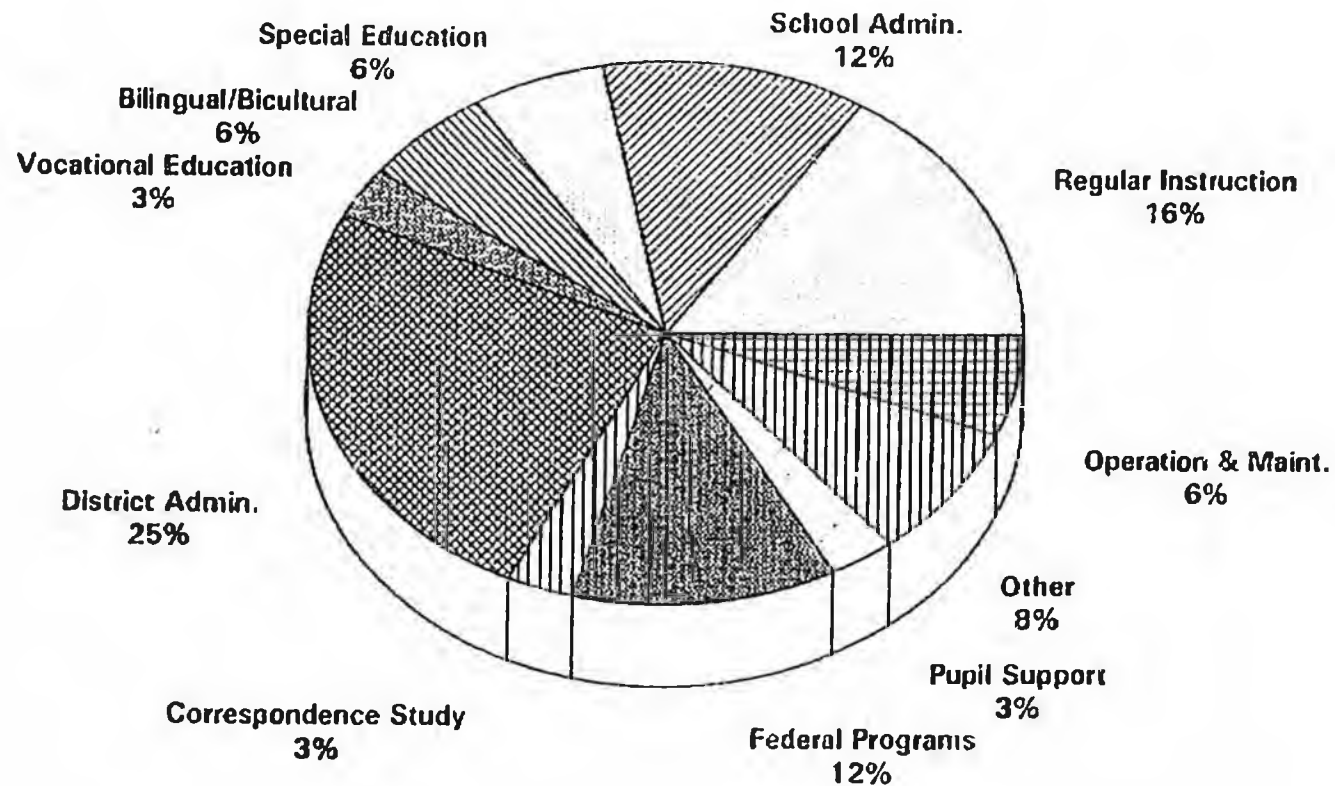
Finally, if Representative Martin truly wants districts to save more money, let the school boards determine where cuts can be made, let them do their job--it is theirs to do. They know best where and what to cut. Or let's tackle the debt retirement issue which is costing all of us big bucks. Let's not micro-manage to the point that we think of saving pennies by removing the steering wheel of our educational vehicle.

Thank you for taking the time to consider these thoughts.

Regards,


Ron DeLay

Superintendent's Duties



ELECTIVE DISTRICT 14
ELMENDORF A.F.B.
EAST ANCHORAGE
GOVERNMENT HILL

REP. TERRY MARTIN

HOME
355 DONNA DR., #11
ANCHORAGE, AK 99504
PHONE: 333-6990

DURING SESSION
P.O. BOX V
STATE CAPITOL BUILDING
JUNEAU, AK 99811
PHONE: 465-3783

Alaska House of Representatives

SPONSOR STATEMENT

HB 210

"An Act relating to Chief School Administrators"

An old law that required a superintendent for each school district has proven very costly for rural Alaska and small city-borough local governments. When Alaska first became a state, there were few school districts, namely large cities like Anchorage, Fairbanks, and Juneau, where the need for a superintendent was expected. However, since the Bureau of Indian Affairs began transferring authority over schools from federal to state government in the mid-70's, and local communities demanded autonomy over their school sites in the early 80's, the cost of the chief school administrator's office has erupted.

The problem in Alaska is multi-tiered in that there are too many school districts, thereby creating too many superintendent positions. The superintendents are clearly overpaid in many districts and have an unnecessary entourage of support staff, which escalates the level of the problem to a direct fiscal impact on each school district. Interestingly, the complexity grows as specific requests are sent to legislators by these very districts, particularly single sites, who complain of a reduced funding for teachers in their community and yet have a ridiculously exorbitant chief school administrative office and staff.

As small communities attempt to make an argument for special single site funding, regions such as Southeast Alaska represent over 31% of the 54 districts in the state and yet only have an Average Daily Membership (ADM) of 11%. This disproportion is most evident with the Prince of Wales Island which has four (4) operating districts: Klawock, Craig, Hydaburg and the Rural Education Attendance Area (REAA) of Southeast Island, which does not have its headquarters stationed on the island (its office is in Ketchikan).

Currently, Alaska statute requires one superintendent per district, which is expensive and unjustifiable. In the example referencing Prince of Wales Island, of the 4 school districts on the island with only 1,095 students, two are only seven

Sponsor Statement

(7) miles apart on a good road. In the case of the superintendent in the Southeast Island REAA, beyond a \$87,776 salary with a 35% benefits package, this small district of 418 students also employs an assistant superintendent at \$77,418 and a business manager at \$53,550, and yet the average new teacher's salary is \$36,000. In regards to the REAA's office in Ketchikan, the rent per month is \$9,731 and the average lease per year is \$116,772.

Examples of a shared superintendent are the Aleutian Region School District and the Unalaska School District which employ one chief school administrator. Yupit is an example of inefficiency with a merging of three villages, costing 65% for administration and 35% for instruction. In St. Mary's School District, the administration is in financial turmoil and it is presently looking for other options to contract out. HB 210 would greatly alleviate their frustrations.

The purpose of HB210 is to eliminate the requirement for every school district to employ a chief school administrator (superintendent). In particular, if a school district has under 1000 students (as amended), it will be ineligible to hire a superintendent. If the ADM is over 1000 (as amended), employment of a superintendent is optional, but not required. Also, as enacted, 13 school districts with over 1,000 ADM will remain unchanged, leaving the other 41 districts to analyze where administrative consolidation can occur.

In light of our present fiscal decline, Alaska cannot fail to recognize that the education of our children is of the highest priority. With this in mind, waste and inefficiency should be the foremost deletion in our plan for recovery. HB 210 represents one means by which excess fat can be trimmed. School districts throughout the state must better utilize their educational resources. HB 210 is the mechanism through which many of these districts can reduce spending for unnecessary administrators while increasing their teacher/student ratios, in both instances benefiting the student. This bill will not reduce funding to school districts, but will allow school boards to maximize their revenues for instructional purposes.

ELECTIVE DISTRICT 14
ELMENDORF A.F.B.
EAST ANCHORAGE
GOVERNMENT HILL

REP. TERRY MARTIN

HOME
355 DONNA DR., #11
ANCHORAGE, AK 99504
PHONE: 333-6990



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SPONSOR STATEMENT

HB 210

"An Act relating to Chief School Administrators"

SECTION 1:

Eliminates the requirement that the annual school performance report be presented to the chief school administrator.

SECTION 2:

Requires that the chief school administrator may only be employed if the average daily membership is over 500 (amend to 1,000).

SECTION 3:

Removes the requirement to employ a chief school administrator.

SECTION 4:

States each school board may employ a chief school administrator, providing the ADM is over 500 (amend to 1,000).

SECTION 5:

States the administrator must follow the specified policies, if employed.

SECTION 6:

States the administrator shall control employment of staff, under the board's approval, if employed.

Sectional Analysis

SECTION 7:

Deletes requirement of employing a chief school administrator at a state boarding school.

SECTION 8:

States that a limited teaching certificate must be issued through a chief school administrator, unless there is not such a position, then it must go to the department.

SECTION 9:

States that if a chief school administrator is hired and absorbs another district, the transfers shall fall under his/her authority.

SECTION 10:

States that if a chief school administrator is hired, he/she shall authorize intradistrict teacher reassignments.

Rep. Terry Martin
State Capitol
Juneau, AK 99801-1182

2/23/93

Dear Rep. ~~Martin~~,
Terry

Last fall you and I spoke briefly about the high cost of school administration.

Having been a school administrator I know there is redundancy at the administrative level. As an example, there are three school districts on Prince of Wales (POW) Island, one each at Craig, Klawalk and Hydaburg in addition to the REAA operating out of Ketchikan, a total of four (4) operating districts.

Enclosed is an article from the Ketchikan Daily News, 2/23/93, about the REAA unit headquartered here in Ketchikan. It relates a rather cavalier attitude toward education expenses exhibited by Southeast Island School District.

There was a time, early in the operation of this REAA, when it was appropriate to headquarter in Ketchikan. That time has past especially in view of the budget crunch. During the fall campaign, many residents of POW expressed to me a desire to have Southeast Island School District headquarters move to the island. The move would reduce REAA delivery costs.

There may be a more appropriate approach to cost savings, "district consolidation". Expect turf protection fights if a consolidation review were to be undertaken. The goal would be a more cost effective delivery of education and a reduction of overhead administration.

Moving the REAA out of Ketchikan to POW would impact employment of the support staff as it is presently constituted in Ketchikan. I do not know but suspect the support staff is greater than necessary.

As you search for budget solutions, district consolidation and REAA operations may be worthy of review.

Sincerely,

Carroll
Carroll G. Fader
Box 5794
Ketchikan, AK 99901

(907) 225 3389

Letter of Support

SUPERINTENDENT ANALYSIS 1993

SCHOOL DISTRICT	# OF STUDENTS	SUP. SALARY	BENEFITS	AS	AA	BM
ANCHORAGE	48,115	\$101,000		Y	Y	Y
FAIRBANKS	15,608	\$100,000		Y	N	N
MAT-SU	10,689	\$98,289		Y	Y	Y
KENAI	9,597	\$95,500		Y	N	Y

(TOP 4 IN SIZE)

ALEUTIANS EAST	469	\$81,120		Y	Y	Y
BRISTOL BAY	318	\$90,527		N	N	N
DILLINGHAM	497	\$87,478		N	Y	Y
GALENA	156	\$73,000		N	N	N
KODIAK	2,564	\$85,000		Y	N	Y
LAKE & PENNINSULA	469	\$106,482		Y	N	Y
NEVANA	229	\$65,000		N	N	N
NOME	724	\$74,000		N	N	N
NORTH SLOPE	1,826	\$110,000		Y	N	Y
NEW ARCTIC	1,942	\$93,450		Y	Y	Y
ST. MARYS	127	\$82,500		N	N	Y
TANANA	120	\$75,000		N	N	N
UNALASKA	374	\$85,000 (SHARED)		N	Y	Y
VALDEZ	964	\$89,529		N	N	Y

(BOROUGH AND CITIES)

ADAK	674	\$88,000		Y	N	Y
AK GATEWAY	509	\$95,137		N	N	Y
ALEUTIAN REGION	23	\$85,000 (SHARED)		N	Y	Y
BERING STRAIT	1,580	\$92,500		Y	Y	N
CHUGACH	356	\$83,000		N	N	Y
COPPER RIVER	608	\$76,000		N	N	Y
DELTA GREELY	946	\$78,300		Y	N	N
DENALI	373	\$78,000		Y	N	N
IDITAROD	446	\$85,000		N	N	Y
KASHUNAMUTT	192	\$84,450		N	N	Y
KUSPUK	431	\$90,308		N	Y	N
LOWER KUSKOKWIM	3,079	\$90,000		Y	N	Y
LOWER YUKON	1,660	\$90,000		Y	N	Y
PRIBILOF	164	\$87,000		N	N	Y
SOUTHWEST REGION	637	\$90,270		Y	N	Y
YUKON FLATS	454	\$97,000		Y	N	Y
YUKON-KOYUKUK	580	\$90,000		N	N	N
YUPIIT	364	\$97,000		N	N	Y

(REAS)

CHATHAM	356	\$73,100		Y	N	N
YAKUTAT	144	\$68,000		N	N	N
HAINES	433	\$70,098		N	N	N
SKAGWAY	170	\$64,000		N	N	Y
UNEAU*	5,413	\$91,000		N	N	Y
PELICAN	49	\$56,000		N	N	Y
HOONAH	268	\$75,000		N	N	N
SITKA	1,845	\$74,000		Y	N	Y
KAKE	176	\$65,000		N	N	N
PETERSBURG	706	\$76,600		N	N	Y
WRANGELL	521	\$70,600		N	N	N
SOUTHEAST ISL.*	418	\$87,776		Y	N	Y
KLAWOCK	202	\$75,210		N	N	N
CRAIG	358	\$76,650		N	Y	Y
KETCHIKAN*	2,637	\$85,000		Y	N	Y
HYDABURG	117	\$65,000		N	Y	N
ANNETTE ISLANDS*	417	\$90,000		N	N	N
17 DISTRICTS	14,230	\$1,263,034		4	2	8

(SOUTHEAST)

* NOTE: OUT OF THE 54 SCHOOL DISTRICTS - 32 SUPERINTENDENTS MAKE MORE THAN THE GOVERNOR'S SALARY OF \$81,648 AND OF THOSE SUPERINTENDENTS, 15 HAVE LESS THAN 500 STUDENTS. IN ADDITION, WHILE THE SOUTHEAST SCHOOL DISTRICTS CONSIST OF 31.5% (17) OF THE TOTAL NUMBER OF 54 SCHOOL DISTRICTS IN ALASKA, THEY ONLY ENROLL 11% OF THE STUDENTS IN THE STATE.

COMPILED BY REP. TERRY MARTIN AND STAFF

Background Information

SUPERINTENDENT ANALYSIS (SOUTHEAST) 1993

SCHOOL DISTRICT	# OF STUDENTS	SUP. SALARY	BENEFITS	AS	AA	BM
CHATHAM	356	\$73,100		Y	N	N
YAKUTAT	144	\$68,000		N	N	N
HAINES	433	\$70,098		N	N	N
SKAGWAY	170	\$64,000		N	N	Y
IUNEAU*	5,413	\$91,000		N	N	Y
PELICAN	49	\$56,000		N	N	Y
HOONAH	268	\$75,000		N	N	N
SITKA	1,845	\$74,000		Y	N	Y
KAKE	176	\$65,000		N	N	N
PETERSBURG	706	\$76,600		N	N	Y
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SOUTHEAST ISL.*	418	\$87,776		Y	N	Y
KLAWOCK	202	\$75,210		N	N	N
CRAIG	358	\$76,650		N	Y	Y
KETCHIKAN*	2,637	\$85,000		Y	N	Y
HYDABURG	117	\$65,000		N	Y	N
ANNETTE ISLANDS*	417	\$90,000		N	N	N
17 DISTRICTS	14,230	\$1,263,034		4	2	8

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 32 SUPERINTENDENTS MAKE MORE THAN THE GOVERNOR'S SALARY OF \$81,648 AND OF THOSE SUPERINTENDENTS, 15 HAVE LESS THAN 500 STUDENTS. IN ADDITION, WHILE THE SOUTHEAST SCHOOL DISTRICTS CONSIST OF 31.5% (17) OF THE TOTAL NUMBER OF 54 SCHOOL DISTRICTS IN ALASKA, THEY ONLY ENROLL 11% OF THE STUDENTS IN THE STATE.

New Floating School For Gildersleeve Families

If you happen to fly over Tolstoi Bay on the eastern shore of Prince of Wales Island look closely at Gildersleeve Logging's floating camp. Tucked in amongst this picturesque floatilla is a brand new floating school facility. Designed by A.B.A. M. Engineering in conjunction with Southeast Island School District and built in Fife, Washington by McClure & Sons, this one of a kind school made the 7 day float to Tolstoi Bay this summer and is now fully operational.

By Colleen Gildersleeve

I have been asked to write an article on the new J. R. Gildersleeve School which is now located in Tolstoi Bay, approximately 50 miles northwest of Ketchikan.

This school, funded wholly by state dollars, to the tune of approximately \$2 million, continues the tradition first started by Maureen and J. R. Gildersleeve in Thome Bay 35 years ago when they personally financed and built the first Gildersleeve School. That school, by the way, was in continuous operation up until 4 years ago and is still in use as a "community center" at our Polk Inlet location. Since that first school in 1957, there has always been an operating school for the children of the parents employed by Gildersleeve Logging.

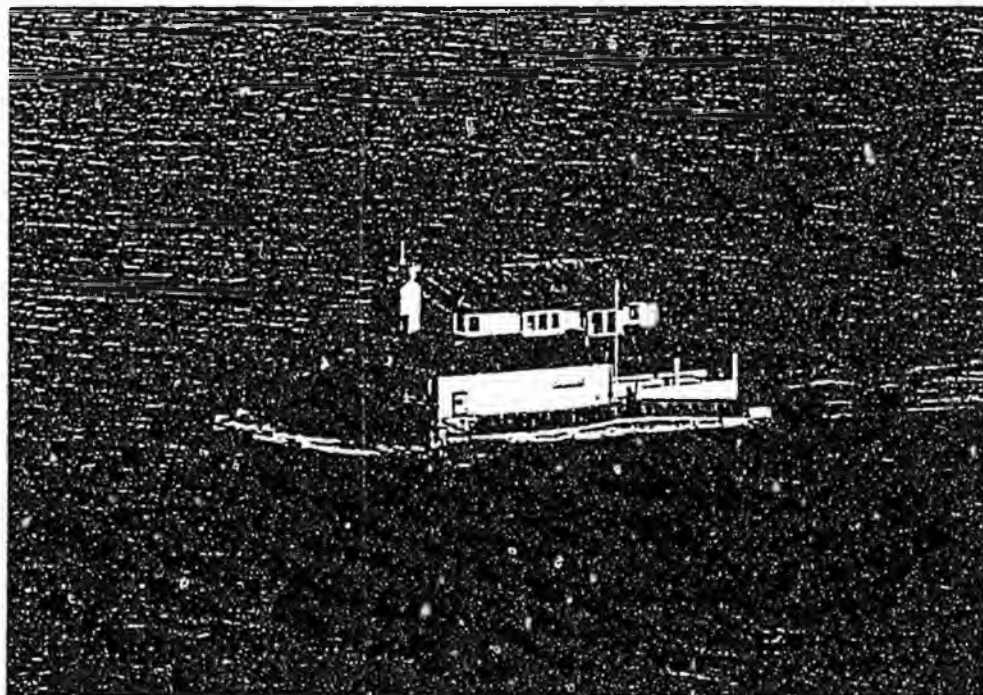
Our new school is a two story building, built out of cedar with a steel roof. The building is approximately 55' x 65' and sits on 9 cement pontoons. There is a separate elementary room, secondary room, library, science and kindergarten rooms. There are also two bathrooms and a teacher conference room all located on the first floor. The second floor is an apartment for the teaching staff. In the "basement", (one of the pontoons) is all of the support equipment, i.e., a 40 kw generator, (back-up use only), sewer and water treatment plants, electrical panels, etc. The two oil furnaces are located on the first and second floors. Located inside the entrance are lockers for the children to hang up their coats and lifejackets.

The science room is state of art and serves 5 to 8 children from the secondary class. With our "right on the water" setting, maybe we will turn out some marine biologists. The library is spacious and is the only room with an adequate amount of windows as well as being well lit from overhead. There are three computers set up in the library for use by all of the children. The elementary students are currently taking computer keyboard each day. They are amazingly adept and I foresee them typing their own book reports and research papers by the time they enter the secondary class (7th thru 12th grades). All of the rooms are accessible from the entry

or "common" area. There is access to each individual room without ever having to pass through another room, the traffic patterns are smooth and non-disruptive to other students. The overall soundproofing is adequate, the children can practice their musical instruments in the kindergarten without disturbing any other class activities. The elementary room is no larger than that in the "old" school, but with the library having an adjoining door, classes can handily spill over into the library. The secondary room has two computers which are in constant use, a cook range and a refrigerator. The class room has adequate room for the children and excellent soundproofing but a remarkable LACK of windows as is the case with all of the rooms, up and down, save the library.

The apartment upstairs is a great idea adding to the self-contained aspect of the building. However, one gets the distinct impression that you are entering a state mental hospital as all drawers and cabinets are extremely small in the kitchen and bathroom. Not only do they look institutional, they all have locks on them. The windows are small and have been installed too high for viewing out from a sitting position. Space constraints here do not allow me to further elaborate on other design and construction flaws.

Suffice it to say that this facility is being thoroughly enjoyed by students and teachers. It is a real pleasure to go to the school and see the harmonious flow of activities. This new school has not brought with it new found wisdom to the teachers (already quite wise), or involvement by the parents (ours, I believe, are more involved than most), or a greater capacity for learning by the children. These traits can not be bought and are the foundation of a good education.



The new floating school in Tolstoi Bay at Gildersleeve Logging's floating camp.

providers focus on two-year-olds because all primary series of immunizations are meant to be complete by the age of 18 months, said Nugent.

Nugent said children should be immunized early because several diseases — measles, H.flu, and pertussis — can be deadly to very young children.

The overall, on-schedule immunization level in the state is 55 percent, said

Jenkerson. Some urban areas don't do as well as rural areas, she said. A special "Immunization Action Plan" will begin soon in Anchorage, Fairbanks and Juneau where 49 percent of children are being immunized on schedule, she said.

Rural areas do better, despite geographical challenges, said Jenkerson. Rural regions average between 58 and 67 percent, she said.

Between 99 and 100 percent of children are immunized by the time they start school, said Jenkerson. The Division of Health has an aggressive tracking program and schools are routinely assessed for immunization levels, she said.

"Our state has been extremely supportive of programs that affect children, See 'Vaccinations,' page 2

Somebody might sue

Southeast Islanders, superintendent at odds

By GERRIT KOEPPING
Daily News Staff Writer

Whatever the results of an upcoming Southeast Island School Board meeting, it's possible somebody is going to get sued.

The Southeast Island School District might be sued if its School Board does not rescind the actions it took at a January 1992 meeting, Charles Thomas Beck, a former mayor of Thorne Bay, said Friday.

Meanwhile, the board has received a letter from the personal lawyer of the district superintendent indicating that the board or its members might be sued if they do negate the actions of that meeting.

Beck said because of inadequate public notice the meeting was in violation of the Alaska Open Meetings Act and the School Board's meeting notification policy.

A lawsuit would be filed if the district's board does not nullify at its next meeting the actions it took at that January 1992 session, he said.

During that January 1992 meeting District Superintendent Bob Weinstein had his contract extended for one-and-a-half years and was given a \$5,000 bonus, said Board Clerk Elaine Price, who did not attend that meeting.

Beck, who is not on the board, said it angered him that Weinstein was getting a bonus when, he said, money is tight for the district.

A group of 386 people have pledged \$20 a piece to pay for the legal fees, Beck said, for a total of \$7,720.

On Monday, Price said she received a letter from Weinstein's personal attorney Clifford H. Smith.



Bob Weinstein

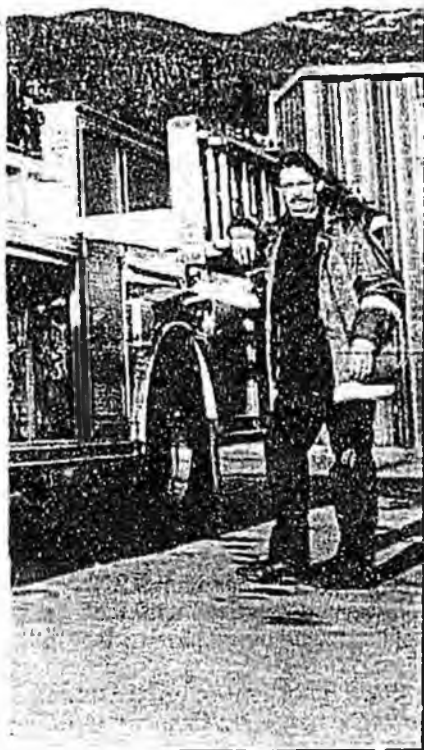
ney Clifford H. Smith.

Smith wrote that recent events suggest Price and other individuals are using the Open Meetings Act as a way to invalidate Weinstein's contract which is good through June 30, 1995.

"Any further efforts by Ms. Price or other Board members to participate in, or aid or sanction action by other persons toward efforts to breach Mr. Weinstein's employment contract, or otherwise harm his professional reputation will result in vigorous legal action against all involved parties."

Price said the letter, which was also addressed to the three other board mem-

See 'SEISD,' page 2



truck while Lt. Dave Hull stands by cab for easy engine access and Fla., about three weeks ago. The

Staff photo by Hall Anderson

KETCHIKAN DAILY NEWS 2/22/92

Bridge alternative

An alternative to the proposed horseshoe-shaped bridge to the Ketchikan International Airport would provide shortened travel with an "S"-shaped curve.

Long-time bridge advocate Ralph Bartholomew said the suggestion has been passed on to the bridge consultants Peratrovich, Nottingham and Drage Inc. That firm is working with the consultant Montgomery Consulting/Engineering Inc. which has contracted with the state Department of Transportation and Public Facilities to do an draft Environmental Impact Statement for a proposed hardlink here.

The "S"-shaped bridge would start near the existing airport ferry terminal on Revillagigedo Island. The horseshoe-shaped bridge starts farther away from Ketchikan at Peninsula Point.

The new bridge alternative would include a 175-foot clearance for cruise ships traveling down the Narrows, said Bartholomew. It also is within the 5 percent incline grade that the consultants are striving for.

The bridge could remain similar to the horseshoe-shaped proposal with a pedestrian walkway underneath the bridge.

The horseshoe proposal has been estimated to cost \$60 million, compared to the option of building a \$120 million hardlink from Ketchikan to Pennock Island and Pennock to Gravina Island.

Gov. Walter J. Hickel appropriated \$250,000 towards the EIS for the proposed project. About \$60,000 of that has been used for the project's scoping.

Montgomery plans to start working on the draft EIS in April, said Bartholomew.

January weather

It was a bit drier in January than in years past and the high temperature for the month came just under 4 degrees of the all-time record.

There were 12.3 inches of precipitation last month in Ketchikan, compared to a normal level of 14.1 inches, according to information from the National Weather Service.

The most precipitation recorded in January during a 24-hour period was 4.1 inches on the 29th. The greatest precipitation on record is 6.88 inches in 1962.

Measurable precipitation was measured on 17 of the 30 days.

The high temperature for the month was 58 degrees on Jan. 31. The all-time high for January was 62 degrees in 1947.

The lowest temperature last month was 11 degrees on Jan. 11. The record low is minus 4 degrees.

Weather observations are made by Federal Aviation Administration Flight Service office at the Ketchikan Interna-

SEISD

bers of the district, was a threat; but that she was not concerned.

Since December she said that she has received a variety of requests for information, some from the people trying to rescind Weinstein's contract, but that was the extent of her involvement.

"I guess he assumes because I gave these people information about the January 1992 meeting that I'm part of it," she said.

Price said all she did was give out public information and has no interest in rescinding his contract.

The meeting was announced in the Daily News two days before it occurred, but most residents of the district subscribe to the weekly paper the Island News, which is based in Thorne Bay, and not to the Daily News, Beck said.

The Daily News generally announces meetings two times before they occur.

Colleen MacCannell, publisher of the Island News, said the district did not announce the January 1992 meeting in her paper and does not normally do so.

The district policy states board meetings should be published five days in advance, but does not state if that means the meeting needs to be announced in the media five days in advance or the media needs to just be told five days in advance.

To Beck that means there should have been an announcement in the papers at least five days before the meeting.

Edward G. King, a partner in the law firm of Ziegler, Cloudy, King, and Peterson, which represents the district, said he felt the district had not violated the Open Meetings Act.

"I've enough experience with the Open Meetings Act to know that if we violated it, we would quick like a bunny rabbit give longer notice," he said.

King, said he and Weinstein's personal attorney and the staff attorney of the Association of Alaska School Board concluded the district has not violated the Alaska Open Meetings Act.

Smith wrote in his letter to the four board members that the board for years had considered its policy to mean there needed to be a five-day notification to the media before a meeting, not a particular notice or advertisement in a newspaper five days before a meeting.

Concerns about advance notification of a February 1993 board meeting led to its cancellation when two board members refused to attend.

Price said she and Board member Daniel Hayes refused to go to the meeting when they found the meeting had

Continued from page 1

not been announced in the media five days before it was to occur.

She said she had talked to Weinstein a week before the February meeting about making sure proper notice was given.

When she found that three days before the meeting there had been no notice in the media she faxed a letter to the district office saying she would not attend.

With Hayes also refusing to attend and another board member out of the state, the five-member board did not have a quorum and the meeting was canceled.

King said he wanted board members "to get back to the table."

"The administration will do what the board tells them to do, but we have to have a meeting to let those views be known," King said.

Smith's letter to Price states that board members' refusal to attend meetings makes it impossible for Weinstein to do his job and thus violates his contract.

"On behalf of Mr. Weinstein, I would ask that the Board immediately cease this nonsense and get on with running the School District," states Smith's letter.

One of the issues to be discussed at the February 1993 meeting was whether to move the district office to Thorne Bay.

Beck said the issue has been one of contention and Weinstein has angered people by opposing the move.

The office is currently in an office building in Ketchikan, which costs the district \$9,731 a month in rent, according to a letter to the Island News editor from Price. Ketchikan is not within the boundaries of the Southeast Island School District.

Price said moving the district office is a "big deal" and in her letter supported the idea.

Beck said it originally made sense to have the office in Ketchikan because there wasn't an established road system on Prince of Wales Island, but that now a road network is developed and the office should be moved inside the district.

In the Feb. 8 edition of the Island News there was a petition advocating the office be moved to the island signed by about 350 of its residents.

Weinstein said he had no comment on any of the above matters.

The next scheduled board meeting will be at 6 p.m. Thursday at Naukati School in Naukati. It is not known if there will be a quorum.

Audit Report

POTENTIAL FOR ADMINISTRATIVE SAVINGS FROM SCHOOL DISTRICT CONSOLIDATION

May 11, 1992



Audit Control Number:
05-4409-92

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

SUBMITTED BY: REP. MARTIN

5-11-92 Legislative Audit - Potential for Administrative Savings from School District Consolidation

ORGANIZATION AND FUNCTION

Title 14 of the Alaska Statutes sets out the duties and organization of the Department of Education. The statutes establish a seven-member State Board of Education appointed by the Governor, which sets the policy for education in Alaska's public schools. The State Board appoints the commissioner of the Department of Education to implement and carry out its policy decisions.

There are a total of 54 school districts in Alaska. The school districts include 21 Regional Education Attendance Areas (REAs) which serve the unorganized borough, 18 first class city districts, and 15 borough and home rule municipality districts. Each district has an elected school board that works within the state guidelines to set policies for their respective district. City and borough school districts are funded by a combination of local taxes and state funding. REAs are within unorganized areas which have no taxing authority and receive almost all operational funding from the State.

As set out in AS 44.47 the Department of Community and Regional Affairs' (DCRA) basic mission is to advise and assist regional governments. One of DCRA's functions is to provide staff support to the Local Boundary Commission (LBC). The LBC is made up of five members appointed by the governor, one each from the four judicial districts and one from the State at large. Appointments are made for overlapping five-year terms. The LBC adopts regulations to define and clarify the standards for borough incorporation, annexation, dissolutions, and any other actions affecting municipal boundaries.

Although DCRA provides technical and administrative support to LBC, the department and the commission are independent in matters of policy. While DCRA staff assist LBC and may make recommendations, boundary decisions are made independently by LBC.

BACKGROUND INFORMATION

Local control is the overriding public policy principle for rural Alaskan schools

The principle of local control is the central aspect of school administration public policy in Alaska. Since 1975, both administrative and legislative actions have reaffirmed the primacy of this public policy principle for schools throughout the State.

Local control of education, particularly in the rural, predominantly native regions of the State is considered of critical importance. This may be due in part to the history of school governance in rural Alaska. For most of this century these rural schools were administered and controlled by outside groups – either the church, the State, or the federal government.

Comparatively, the more urban sections of the State have had local control of their schools since early in the century. In 1905, the U.S. Congress authorized Alaskan municipal governments to establish and locally operate schools separate from the existing federal schools in the territory.

Later, the Uniform School Act of 1917 established the territorial Department of Education to systematize school administration on the state level. Rural, predominantly native schools were still administered by the U.S. Department of Interior, Bureau of Indian Affairs (BIA).

In the early 1960s the Mandatory Borough Act (see discussion on the next page) granted organized boroughs authority for school administration. Rural schools in the unorganized regions of the State still were administered either by BIA or as part of the

CREATION OF 1985 REAAs DEMONSTRATED IMPORTANCE OF LOCAL CONTROL

Despite opposition from the State Board of Education, two new Rural Education Attendance Areas (REAAs) were formed in 1985. The five villages included in the two REAAs were contract schools that previously had been funded by the BIA. As such, the schools had been operating independently outside the jurisdiction of the surrounding REAAs.

The State Board of Education and the Department of Education both advocated that the new villages be consolidated into existing REAAs. Their opposition to creation of new, separate REAAs were based on three major points:

1. The cost involved in establishing five new school districts; (The original legislation proposed separate REAAs for each village. This proposal was subsequently changed so that the villages of Akiachak, Akiak, Tuluksak, and Cheformak were consolidated into one of the new REAAs).
2. The adverse effects of fragmenting the existing delivery system in a manner not contemplated by existing municipal or education law.
3. The potentially dangerous precedent the bill would create respecting relationships between REAAs and their respective communities.

The five villages protested the absorption of their schools into the existing REAAs believing it to be a loss of local control.

Despite the well-founded objections of the State Board of Education, the legislature did create new, separate REAAs.

While reduction of the number of new REAAs from five to two did reflect some compromise, the legislature found local objections and concerns over the loss of local control compelling. Rather than consolidating the villages into the existing REAAs, they carved out new districts from inside the boundaries of the Lower Yukon and Lower Kuskokwim REAAs.

statewide State-Operated School (SOS) system. Over time both the BIA and SOS schools had allowed for some measure of local control through the establishment of advisory boards at the community level.

Legislation mandating boroughs was the first step in implementing constitutional requirement

**STATE CONSTITUTION REQUIRES
STATE TO BE DIVIDED
INTO BOROUGHS**

Article X, Section 3 of the Alaska Constitution requires that:

The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible.

Article X provides for maximum local self-government with a minimum of local governmental units. These local government units, called boroughs, were to be based on economic, geographic, social and political factors.

The boroughs were to be large enough to allow for the provision of all local services within the boundaries of a single unit but would prevent the establishment of too many subdivisions.

As discussed in inset at left, the Alaska Constitution established the borough as the State's standard local government unit. Despite this constitutional requirement, by 1963 no local borough governments had yet been formed. In an effort to begin establishing local government, the legislature began mandating the formation of boroughs.

The Mandatory Borough Act (Chapter 52 SLA 1963) required eight regions of Alaska to form boroughs by local initiative prior to January 1, 1964 or be incorporated automatically under the provisions of the law. The eight regions included the Boroughs of Ketchikan Gateway, Kodiak Island, Juneau, Sitka, Fairbanks North Star, Kenai Peninsula, Matanuska-Susitna, and Anchorage.

Currently there are 15 organized boroughs or unified home rule municipalities and 1 unorganized borough. Unified home rule municipalities are former boroughs which have joined together with all of the cities within its boundaries. There are four classifications of organized boroughs: home rule, and first, second, and third class. All four classifications of boroughs are required to provide areawide education under Alaska Statute (AS 29.35.160).

Outside of the original mandatory legislation, all borough formation has been a result of local initiative. Areas of the State that remain without any local regional government essentially make up one large, unorganized borough. It is generally felt that this structure of 1 unorganized and 15 organized boroughs satisfies the letter of constitutional directive that "*the entire State shall be divided into boroughs, organized or unorganized.*"

According to one of its framers this structure does not meet the Constitution's intent.³ The legislature, as a whole, is considered as the sitting governing assembly for the unorganized borough. In this role, the legislature is responsible for delivering services to the residents of the unorganized borough with primary and secondary education given high priority.

REAA's were established in response to a court decision and were based on university study

In 1975 the legislature established a quasi-governmental structure, termed Regional Education Attendance Areas (REAA's). These special type of school districts were created in response to an Alaska Supreme Court decision *Molly Hootch, et al., v. the Alaska State-Operated School System, et al., Alaska, 536 P.2d (May 23, 1975)*. They were developed in large part from recommendations made in a January 1974 University of Alaska report titled *Prehigher Education in the Unorganized Borough: Analysis and Recommendations*.

REAA boundaries were designed to "essentially" conform to the regional native corporation boundaries or sub-boundaries as established under the Alaska Native Claims Settlement Act. The transportation and communication network between communities, as well as language, culture and socio-economic factors served as a basis for establishing the boundaries of the original twenty-one REAA's.⁴

Critics claimed that REAA's weakened fiscal control and prevented borough formation

Critics of the REAA concept felt that the formation of these quasi-school districts was bad public policy. In their view, formation of REAA's allowed unorganized areas of the State to have their own school board and make decisions regarding their schools while the State essentially provided all the funding. Without local fiscal responsibility, local school boards would have no incentive to spend wisely. One prominent critic claimed that "*if these school boards have no fiscal responsibility, their wildest dreams and wishes will become absolute necessities.*"

A second concern, was that the creation of REAA's would delay the formation of boroughs in the unorganized area of the State. The critics complained that the State Constitution directed that local government powers, such as education, should be vested only in boroughs and cities.

³ Former state Senator Victor Fischer, one of the signers of the constitution, viewed the current "left-over" unorganized borough as a historical anomaly. According to Senator Fischer the framers envisioned that there would be a number of small local government boroughs designated throughout the State, and as development progressed, they would make the transition from unorganized to organized boroughs.

⁴ It should be noted that the factors specified in the formation of REAA's (transportation, communications, language, culture, and socio-economic factors) are similar to the factors identified in the constitution as serving as a basis for boroughs: *population, geography, economy, transportation, and other factors* (see inset on page 6).

REAs in the <u>Unorganized Borough</u>	Model Boroughs with Consolidated Schools
Adak Aleutians Pribilof Islands	Aleutians/Pribilof
Alaska Gateway Copper River Delta Greely	The Delta Greely/Alaska Gateway/Copper River model borough is referred to in the report as Interior East/Roadway Borough
Annette Island	Annette Island
Bering Straits	Nome/Bering Straits
Chugach	Prince William Sound
Iditarod Area	Iditarod Area
Kashunamiut Kuspuk Lower Kuskokwim Lower Yukon Southwest Region Yupit	Calista
Yukon-Koyukuk	Yukon-Koyukuk
Under LBC's projected boundaries, various communities in each of the following three REAs would be divided into two or more model boroughs. Notes 7, 8, 12, and 14 in the Notes to the Schedule of Estimated Savings that begin on page 28 identify in detail how each REA's communities would be allocated for the purpose of our analysis.	
Yukon Flats	Fairbanks North Star Borough Yukon Flats
Chatham	Haines City and Borough of Sitka Chatham Borough
Southeast Island	Ketchikan Gateway Borough Prince of Wales Island Chatham Borough City and Borough of Sitka

These critics charged that creating REAAs not only violated this constitutional direction, but that it also hindered accomplishing the Constitutional requirement that the State be divided into boroughs (see insert on page 10). In their view, creation of REAAs was contrary to the legislature's duty to promote the formation of organized regional government in order to carry out these constitutional requirements. Creation of REAAs, it was felt, undermined borough organization, since authority over schools was the primary incentive to form local governments. Writing in 1975, a former Speaker of the House asserted:

There are... areas [in the State] that within the next seven or eight years would have formed local governments for the opportunity to control their local affairs including the schools. Now, its questionable as to whether or not they will because through [formation of REAAs] they obtain control of their schools but have none of the financial burden.

REAAs were intended to be a transitional form of government

REAAs originally were envisioned as a transitional form of governance necessary to deliver education to the children in the unorganized areas. Since 1975, REAAs have become entrenched as a "quasi-unit" of local government even though they have neither constitutional status nor independent taxing authority. Their existence continues to be seen as a deterrent to borough formation in the unorganized regions of the State. Further, the REAAs' lack of taxing authority may be prompting some local governments to consider "disincorporating." At least three first class or home rule cities have inquired of the Local Boundary Commission (LBC) about dissolving their jurisdictional status.⁵

Since the transition of REAAs to boroughs is the next most logical phase in Alaska's regional local government structure, we have based our school consolidation analysis on these projected boroughs.⁶ Using model borough boundaries for projected consolidated school districts, the number of the State's 54 school districts is reduced in half. The table on the opposite page lists how existing REAAs currently in the unorganized borough would be consolidated into these projected boroughs.

⁵LBC has received inquiries from Nenana, Galena, and Hoonah about procedures to follow for reclassification as a second class city rather than as a home rule or first class city. In a June 5, 1990 letter responding to the City of Nenana, a DCRA official commented that "it was apparent to the Commission that interest in this matter stems in large part from the desire on the part of communities to seek relief from the financial burden of operating city school districts." In the view of LBC, this involves the larger issue of service delivery in the unorganized and organized areas of the State, and that, as such, it was an issue that first needed to be addressed by the Legislature.

⁶ It should be noted that LBC stresses that the model borough boundary study was not designed to promote the formation of new boroughs or the annexation of additional territory by existing boroughs.

Special legislative committee undertakes evaluation of school performance

In 1989, the legislature established the Joint Committee on School Performance. In the committee's enabling legislation it was directed to identify and recommend those subjects for priority legislative attention that might lead to improved school performance. One of the areas identified by the Joint Committee where school performance could be improved was school governance and finance.

In its January 1991 report, the committee observed that:

In recent years criticism of schooling in general has increased steadily. For example, the "bankruptcy" of the wholly funded Copper River Valley REAA by action of its superintendent and board did much to damage the credibility of "local control" in the legislature and with the general public. Public comment regarding school district expenditures for lobbying, litigation, and legal fees not connected with litigation has been negative as well.

Committee suggests that incongruous governance structures may hamper school performance

One of the issues raised in the report of the Joint Committee on School Performance was the effect that organizational flaws may have on school performance. The mixture of three different types of school districts⁷ that have evolved in the State create what the committee termed an

...anomalous political and geographical boundaries arranged in a way that may be difficult to justify from a number of important standpoints. These include the problems of equitable distribution of decision making authority, of efficiency of daily operation and prudent expenditure of financial resources, and of the capacity to make programmatic changes that might lead to improved school performance.

Examples of organization arrangements that cause these problems include the following: the Chugach REAA surrounds the city of Cordova and skirts the city of Valdez; the Lower Yukon REAA surrounds the Kashunamuit REAA and the municipality of Saint Mary's; the Lower Kuskokwim REAA geographically includes the Yupiit REAA; and the Southeast Islands REAA includes the municipalities of Craig, Hydaburg, Kake, Klawock, Petersburg, and Wrangell. These are just some of the extraordinary organization arrangements that have

⁷As discussed earlier in the Organization and Function section, three different types of school district governing structures that have evolved include: (1) city school districts administered by each first class city in the unorganized borough; (2) borough school districts administered by organized borough governments, regardless of classification; and (3) the REAAs governed locally, funded by the State for schools in the area outside organized boroughs and first class cities in the unorganized borough.

evolved over the past fifteen years that affect equity, efficiency, prudence, and judicious change. Organization, however, is only one probable cause of these problems; ...[Emphasis added.]

In the report, discussion of this issue leads to the accompanying question of what potential cost savings may be realized from a more rational organization and consolidation of school districts, even though any major restructuring would likely, to some degree, be at the expense of local control.

Efficiency of REAA administration is of critical interest to the State

Since local REAAs participate to a relatively minor extent, if at all, in funding their schools, the State retains a legitimate interest in how effectively and efficiently REAAs deliver services. As reflected in the previous discussion, the current number and structure of REAAs have developed more in response to the public policy precept of promoting local control rather than with regard to operational efficiencies.

The Joint Committee of School Performance has observed that legislation enacted in recent years concentrated control of education at the district and REAA level, further detaching the involvement of state government. The Joint Committee of School Performance now suggests that either: (1) school performance may have suffered from this emphasis on local control, or (2) problems of inadequate performance, whatever their cause, cannot be left entirely in the hands of the local school boards.

The Hickel administration is interested in pursuing some consolidation of school districts

The need to reexamine the governance structure of schools and consider possible consolidation of various districts has also been identified as an objective of the Hickel administration. The director of the Office of Management and Budget testified before the State Board of Education that the administration is interested in pursuing the possible consolidation of some of the REAAs. Among many points the administration made in its presentation was a desire to:

study the organization of school districts in Alaska to determine whether or not there needs to be as many as 55 school districts, making a concerted effort to consolidate or require cooperative sharing of certain administrative functions. [Emphasis added.]

The director anticipated that significant administrative savings could be realized.

POSITION PAPER: DEPARTMENT OF EDUCATION

Division School Finance and Data Services Bill Number HB 210

Bill Title "An Act relating to employment of chief school administrators."

Sponsor Representative Terry Martin

The Department of Education believes that each district does benefit from the oversight of an individual with the programmatic and administrative training equivalent to the superintendent certification requirements. Through statute and regulation, the Department mandates the academic preparation and experience required to receive administrative certification. The type and range of management responsibilities inherent in all school districts require the services of a chief school administrator.

Under current statute each district can receive these services either by directly employing an individual that has the qualifications or by entering into a cooperative agreement as provided for in AS 14.14.110. Specifically, this section allows a district to cooperate with other districts in order to provide more efficient or more economical educational services. Currently, there are two districts, Aleutian Region and Unalaska that have entered into this type of agreement. Other districts are considering this type of cooperative agreement on a voluntary basis.

Based on AS 14.12.010, Alaska is divided into 54 school districts made up of 16 boroughs, 18 home rule/first class cities and 20 Regional Educational Attendance Areas (REAs). Borough school districts are administered by organized borough governments. City school districts are administered by each home rule/first class city in the unorganized borough. REAs are governed locally and funded by the State for schools in the area outside organized boroughs and home rule/first class cities in the unorganized borough. The size of individual school districts and the number of districts is a separate issue from the management of the school district.

Twenty-nine districts with average daily membership (ADM) under 500 would be affected by this bill. There will be no savings to the State because the Foundation formula is based on ADM and instructional units rather than persons employed. Each school board determines local resource allocations. There are no statutes or regulations that define how dollars will be utilized at the local level.

In summary, the department believes that in order to bring both quality and consistent educational services to Alaska's students, each district must have the benefit of the programmatic and administrative training equivalent to the superintendent certification requirements.

APPROVED:

Director Duane Guiley Division School Finance

Signature *Duane Guiley* Date 4/1/93

Commissioner/Deputy _____

Signature *Terry Martin* Date 4/1/93