RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original documents after microfilm reproductions have been made.

William J Carter
Signature of Camera Operator

6/13/2011
Date

Certification Rev. 7/98

HB 206

26-LS0765\C
Mischel
3/22/10

CS FOR HOUSE BILL NO. 206( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act establishing a career assessment requirement in public schools; and relating to secondary school competency testing."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.073. Secondary student career assessment. (a) Each school district in the state shall require students in grade 12 to complete a career preparedness assessment as described in (b) of this section.

(b) The commissioner shall select for use in the state an assessment designed to measure a student's level of preparedness to make the transition to work or college. The assessment must assess a student's career aptitude and readiness for postsecondary education or training in the areas of

(1) applied mathematics;

(2) reading for information; and

(3) locating information.

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(c) Subject to the availability of appropriations, the department shall

(1) obtain a license that enables school districts to administer the assessment described in (b) of this section with no charge assessed to the district by the vendor of the assessment;

(2) provide districts with training and support in administering the assessment;

(3) provide a report to each student on the results of the student's assessment, based on nationally recognized criteria for evaluating a student's preparedness to make the transition to work or college; and

(4) provide to the Alaska Commission on Postsecondary Education information needed to determine a student's eligibility for financial assistance.

(d) The results of a student's career preparedness assessment shall be displayed in summary form on the student's high school transcript.

*** Sec. 2.** AS 14.03.075 is repealed and reenacted to read:

Sec. 14.03.075. Secondary student competency testing. (a) Each public secondary school in the state shall require students to take a competency examination in the areas of reading, English, and mathematics. The department shall determine the timing, form, and contents of the examination and shall score completed examinations. The contents of the examination must conform to state performance standards and measure college readiness. The results of the competency testing shall be included in the student's transcript.

(b) A student who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the student has not passed. A student who passes any portion of the test may not retake that portion of the test. This subsection does not apply to a student who is a child with a disability if the student's individualized education program team recommends that the student not be retested.

(c) A student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section, with or without accommodation, may complete an alternative assessment program required by the student's individualized education program or required in the education plan

developed for the student under 29 U.S.C. 794. An alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination required under (a) of this section. This subsection does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this subsection.

(d) The department shall by regulation establish uniform standards for

(1) pre-examination study materials; and

(2) procedures to be followed during administration of an examination.

(e) The department shall by regulation establish uniform standards for an alternative assessment program required under (c) of this section. The alternative assessment program required under (c) of this section applicable to an individual student may not be changed after February 1 of the student's junior year of study.

(f) In this section,

(1) "child with a disability" has the meaning given in AS 14.30.350;

(2) "individualized education program team" means a group of people that translates child assessment information regarding a child into a practical plan for specially designed instruction and delivery of services for the child, consisting of the persons necessary to qualify the team under appropriate federal regulations applicable to a child with a disability who is eligible for special education services under AS 14.30.

*** Sec. 3.** AS 14.03.120(d) is amended to read:

(d) Annually, before the date set by the district under (e) of this section, each public school shall deliver to the department for posting on the department's Internet website and provide, in a public meeting of parents, students, and community members, a report on the school's performance and the performance of the school's students. The report shall be prepared on a form prescribed by the department and must include

(1) information on accreditation;

(2) results of norm-referenced achievement tests;

(3) results of state standards-based assessments in reading, writing, and mathematics;

(4) a description, including quantitative and qualitative measures, of student, parent, community, and business involvement in student learning;

(5) a description of the school's attendance, retention, dropout, and graduation rates, [INCLUDING THE NUMBER AND PERCENTAGE OF STUDENTS WHO RECEIVED A DIPLOMA UNDER A WAIVER FROM THE COMPETENCY EXAMINATION REQUIRED UNDER AS 14.03.075(a),] as specified by the state board;

(6) the annual percent of enrollment change, regardless of reason, and the annual percent of enrollment change due to student transfers into and out of the school district;

(7) if Native language education is provided, a summary and evaluation of the curriculum described in AS 14.30.420;

(8) the number and percentage of students in each school who take and who successfully complete an alternative assessment program in reading, English, or mathematics; and the number and percentage of pupils in each school who successfully complete the alternative assessment program but who do not reach the state performance standards at the competency exam level in reading, English, or mathematics; a school may not report results under this paragraph unless the school complies with the family educational rights and privacy requirements of 34 C.F.R. 99;

(9) the performance designation assigned the school under AS 14.03.123 and the methodology used to assign the performance designation, including the measures used and their relative weights; and

(10) other information concerning school performance and the performance of the school's students as required by the state board in regulation.

*** Sec. 4.** AS 14.07.165 is amended to read:

Sec. 14.07.165. Duties. The board shall adopt

(1) statewide goals and require each governing body to adopt written goals that are consistent with local needs;

(2) regulations regarding the application for and award of grants under

AS 14.03.125;

(3) regulations implementing provisions of AS 14.11.014(b);

(4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services;

(5) regulations implementing the secondary school student competency examination provisions of AS 14.03.075 [, INCLUDING THE CRITERIA AND PROCEDURE UNDER WHICH A GOVERNING BODY USES A WAIVER TO GRANT A DIPLOMA TO A STUDENT; CRITERIA REGARDING GRANTING A WAIVER MUST INCLUDE PROVISIONS THAT A WAIVER MAY ONLY BE GRANTED FOR STUDENTS WHO ENTER THE SYSTEM LATE OR HAVE RARE OR UNUSUAL CIRCUMSTANCES MERITING A WAIVER].

Sec. 14.03.075. Secondary student competency testing.

(a) A student may not be issued a secondary school diploma unless the student passes a competency examination in the areas of reading, English, and mathematics or receives a waiver from the governing body. A governing body may not grant a waiver to a student before the student's final semester of attendance. The department shall determine the form and contents of the examination and shall score completed examinations.

(b) A student who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the student has not passed. A student who passes any portion of the test may not retake that portion of the test. A student who, when retested, passes the portions of the test not previously passed and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a student who is a child with a disability if the student's individualized education program team recommends that the student not be retested.

(c) Notwithstanding (a) of this section,

(1) a student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section, with or without accommodation, is eligible to receive a diploma if the student successfully completes an alternative assessment program required by the student's individualized education program or required in the education plan developed for the student under 29 U.S.C. 794; an alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination required under (a) of this section; this paragraph does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this paragraph; and

(2) a student who transfers into a public high school in this state shall receive a diploma if the student

(A) meets graduation requirements imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the student transferred.

(d) A student who fails to qualify for the issuance of a diploma under (a) of this section or a retest under (b) of this section by the end of the student's final semester of attendance, but who has met all other graduation requirements of a governing body and the state, shall be awarded a certificate of achievement. A certificate of achievement may include the following information:

(1) the portions of the examination described under (a) of this section that were passed;

(2) the student's attendance record; and

(3) other information indicating the qualifications of the student that the governing body determines appropriate.

(e) The department shall by regulation establish uniform standards for

(1) pre-examination study materials; and

(2) procedures to be followed during administration of an examination.

(f) The department shall by regulation establish uniform standards for an alternative assessment program required under (c)(1) of this section. The alternative assessment program required under (c)(1) of this section applicable to an individual student may not be changed after February 1 of the student's junior year of study.

(g) In this section,

(1) "child with a disability" has the meaning given in AS 14.30.350 ;

(2) "individualized education program team" means a group of people that translates child assessment information regarding a child into a practical plan for specially designed instruction and delivery of services for the child, consisting of the persons necessary to qualify the team under appropriate federal regulations applicable to a child with a disability who is eligible for special education services under AS 14.30.

26-LS0765\P
Mischel
2/2/10

CS FOR HOUSE BILL NO. 206( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act establishing a career assessment requirement in public schools; relating to postsecondary courses for secondary school students; and relating to student counts and count estimates for school funding purposes."

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

*** Section 1.** AS 14.03 is amended by adding new sections to read:

Sec. 14.03.073. Secondary student career assessment. (a) Each school district in the state shall require students in grade 12 to complete a career preparedness assessment as described in (b) of this section.

(b) The commissioner shall select for use in the state an assessment designed to measure a student's level of preparedness to make the transition to work or college. The assessment must assess a student's career aptitude and readiness for postsecondary education or training in the areas of

(1) applied mathematics;

(2) reading for information; and

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(3) locating information.

(c) Subject to the availability of appropriations, the department shall

(1) obtain a license that enables school districts to administer the assessment described in (b) of this section with no charge assessed to the district by the vendor of the assessment;

(2) provide districts with training and support in administering the assessment;

(3) provide a report to each student on the results of the student's assessment, based on nationally recognized criteria for evaluating a student's preparedness to make the transition to work or college; and

(4) provide to the Alaska Commission on Postsecondary Education information needed to determine a student's eligibility for financial assistance.

(d) The results of a student's career preparedness assessment shall be displayed in summary form on the student's high school transcript.

Sec. 14.03.074. Secondary student enrollment in postsecondary institution. (a) A secondary student who passes all portions of the examination required under AS 14.03.075 may enroll in a postsecondary institution in the state that is approved by the commissioner if

(1) the student is enrolled in a public secondary school in the state;

(2) the student is otherwise eligible to enroll, as determined by the postsecondary institution; and

(3) the postsecondary courses will be completed before the student's graduation from secondary school.

(b) The school district in which the student is enrolled in secondary school shall make arrangement for the fees for the appropriate postsecondary courses in which the student enrolls under this section.

*** Sec. 2.** AS 14.17.600 is amended to read:

Sec. 14.17.600. Student count periods. (a) Within two weeks after the end of the **80-school-day period ending the second Friday in February** [20-SCHOOL-DAY PERIOD ENDING THE FOURTH FRIDAY IN OCTOBER], each district shall transmit a report to the department that, under regulations adopted by the department,

reports its ADM for that count period and other student count information that will aid the department in making a determination of its state aid under the public school funding program. [FOR CENTRALIZED CORRESPONDENCE STUDY, THE OCTOBER REPORT SHALL BE BASED ON THE PERIOD FROM JULY 1 THROUGH THE FOURTH FRIDAY IN OCTOBER.] The department may make necessary corrections in the report submitted and shall notify the district of changes made. The commissioner shall notify the governor of additional appropriations the commissioner estimates to be necessary to fully finance the public school funding program for the current fiscal year.

(b) Upon written request and for good cause shown, the commissioner may permit a district to use **an 80-school-day** [A 20-SCHOOL-DAY] count period other than the period set out in (a) of this section. However, a count period approved under this subsection must be **80** [20] consecutive school days unless one or more alternate count periods are necessary to permit a district to implement flexible scheduling that meets the district's needs and goals without jeopardizing the state aid for which the district would ordinarily be eligible under this chapter.

*** Sec. 3.** AS 14.17.600 is amended by adding new subsections to read:

(c) The student count conducted for the immediately preceding school year shall be used for calculating state aid under AS 14.17.410.

(d) A student who is enrolled and graduates from secondary school during the counting period shall be included in the student count for the full counting period.

*** Sec. 4.** AS 14.17.610(a) is amended to read:

(a) **Except as provided in (d) of this section, the** [THE] department shall determine the state aid for each school district in a fiscal year on the basis of the district's student count reported under AS 14.17.600 **for the preceding fiscal year**. On or before the 15th day of each of the first nine months of each fiscal year, one-twelfth of each district's state aid shall be distributed on the basis of the data reported for the preceding fiscal year. On or before the 15th day of each of the last three months of each fiscal year, one-third of the balance of each district's state aid shall be distributed, after the balance has been recomputed **under (d) of this section** [ON THE BASIS OF STUDENT COUNT AND OTHER DATA REPORTED FOR THE CURRENT

FISCAL YEAR].

*** Sec. 5.** AS 14.17.610 is amended by adding a new subsection to read:

(d) If the student count made and reported by a district under AS 14.17.600 for the current year is higher than the count made under that section for the preceding fiscal year, the department shall recompute the state aid, including per school student count data, to adjust for the higher student count, and the higher count shall be used for the student count for the current year and for the estimates made for the succeeding fiscal year under AS 14.17.500. The student count must be submitted to the department by March 1 of the current year for a recomputation to be made under this subsection.

*** Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. In the first school year following the effective date of this Act, the student count completed in the immediately preceding school year shall be used as the student count under AS 14.17.610(a), as amended by sec. 4 of this Act.

AMENDMENT #1 - Tabled

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSHB 206( ), Draft Version "P"

Page 3, line 18:

Delete "The"

Insert "Except as provided in AS 14.17.610(d) and (e), the"

Page 3, line 23, following "**(d)**":

Insert "**and (e)**"

Page 4, line 2:

Delete "a new subsection"

Insert "new subsections"

Page 4, line 8, following "AS 14.17.500.":

Insert "A recomputation under this subsection shall take into account the supplement received by a district under (e) of this section and include the remaining balance owed in state aid for the increase in the current year student count that was the basis for the supplement if, at the end of the 80-day count period, the increase in the current year student count is the same or higher for the entire count period."

Page 4, following line 10:

Insert a new subsection to read:

"(e) Before a recomputation is made under (d) of this section, a district may request supplemental state aid by providing satisfactory proof on a form provided by the department that the student count conducted in the first 20 days of the 80-day

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student count period in the current fiscal year is more than 10 percent above the count made in the 80-day student count period for the preceding fiscal year. The department shall provide an eligible district supplemental state aid before the recomputation period in an amount that is equal to 80 percent of the state aid owed for the difference in the student counts. Nothing in this subsection requires a district to seek supplemental state aid before a recomputation is made under (d) of this section."

26-LS0765\S
Mischel
4/22/09

CS FOR HOUSE BILL NO. 206(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act establishing a career assessment requirement in public schools; relating to postsecondary courses for secondary school students; and relating to student counts for school funding purposes."

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

*** Section 1.** AS 14.03 is amended by adding new sections to read:

Sec. 14.03.073. Secondary student career assessment. (a) Each school district in the state shall require students in grade 12 to complete a career preparedness assessment as described in (b) of this section.

(b) The commissioner shall select for use in the state an assessment designed to measure a student's level of preparedness to make the transition to work or college. The assessment must assess a student's career aptitude and readiness for postsecondary education or training in the areas of

(1) applied mathematics;

(2) reading for information; and

(3) locating information.

(c) Subject to the availability of appropriations, the department shall

(1) obtain a license that enables school districts to administer the assessment described in (b) of this section with no charge assessed to the district by the vendor of the assessment;

(2) provide districts with training and support in administering the assessment;

(3) provide a report to each student on the results of the student's assessment, based on nationally recognized criteria for evaluating a student's preparedness to make the transition to work or college; and

(4) provide to the Alaska Commission on Postsecondary Education information needed to determine a student's eligibility for financial assistance.

(d) The results of a student's career preparedness assessment shall be displayed in summary form on the student's high school transcript.

Sec. 14.03.074. Secondary student enrollment in postsecondary institution. (a) A secondary student who passes all portions of the examination required under AS 14.03.075 may enroll in a postsecondary institution in the state that is approved by the commissioner if

(1) the student is enrolled in a public secondary school in the state;

(2) the student is otherwise eligible to enroll, as determined by the postsecondary institution; and

(3) the postsecondary courses will be completed before the student's graduation from secondary school.

(b) The school district in which the student is enrolled in secondary school shall make arrangement for the fees for the appropriate postsecondary courses in which the student enrolls under this section.

* **Sec. 2.** AS 14.17.500(a) is amended to read:

(a) A district shall prepare and submit to the department by **March 15** [NOVEMBER 5] of each fiscal year, in the manner and on forms prescribed by the department, an estimate of its ADM and other student count data, including per school student count data, for the **current and** succeeding fiscal year upon which

computations can be made to estimate the amount of state aid for which the district may be eligible under AS 14.17.400 in the succeeding fiscal year. In making its report, the district shall consider its ADM, other student count data, the pattern of growth or decline of the student population in preceding years, and other pertinent information available to the district.

*** Sec. 3.** AS 14.17.600(a) is amended to read:

(a) Within two weeks after the end of **each of** the 20-school-day **periods** [PERIOD] ending the fourth Friday in October **and the last Friday in February**, each district shall transmit a report to the department that, under regulations adopted by the department, reports its ADM for that count period**, the average ADM over the two consecutive counting periods for the previous fiscal year, and, for the February report and October report, the current year,** and other student count information that will aid the department in making a determination of its state aid under the public school funding program. [FOR CENTRALIZED CORRESPONDENCE STUDY, THE OCTOBER REPORT SHALL BE BASED ON THE PERIOD FROM JULY 1 THROUGH THE FOURTH FRIDAY IN OCTOBER.] The department may make necessary corrections in the report submitted and shall notify the district of changes made. The commissioner shall notify the governor of additional appropriations the commissioner estimates to be necessary to fully finance the public school funding program for the current fiscal year.

*** Sec. 4.** AS 14.17.610(a) is amended to read:

(a) **Except as provided in (d) of this section, the** [THE] department shall determine the state aid for each school district in a fiscal year on the basis of the district's **averaged** student count **for the October and February counting periods** [DATA] reported under AS 14.17.600 **for the preceding and current fiscal years**. On or before the 15th day of each of the first nine months of each fiscal year, one-twelfth of each district's state aid shall be distributed on the basis of the [DATA REPORTED FOR THE] preceding fiscal year **entitlement**. On or before the 15th day of each of the last three months of each fiscal year, one-third of the balance of each district's state aid shall be distributed, after the balance has been recomputed **under (d) of this section** [ON THE BASIS OF STUDENT COUNT AND OTHER DATA

REPORTED FOR THE CURRENT FISCAL YEAR].

*** Sec. 5.** AS 14.17.610 is amended by adding a new subsection to read:

(d) If the averaged student count made and reported by a district under AS 14.17.600 for the current year is higher than the averaged count made under that section for the preceding fiscal year, the department shall recompute the state aid, including per school student count data, to adjust for the higher average student count, and the higher average count shall be used for the student count for the current year and for the estimates made for the succeeding fiscal year under AS 14.17.500. The February student count must be submitted to the department by March 15 of the current year for a recomputation to be made under this subsection.

*** Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. In the first school year following the effective date of this Act, the student count completed in the immediately preceding school year shall be used as the average student count under AS 14.17.610(a) and (d), as amended and added by secs. 4 and 5 of this Act, as though two student count periods had occurred for that year and added.

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT
2010 College Credit Inquiry
February 26, 2010

District	Does district offer credit for college level courses?	Who pays for college Credits?	Reduced / Negotiated rate for credits?	Any credits offered outside of U of A system?
ALASKA GATEWAY	Yes	District based on grade		No
ALEUTIAN REGION	No			
ALEUTIANS EAST	Yes	District	No	No
ANCHORAGE	Yes	Student	Yes	No
ANNETTE ISLAND	Yes	District based on grade	No	No
BERING STRAIT	Yes	District	No	Yes
BRISTOL BAY	Yes	Student/District/Grant	Yes	No
CHATHAM	No			
CHUGACH	Yes	District based on grade	No	Yes
COPPER RIVER	Yes	Student	Yes	Yes
CORDOVA	Yes	District	Yes	No
CRAIG	Yes	Student	Yes	No
DELTA/GREELY	Yes	Student/District	Yes	No
DENALI	Yes	Student	No	Yes
DILLINGHAM	Yes	Student/District/Grant	No	No
FAIRBANKS	Yes	Student/ District	Yes	No
GALENA	Yes	District		No
HAINES	Yes	District	Yes	No
HOONAH	Yes	Student/District	Yes	No
HYDABURG	Yes	District based on grade	No	No
IDITAROD	Yes	District based on grade	No	No
JUNEAU	Yes	District	No	Yes
KAKE	No			
KASHUNAMIUT	Yes	District	Yes	No
KENAI	Yes	Student/District	Yes	Yes
KETCHIKAN	Yes	Student	Yes	Yes
KLAWOCK	Yes	Student	Yes	No
KODIAK	Yes	Student	Yes	No
KUSPUK	Yes	District/Grant	Yes	Yes
LAKE AND PENINSULA	Yes	Student/District	No	Yes
LOWER KUSKOKWIM	Yes	District based on grade	No	No
LOWER YUKON	Yes	District	No	Yes
MAT-SU	Yes	Student/Grants	Yes	No
NENANA	Yes	Student/District/Grant		No
NOME	Yes	Student/District/College	Yes	Yes
NORTH SLOPE	Yes	Student/District/Waived	Yes	Yes
NORTHWEST ARCTIC	Yes	Student/ District/College	Yes	No
PELICAN	Yes	District		No
PETERSBURG	Yes	Student	Yes	No
PRIBILOF	Yes	District	No	No
ST. MARY'S	Yes	Student	No	No
SITKA	Yes	Student/District/College		No
SKAGWAY	Yes	Student	Yes	No
SOUTHEAST ISLAND	Yes	District based on grade	No	No
SOUTHWEST REGION	Yes	Grants	Yes	No
TANANA	No			
UNALASKA	Yes	Student/Grants	Yes	No
VALDEZ	Yes	Student	Yes	No
WRANGELL	Yes	Students	Yes	No
YAKUTAT	No			
YUKON FLATS	Yes	District	Yes	No
YUKON/KOYUKUK	Yes	District	Yes	No
YUPIIT	Yes	District based on grade	No	Yes
MT. EDGECUMBE	Yes	School	Yes	No

G:\DistSup\Debt-PupilTrans-Other\Special Projects\college credit\[2010 district college credit inquiry.xls]2010 college credit

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 3, 2010

SUBJECT: Effect of legislation on teacher contract (CSHB 206 ( ); (Work Order No. 26-LS0765\P))

TO: Representative Paul Seaton
Chair of the House Education Committee
Attn: Louis Flora

FROM: Jean M. Mischel
Legislative Counsel

You have asked about the effect on a teacher contract of a new provision in the above referenced bill that would allow a high school student to enroll in a postsecondary institution and require school districts to provide fees for the postsecondary courses. You state that high school teachers currently volunteer to teach dual credit classes and wonder whether the bill provision would require compensation to those teachers under contract with the school district. The short answer is that the bill provision does not appear to affect payments made to public high school teachers but I do not have a teacher contract to review to determine whether specific contract conditions may be invoked.

The provision in question in HB 206 is as follows:

> **Sec. 14.03.074. Secondary student enrollment in postsecondary institution.** (a) A secondary student who passes all portions of the examination required under AS 14.03.075 may enroll in a postsecondary institution in the state that is approved by the commissioner if
>
> (1) the student is enrolled in a public secondary school in the state;
>
> (2) the student is otherwise eligible to enroll, as determined by the postsecondary institution; and
>
> (3) the postsecondary courses will be completed before the student's graduation from secondary school.
>
> (b) The school district in which the student is enrolled in secondary school shall make arrangement for the fees for the appropriate postsecondary courses in which the student enrolls under this section.

This section does not provide for additional fees to be paid to a high school but rather for fees associated with postsecondary courses for which a student enrolls to be paid to the postsecondary institution. The bill section allows a high school student to enroll in a

postsecondary institution that provides the courses. Therefore, a public school teacher under contract with a school district does not appear to be affected at all by the student's decision to enroll in a postsecondary institution or the district's requirement to pay for that.

If, on the other hand, a school district requires enrollment in a postsecondary institution in order to take dual credit courses offered at a high school in the district, the dual credit course may technically fall under the fee provision in subsection (b) of the bill provision. Since that course is already funded by the school district, the bill provision has no fiscal effect either on the district or on the teacher employed by the district, lacking any future incentive offered by a district to provide additional dual credit courses for which postsecondary enrollment is required under the bill.

The only current statute that appears relevant to this question is AS 14.20.158, which provides

> **Sec. 14.20.158. Continued contract provisions.** Continuation of the provisions of a teacher's contract under AS 14.20.145 or 14.20.155 does not
>
> (1) affect the alteration of the teacher's salary in accordance with the salary schedule prescribed by state law, or in accordance with a local salary schedule applicable to all teachers in the district and adopted by bylaws;
>
> (2) *limit the right of the employer to assign the teacher to any teaching, administrative, or counseling position for which the teacher is qualified*; or
>
> (3) limit the right of the employer to assign the teacher, as is reasonably necessary, to any school in the district. (emphasis supplied)

The standard teacher contract provisions in regulations at 4 AAC 18.010 do not address payment for dual credit courses.

I have not been provided, and cannot locate, a standard teacher contract for the state. It is conceivable that a provision in a teacher contract would require additional payment for dual credit courses, with or without this bill provision. Lacking a copy of a teacher contract that provides, for example, for a higher teacher salary for teaching a dual credit course that requires enrollment in a postsecondary institution for which additional fees are required to be paid by law by a school district, I don't see any affect of the bill provision on public high school teacher pay agreements.

If I may be of further assistance, please advise.

JMM:plm
10-129.plm

The AlaskaPoll ®
DITTMAN RESEARCH & COMMUNICATIONS CORPORATION
DRC BUILDING
8115 JEWEL LAKE ROAD
ANCHORAGE, ALASKA 99502
(907) 243-3345
FAX (907) 243-7172
dittman@alaska.net
www.dittmanresearch.com

Alaskans Support High School "Exit Exam"

Approximately three-out-of-four Alaskans support keeping the high school graduation qualifying exam.

QUESTION: *"Currently, Alaskan students must pass the high school graduation qualifying exam, commonly known as the "exit exam", in order to receive a diploma. There is a bill before the Alaska State Legislature to eliminate the exit exam. Opponents of the exit exam say it keeps hundreds of Alaska students from earning diplomas and getting jobs, and is a waste of classroom time and resources. Supporters of the exit exam say that graduation rates have risen since the exit exam took effect, and that the exam is a useful tool to evaluate the performance of teachers and schools, and ensures students demonstrate at least minimum skills in reading, writing and math before receiving a diploma.*

What is your opinion -- do you feel the state should remove the exit exam requirement or should it be kept?"

STATEWIDE RESULTS:

24%	Remove exam
74%	**Keep exam**
2%	Unsure

Support for "Exit Exam" is strong and consistent throughout Alaska.

CROSSTABULATIONS:

		Remove exam	Keep exam	Unsure
REGIONAL RESULTS	Rural	27%	73%	--
	Central (Fairbanks)	25%	72%	3%
	Southcentral	24%	75%	1%
	Anchorage	24%	71%	5%
	Southeast	19%	81%	--
POLITICAL RESULTS	Democrat	25%	74%	1%
	Republican	19%	78%	3%
	Non-Partisan	27%	70%	3%
	Other	18%	82%	--
	Not registered	13%	81%	6%

DITTMAN RESEARCH & COMMUNICATIONS CORP.
SENATOR CON BUNDE
FEBRUARY 9-22, 2010

SAMPLE AREA: ALASKA STATEWIDE
SAMPLE SIZE: N=402
SAMPLE ERROR: ±4.9%

"Exit Exam" support is also strong and consistent among men and women and through all age groups.

CROSSTABULATIONS: (con't)

		Remove exam	Keep exam	Unsure
AGE RESULTS	18-29 years of age	30%	70%	--
	30 - 44 years of age	27%	71%	1%
	45-59 years of age	22%	75%	3%
	60 plus	23%	74%	4%
GENDER RESULTS	Male	22%	76%	2%
	Female	26%	71%	4%

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **CS HB 206**
() Publish Date:

CSHB 206
Title HIGH SCHOOL ASSESSM'T/POSTSECONDARY CLASS
Sponsor House Education Committee
Requester

Dept. Affected: EDUCATION
RDU
Component
Component Number

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: Louie Flora, House Education Committee Aide
Phone 465-3923
Division
Date/Time 4/5/10 12:00 AM
Approved by: Representative Seaton, Chairman, House Education Committee
Date 4/5/2010

(Revised 11/6/2009 OMB)

Louie Flora

From: jgreely@aasb.org on behalf of John Greely [jgreely@aasb.org]
Sent: Thursday, February 18, 2010 12:30 PM
To: Louie Flora
Subject: Enrollment numbers
Attachments: DG_Nen_Wra_Cord_Skag Enrollment Graph[1].pdf; Anchorage Enrollment Graphs[1].pdf; Kenai_LKSD_KTN_Sitka Enrollment Graph.pdf; Enrollment Numbers_Single Page[1].pdf

Here are the enrollment figures we have collected from our member districts, per your request on HB 206. The graphs summarize enrollment changes between the months of October and February in four recent school years. The one-page summary includes explanations from the districts on enrollment fluctuations.
If you have any questions, please don't hesitate to contact us.

--
John Greely
Chief Editor

Association of Alaska School Boards
1111 W. 9th Street
Juneau, Alaska 99801
Tel: (907) 586-1083 Fax (907) 586-2995
Website: www.aasb.org
E-mail: jgreely@aasb.org

Enrollment comparisons

October-February

2005-2009

Anchorage School District			DISTRICT EXPLANATION
	October	February	Decrease enrollment from October to February is generally due to high school seniors graduating early. In 2009, the increase appears to be military students and other in-migration from outside of Alaska
2008/09	48348	48759	
2007/08	48915	48065	
2006/07	49539	48492	
2005/06	49399	49163	

Kenai Peninsula			DISTRICT EXPLANATION
	October	February	N/A
2008/09	9172	9063	
2007/08	9165	9097	
2006/07	9314	9255	
2005/06	9307	9310	

Lower Kuskokwim			DISTRICT EXPLANATION
	October	February	In LKSD the difference is not significantly high. The difference of kids enrolled in October & February is less than 50 students every year. The differential average in this five years is 19 kids.
2008/09	4049	4053	
2007/08	4066	4054	
2006/07	4154	4056	
2005/06	4168	4113	

Ketchikan			DISTRICT EXPLANATION
	October	February	Anecdotally, seasonal workers who work through the fall will depart with their families as the Christmas shopping season approaches to work retail.
2008/09	2244	2115	
2007/08	2295	2210	
2006/07	2335	2260	
2005/06	2326	2320	

Sitka			DISTRICT EXPLANATION
	October	February	The numbers in February are not as accurate as October, due to the October count being the OASIS numbers which is done as an average over the months and February is just one day's enrollment. Also here are a couple of other reasons for the discrepancy, students graduate at semester, charter fisherman, tourism families and fisherman families leave during October, Coast Guard families transfer in December and the movement of students in and out of the Hanson House.
2008/09	1335	1303	
2007/08	1400	1364	
2006/07	1489	1423	
2005/06	1515	1477	

Delta/Greely			DISTRICT EXPLANATION
	October	February	N/A
2008/09	1200	1014	
2007/08	1346	1152	
2006/07	1442	1334	
2005/06	1428	1320	

Cordova			DISTRICT EXPLANATION
	October	February	N/A
2008/09	407	376	
2007/08	435	413	
2006/07	452	435	
2005/06	468	447	

Wrangell			DISTRICT EXPLANATION
	October	February	We have declining enrollment from outward migration of parents and students. There is no reason to believe this migration only happens over the summer. It is year round phenomenon. We have very few dropouts, but any reviewer will notice that our numbers have declined both from year to year and from October to March. This decline is not the result of large numbers of dropouts
2008/09	346	310	
2007/08	355	345	
2006/07	370	349	
2005/06	375	361	

Skagway			DISTRICT EXPLANATION
	October	February	Tourism, parents who are seasonal workers.
2008/09	98	83	
2007/08	106	78	
2006/07	97	92	
2005/06	105	83	

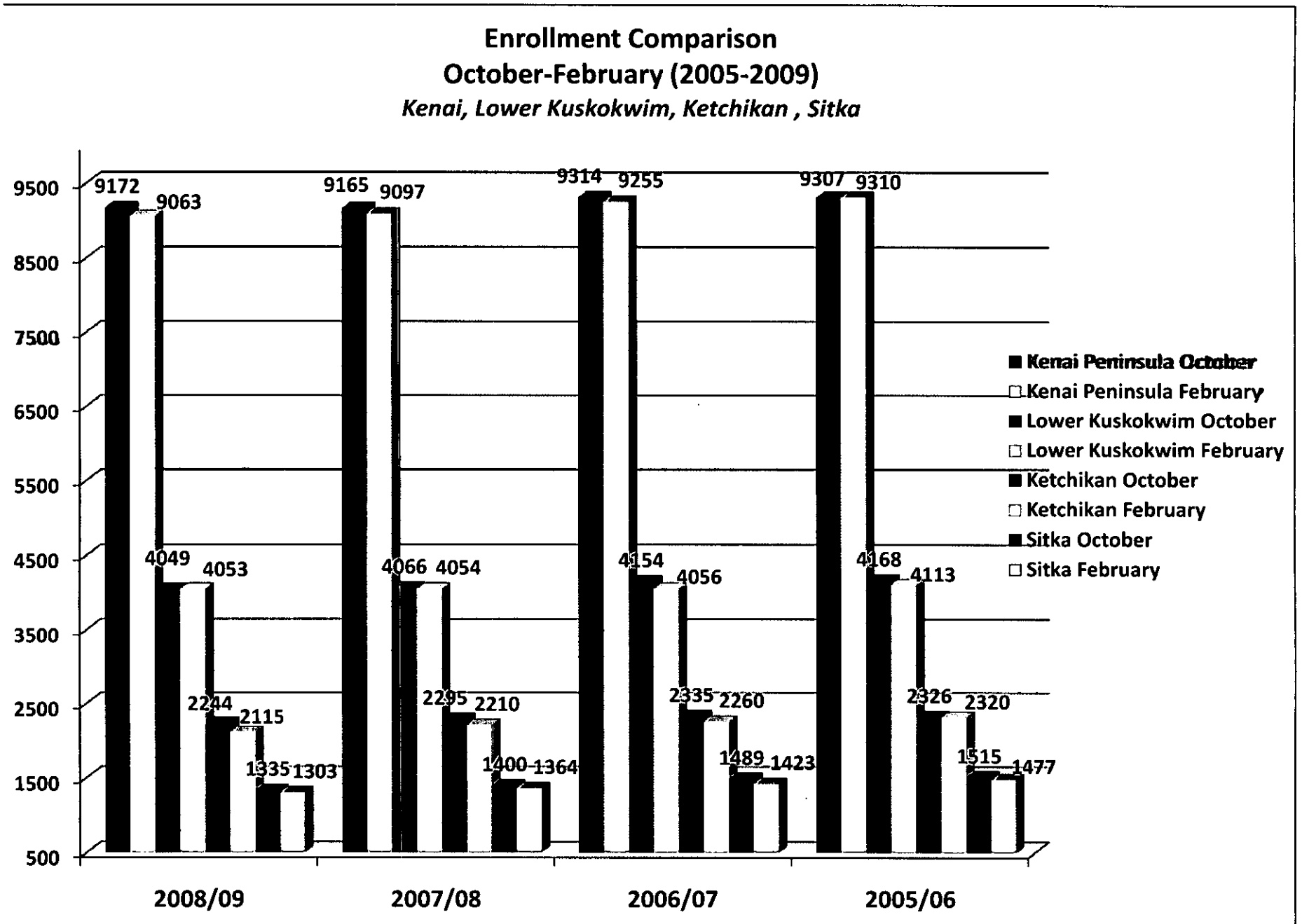
MISCELLANEOUS COMMENTS

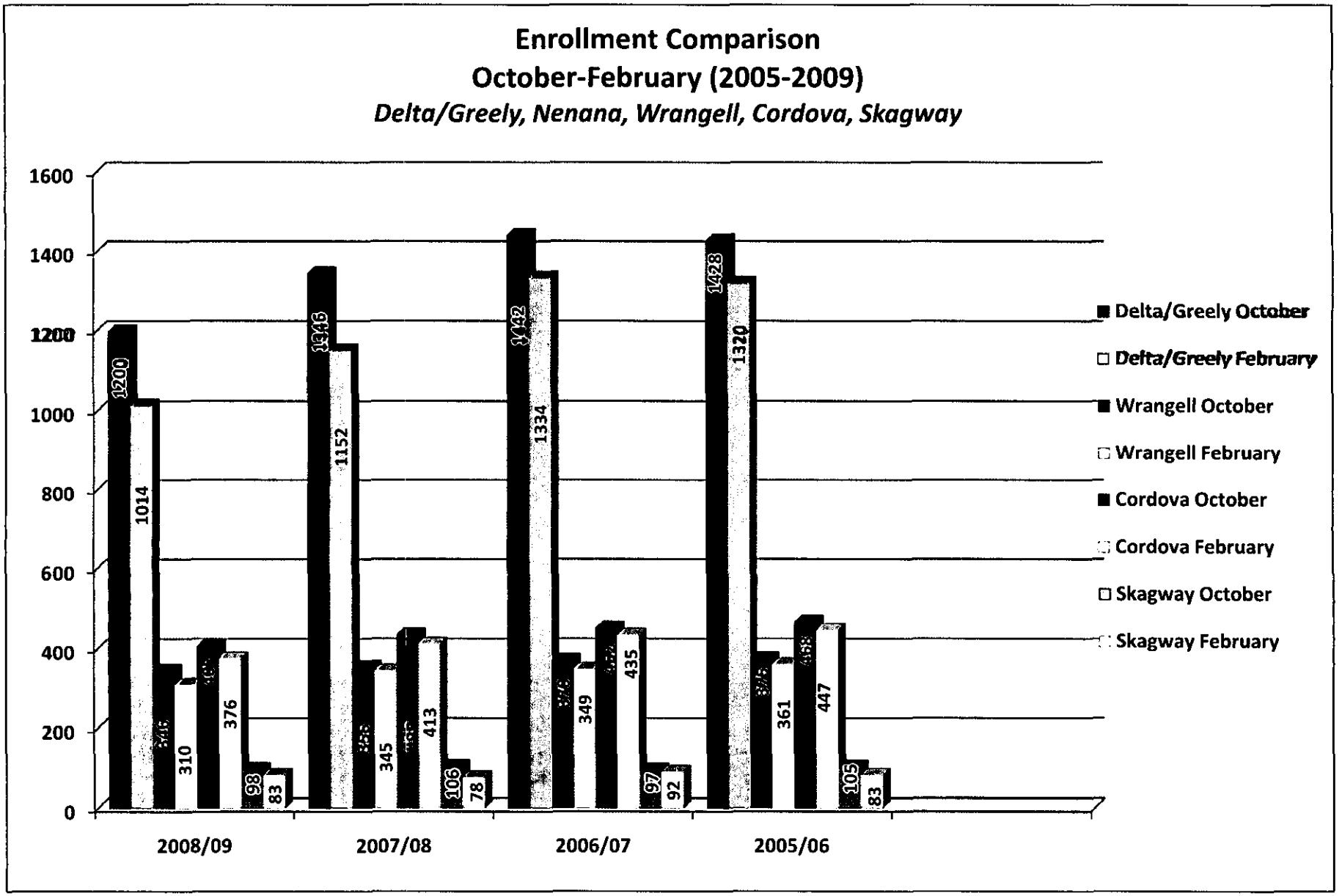
Hydaburg:

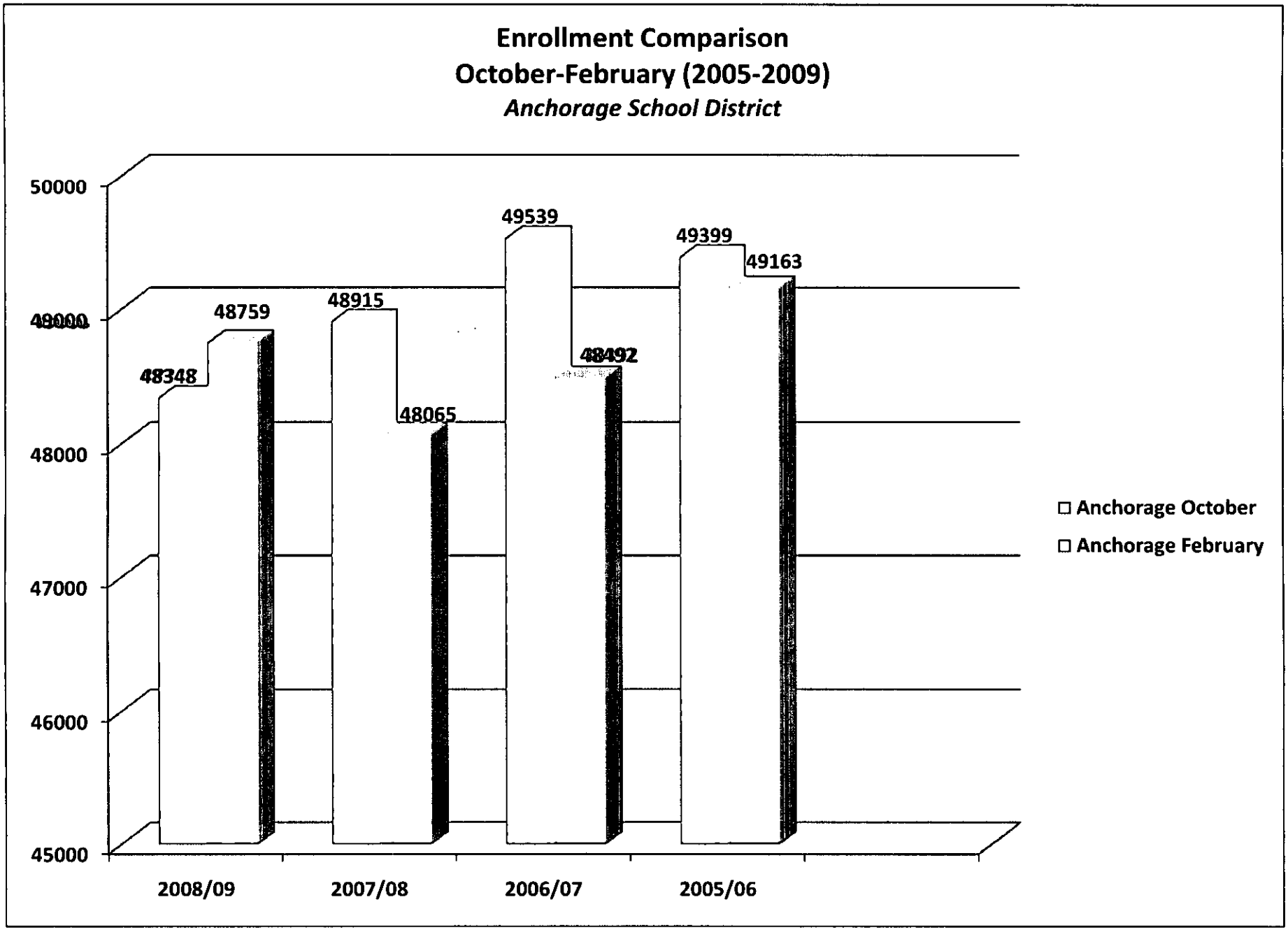
We don't keep data on February enrollment, so I can't do the survey. However, my experience here and in other districts has been that February enrollment is typically less than October enrollment. I recall Eddy Jeans once saying that when there was an optional February count, virtually no districts took advantage of it. That tells me that during the many years having the option to count ADM in February if it was higher that OCtober, districts didn't take the option because February enrollment was almost always lower than in October

Haines:

I asked our secretary and without digging out the old files, she is reasonably sure that our October and February enrollment haven't varied much in the past five years for the Haines Borough School District.


Enrollment Comparison
October-February (2005-2009)
Kenai, Lower Kuskokwim, Ketchikan , Sitka
9500
8500
7500
6500
5500
4500
3500
2500
1500
500
9172
9063
4049
4053
2244
2115
1335
1303
9165
9097
4066
4054
2295
2210
1400
1364
9314
9255
4154
4056
2335
2260
1489
1423
9307
9310
4168
4113
2326
2320
1515
1477
2008/09
2007/08
2006/07
2005/06
Kenai Peninsula October
Kenai Peninsula February
Lower Kuskokwim October
Lower Kuskokwim February
Ketchikan October
Ketchikan February
Sitka October
Sitka February


Enrollment Comparison
October-February (2005-2009)
Delta/Greely, Nenana, Wrangell, Cordova, Skagway
1600
1400
1200
1000
800
600
400
200
0
2008/09
2007/08
2006/07
2005/06
1200
1014
376
98
83
1346
1152
345
413
106
78
1428
1320
361
447
105
83
Delta/Greely October
Delta/Greely February
Wrangell October
Wrangell February
Cordova October
Cordova February
Skagway October
Skagway February


Enrollment Comparison
October-February (2005-2009)
Anchorage School District
50000
49000
48000
47000
46000
45000
48348
48759
48915
48065
49539
48492
49399
49163
2008/09
2007/08
2006/07
2005/06
Anchorage October
Anchorage February

Louie Flora

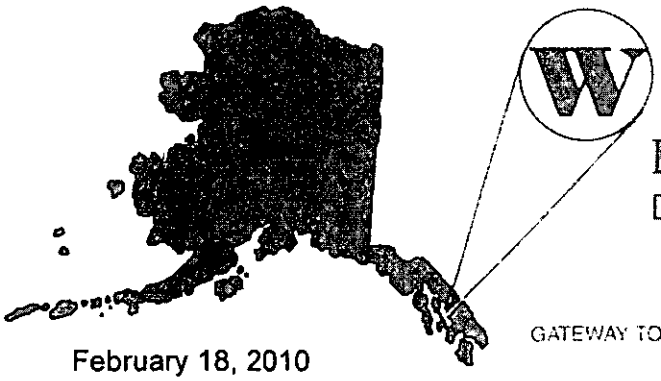
From: Sharon Waldo [swaldo@dgsd.k12.ak.us]
Sent: Thursday, February 18, 2010 11:55 AM
To: Louie Flora
Subject: Delta/Greely 5 year counts.xlsx
Attachments: 5 year counts.xlsx

Hi Louie,

Attached please find the 5 year count information from Delta/Greely School District. Please let me know if you need or would like any additional information.

Sharon Waldo
Delta/Greely School District
907-895-4658 ext 25

DELTA/GREELY SCHOOL DISTRICT COUNTS			
	10/15/2009	2/15/2010	Difference
Student Count	813	809	-4
	10/15/2008	2/15/2009	
Student Count	807	801	-6
	10/15/2007	2/15/2008	
Student Count	842	828	-14
	10/15/2006	2/15/2007	
Student Count	864	850	-14
	10/15/2005	2/15/2006	
Student Count	826	836	10



WRANGELL
PUBLIC SCHOOLS
DISTRICT OFFICE

P.O. BOX 2319
WRANGELL, ALASKA 99929
Telephone (907) 874-2347
Fax # (907) 874-3137

GATEWAY TO THE STIKINE

February 18, 2010

Honorable Representative Seaton and Honorable Education Committee Members
The following data and comments are respectfully submitted per your request:

Concerning Wrangell Public Schools

Wrangell Public School Counts				District Wide Dropout Rates
2005 Feb.	374	Oct.	370	4.8%
2006 Feb.	361	Oct.	355	1.1%
2007 Feb.	349	Oct.	346	1.1%
2008 Feb.	345	Oct.	324	0.5%
2009 Feb.	310	Oct.	317	1.1%

In Wrangell we have had a general decline in enrollment ever since the federal government chose to curtail forest production. Since about 1995 our enrollment numbers have been on a downward spiral. To assume that because we loose students between October and February there is a positive correlation to our dropouts is unfounded. In the above figures you will notice the same trend between February and October of the next year.

Generally each summer we do have some families that move to Wrangell. Because the job market here has been dismal they often are not able to make it through an entire winter. The most likely time for them to leave is after the permanent fund checks are distributed in October. Many of them move at Christmas time since this is a natural break for them.

The same is true of the summer months. Many families move as soon as school is out. It seems to be a natural break for them. Some families move north to the cities in Alaska and many of them move south to the lower forty-eight. Even though we have families moving to Wrangell the general trend over the last fifteen years has been more families with children moving out than moving in.

I can tell you without equivocation that every student who drops out has been contacted as well as the parent(s) of that student if we know their whereabouts. Even one dropout is too many in our view.

Concerning Bush Alaska

Having had some experience as an administrator in bush Alaska I can also share what sometimes happens there. Some families move to the cities when the permanent fund checks come out in October. They often stay one or two weeks, however, some stay much longer. There are many students who do not enroll in school during this time. Some families stay with friends or relatives until their money runs out.

ACCREDITED BY NORTHWEST ASSOCIATION OF SECONDARY AND HIGHER SCHOOLS

I have heard the comment from committee legislators that principals or school district personnel should make contact with drop outs and their families and encourage their return, see if there is a problem, determine if someone can help the student return, etc. In many of these instances school personnel does not know where these families are or how to get hold of them.

When and if these students traveling with their parents return to school, whether it is in their home school or the school of new residence, they often have missed so much school they cannot receive credit for the semester. Even more problematic is when the student is out of school for significant periods of two separate semesters, the end of the first semester and the beginning of the second. For many students this is adequate reason to drop out. And for many that is what they do.

I would contend that even if the school personnel could locate and contact these parents it would be of little consequence. The students of parents in the above situation, who allow their children to be out of school for long periods of time, are highly likely to drop out of school.

One simple answer to solve this problem is to change the permanent fund pay out. Give it out in June. A second answer is to fine parents when their children are out of school and unaccounted for. Garnishing an amount equal to the permanent fund from a parent of a child who is not in school would significantly curtail the dropout problem in Alaska.

I am not naive. I know these are difficult issues to address. But changing the permanent fund payday or fining parents who are delinquent in their duties would have a direct and positive correlation to improved school attendance and would lower Alaska's drop out rates.

In my opinion, lengthening the count period, splitting the count period, or otherwise tinkering with the count period assuming it will significantly address the dropout problem is short sighted. If there was a way for economists to apply a cost-benefit analysis to this idea they would likely predict the result to be insignificant or perhaps unrelated to the real issue at hand, dropouts.

It is difficult enough to reconcile student counts to one twentieth ($1/20^{th}$) of the foundation formula. With an eighty-day count we would be reconciling to one eightieth ($1/80^{th}$). Adding this bureaucracy to the burden of districts without a fiscal note to this legislation is just another unfunded mandate. And even though Mr. Jeans indicates he has no plans to add staff to the Dept. of Education in an effort to reconcile an eighty-day count I suspect the folks expected to do those reconciliations are groaning loud enough for you to hear it across town in the committee room.

The Education Committee is brave for tackling such difficult issues. The answers to complicated issues are often, as one would expect, complicated. Thank you for your willingness to look at the hard issues and try to find those complicated answers.

Sincerely yours,

Woody Wilson

Woody Wilson
Superintendent

Louie Flora

From: David Means, Director of Administrative Services [david_means@jsd.k12.ak.us]
Sent: Thursday, February 18, 2010 10:58 AM
To: Louie Flora
Cc: Glenn Gelbrich; Jeans, Eddy (EED); Lobaugh, Mindy H (EED)
Subject: Estimate for Juneau School District HB 206
Attachments: Extend Count Date to 80.pdf

Hi

I developed an estimated fiscal impact to extending the count date to 80 days for the Juneau School District as requested. I estimate that extending the counting period to 80 days would reduce state foundation by $57,000 in FY 2011, or slightly more than 1% of the District's basic need of $51,048,000. This would also reduce the maximum level of local municipal appropriation by $13,000 for a total impact to the District of $71,000.

I also see increased difficulty in administering the foundation program by the Alaska Department of Education and Early Development. Each and every school district is required to prepare a school calendar and submit it the Department of Education and Early Development. It will be highly unlikely that all districts have the same 80 days of school because of variations in when they take winter break and potential holidays such as Veteran's Day, Alaska Day, and Dr. Martin Luther King, Jr. birthday. Students transfer between district's and this can result in a student having more or less than 80 days because of the differences in calendars.

Sincerely,

David Means
Director of Administrative Services
Juneau School District

907-523-1770

Juneau School District
Analysi of Extending the Count Period to 80 days

Prepared by
David Means
February 17, 2010

	FY 2009			FY 2010			Combined		
School	20 days	80 days	+ / -	20 days	80 days	+ / -	+ / -	Multiplier	Change
Juneau-Douglas HS	1038	1026	-12	939	926	-13	-25	0.84	-20.622
Thunder Mountain HS	471	465	-6	565	561	-4	-10	0.92	-9.350
Yaakoosge Daakahidi HS	149	142	-7	156	150	-6	-14	0.84	-11.645
Floyd Dryden MS	560	562	1	564	561	-3	-2	0.92	-1.437
Dzantiki Heeni MS	504	503	-1	466	468	2	1	0.92	0.794
Auke Bay ES	342	345	3	319	318	-2	1	0.97	1.176
Gastineau ES	286	292	6	286	293	7	13	0.97	12.586
Glacier Valley ES	328	326	-1	371	368	-2	-4	0.97	-3.638
Harborview ES	415	418	3	469	471	2	5	0.92	4.405
Mendenhall River CS	392	393	1	417	420	3	4	0.92	3.369
Riverbend ES	348	347	-1	334	336	1	1	0.97	0.837
Juneau Community CS	68	68	0	86	86	0	-1	1.18	-0.841
HomeBRIDGE	71	78	7	72	80	8	15	0.80	12.240
Johnson Youth Center*	28	28	0	28	28	0	0	0.00	0.000
Totals			-6			-9	-15		-12.126
Two Year Average									-6.063
Without HomeBRIDGE									-24.366
Two Year Average									-12.183
FY 2011 DCF								1.111	-13.535
FY 2011 Program Adjustments								1.2	-16.242
HomeBRIDGE Adjustment									6.120
Total Adjustments									-10.122
FY 2011 Base Student Allocation								5680	-57,493
Effects on CBJ								0.23	-13,223
Estimated Total Change in Revenues									-70,716

Louie Flora

From: PJ Ford Slack [pjford@dgsd.k12.ak.us]
Sent: Thursday, February 18, 2010 10:43 AM
To: Louie Flora; lhsclaf+akschooldistricts@legis.state.ak.us
Cc: alasbo@gci.net; jgreely@aasb.org; Mary Francis
Subject: RE: HB 206 amendment and renewed call for student count numbers

Dear Louie,

I am sitting here waiting for the fog to lift and realize I have been focused on answering your questions about counts, numbers, and how DGSD an REAA might be affected by this. What I continue to miss and need to address is the whole reason for this bill or so it seems...and that is that districts, after count, don't care whether a student drops out. The supposition with that thought is that our count goes down because we encourage, help, or just turn our heads to students dropping out.

DGSD lost 65 students last year when the oil prices hit the roof in our area. These students were from the elementary school, a Blue Ribbon School. Their parents left, either to Anchorage or the lower 48, because it was to darn expensive to live in our area.

80 days is not going to keep students in school in my are and I dare say there are not many who would find this a drop out reduction technique. We are doing everything we can at DGSD to keep students in school. I know all my colleagues are too. We might help students look for other career paths if traditional high school is not working but that is not to rid ourselves of students. For example at DGSD we are looking at moving 5th grade to Ft. Greely to have a comprehensive middle school (that is on base so there will be protests to that) but it will allow all the staff to wrap their arms around students from 5-8th grade. There will be a math focus if it happens and we will continuallly work on transition to high school. The students who drop out do so in most cases between 7-9th grade. Our New Horizons program hold on to fathers, mothers, and many of our Slavic Students. Those students, who make up 30% of our population are a group whose family does not recognize the high school diploma as a usealbrale certificate. They come from a European system where most students "leave" at 16 to work or apprentice unless you go to college. This is not wrong it is just different and it is something we work all the time to educate about. Will an 80 day count change that cultural thought, NO.

We also have a 9th grade academy to wrap our arms around the new 9th graders. It takes teacher and staff time to connect...that is what holds students in school not an 80 day count.

So will 80 days help stop drop outs, not in most schools. It might change the reporting for correspondence schools but for most of us it will not be what keeps a student in school. Not 80 or 60 or 40...the connection is person to student not money.

Hope that helps. PJ

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Wed 2/17/2010 12:11 PM
To: lhsclaf+akschooldistricts@legis.state.ak.us
Cc: alasbo@gci.net; jgreely@aasb.org; Mary Francis
Subject: HB 206 amendment and renewed call for student count numbers

Hi,

The purpose of this e-mail is to remind districts that HB 206 will be discussed on Friday in House Education. As you are aware, HB 206 Work-draft Version P is posted on the Basis web-site under the "documents" tab. This is the Work-draft with the 80-day count requirement. Following discussion with school districts we have proposed and amendment dealing with unanticipated increases in student count numbers occurring at the start of the 80-day count period. Please see the attached amendment allowing a 20-day count at the beginning, and providing a district with the ability to seek funding during the current year count period to cover the unanticipated increases. Recall that under the version P Work-draft districts are funded in the current year based on the previous year's count.

Louie Flora

Subject: FW: HB 206 amendment and renewed call for student count numbers

-----Original Message-----
From: pjford@dgsd.k12.ak.us [mailto:pjford@dgsd.k12.ak.us]
Sent: Thursday, February 18, 2010 4:41 AM
To: Louie Flora
Subject: Re: HB 206 amendment and renewed call for student count numbers

Deart louie

I have not had connectivity on the road. I am currently dealing with the enrollment of 3 intensive students (in Jan). 2 of which may require out of state residential. This is a huge cost to an REAA.

I have no one in our district who can compile. Feb counts for past years but I shall see what I can do today.

REAA's are most at risk. Without extra funds (in our case no large impact aide and no native Corp) we can not afford any touch to the BSA. I don't mind an 80 day count nor does our board as long as it does not increase our need for more personnel. We would welcome a way to petition for funds when something unusual arises like what has happened this year.

Thank you

PJ Ford Slack, Ph.D
Supt
DGSD
REAA 15
Sent from my BlackBerry® smartphone powered by ACS!

Louie Flora

Subject: FW: HB 206 amendment and renewed call for student count numbers
Attachments: HB 206 Version P Amendment.pdf

From: Vanni Prichard [mailto:Vanni.Prichard@nsbsd.org]
Sent: Wednesday, February 17, 2010 8:21 PM
To: Louie Flora
Subject: FW: HB 206 amendment and renewed call for student count numbers

Good Evening Mr. Flora:

Superintendent Peggy Cowan has requested that I provide the following information to you for the North Slope Borough School District.

1. During the past five years, what was your district's total enrollment in October?
2009 1592
2008 1626
2007 1656
2006 1745
2005 1721

2. During the past five years, what was your district's total enrollment in February?
2009 1538
2008 1582
2007 1634
2006 1712
2005 1671

3. Please explain briefly what caused any fluctuations within a given year.
The majority of the fluctuations between October and February from year to year are attributable to multiple factors: Transfers in and out of district; students temporarily left school due to family problems, pregnancy, medical/psych hospital; lack of progress, or excessive absences; early graduation in December. Additionally, some of the students identified as having excessive absences often could also fall into the category of having personal or family problems.

Please feel free to contact me if you have further questions.

Respectfully,

Vanni Prichard
Director of Assessment/Accountability
North Slope Borough School District

Louie Flora

From: Richard Carlson [richard.carlson@klawockschool.com]
Sent: Wednesday, February 17, 2010 1:12 PM
To: Louie Flora
Subject: RE: HB 206 amendment and renewed call for student count numbers

Louie: Over the years Klawock has seen very little change in enrollment numbers from the October count period to February.

Richard E. Carlson
Superintendent
Klawock City School District

--- Original Message ----
From: Louie_Flora@legis.state.ak.us
To: lhsclaf+akschooldistricts@legis.state.ak.us
Cc: alasbo@gci.net, jgreely@aasb.org, mary-acsa@gci.net
Subject: RE: HB 206 amendment and renewed call for student count numbers
Sent: Wednesday, February 17, 2010 12:11:59 PM YST

Hi,

The purpose of this e-mail is to remind districts that HB 206 will be discussed on Friday in House Education. As you are aware, HB 206 Work-draft Version P is posted on the Basis web-site under the "documents" tab. This is the Work-draft with the 80-day count requirement. Following discussion with school districts we have proposed and amendment dealing with unanticipated increases in student count numbers occurring at the start of the 80-day count period. Please see the attached amendment allowing a 20-day count at the beginning, and providing a district with the ability to seek funding during the current year count period to cover the unanticipated increases. Recall that under the version P Work-draft districts are funded in the current year based on the previous year's count.

Also, we made a request recently that districts provide the committee with information as relates to enrollment numbers historically in October and February, as well as any explanation the districts may have for fluctuations in enrollment. To date we have receive materials from the Anchorage School District, but no other districts.
Please provide our office with this analysis if you are able prior to the Friday meeting in House Education.
Thanks again for your help,

Louie Flora
House Education Committee Aide,
Representative Paul Seaton, Chairman
(907) 465-3923

Louie Flora

To: Connie A. Newman
Subject: RE: Enrollment

From: Connie A. Newman [mailto:canewman@hotmail.com]
Sent: Wednesday, February 17, 2010 2:56 PM
To: Louie Flora
Cc: Babe Odell
Subject: Enrollment

Good Afternoon Louie,

I submitted the data for our enrollment on an AASB survey. Here is the data I shared

October		February
2009	15	13
2008	15	15
2007	15	16
2006	13.6	11
2005	12	13.5

Families leave to find work in Winter.

I have read through the bill and was wondering how this will help students stay in school? Did I miss something?

Thank you,

Connie A. Newman, Superintendent
Pelican City Schools

"It's okay to make mistakes. Mistakes are our teachers -- they help us to learn."
~~ John Bradshaw

Louie Flora

From: Gary Baldwin [Gary_Baldwin@lksd.org]
Sent: Wednesday, February 17, 2010 3:15 PM
To: Louie Flora
Subject: Re: HB 206 amendment and renewed call for student count numbers

Louie Flora <Louie_Flora@legis.state.ak.us> writes:
Also, we made a request recently that districts provide the committee with information as relates to enrollment numbers historically in October and February, as well as any explanation the districts may have for fluctuations in enrollment. To date we have receive materials from the Anchorage School District, but no other districts.

Louie,

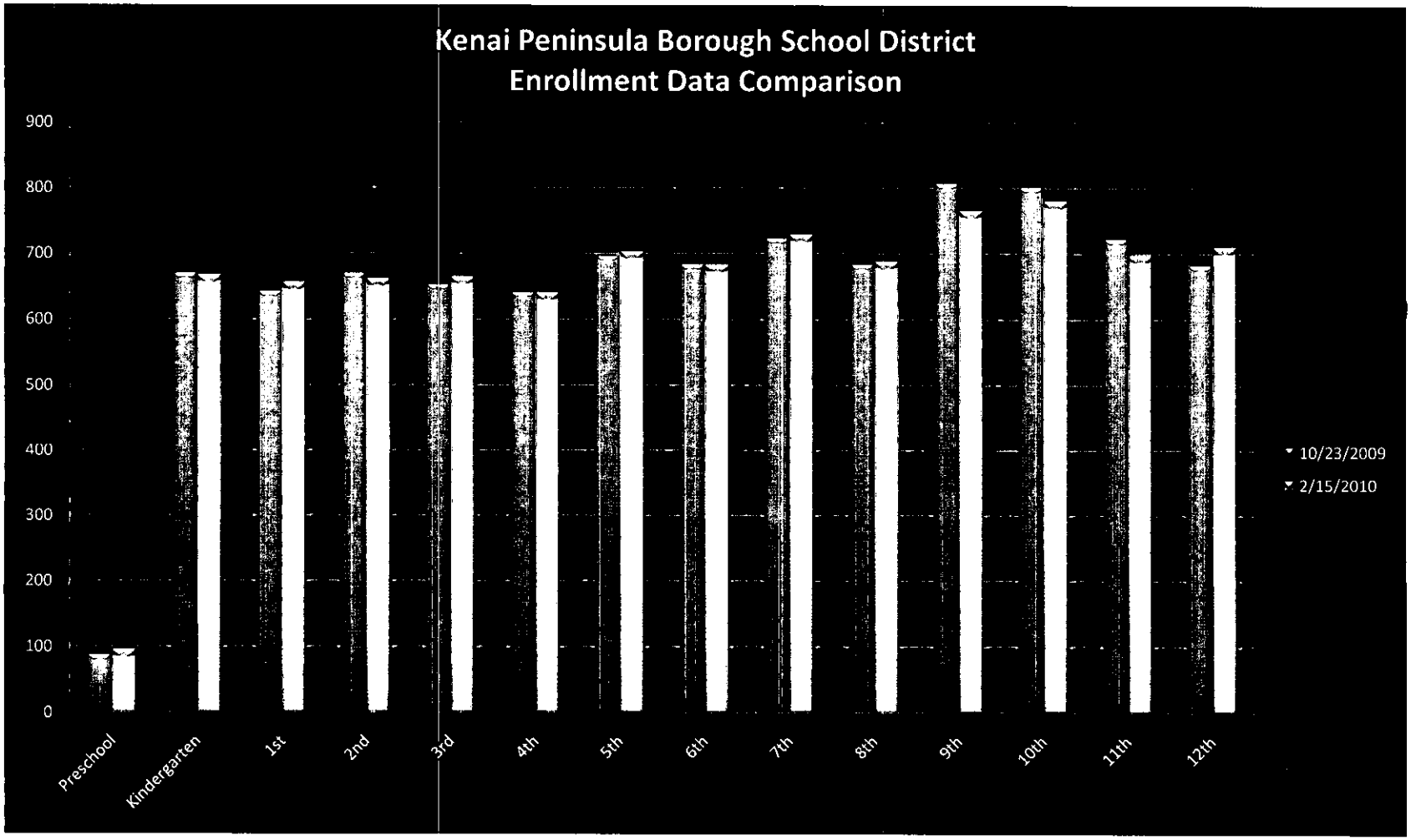
AASB just ran a survey with these same question, so hopefully that information is available. When I compared our February enrollments with those in October, we consistently have about 50 fewer students in February out of about 3900 students. We have students who enroll in August, drop out during the year and re-enroll the next August. Some of them actually graduate after 5 or 6 years of high school.

There has been some comment about the longer count period providing and incentive for district's to keep students in school. Nothing could be further from the truth. With rare exceptions school districts are doing everything in their power to keep students from dropping out.

I hope this helps.

Gary Baldwin
Superintendent
Lower Kuskokwim School District
Phone (907) 543-4912
Fax (907)543-4904
gary_baldwin@lksd.org

	Preschool	Kindergarten	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	
10/23/2009	88	670	643	670	653	641	697	684	724	684	808	802	723	683	9170
2/15/2010	96	667	656	662	664	641	704	683	729	688	766	780	698	711	9145
															35



Louie Flora

From: jgreely@aasb.org on behalf of John Greely [jgreely@aasb.org]
Sent: Thursday, February 18, 2010 3:10 PM
To: Louie Flora
Subject: Unalaska survey on enrollment

The following survey numbers are from Unalaska City School District:

FY05 386.5 February, 398.7 October (12.2 students less in February than October)

FY06 399.75 February, 397.7 October (2.05 students more in February than October)

FY07 379 February, 385.75 October (6.75 students less in February than October)

FY08 391.25 February, 387.75 October (3.5 students more in February than October)

FY09 398.25 February, 402.35 October (4.1 students less in February than October)

(from Superintendent John Conwell)

--
John Greely
Chief Editor

Association of Alaska School Boards
1111 W. 9th Street
Juneau, Alaska 99801
Tel: (907) 586-1083 Fax (907) 586-2995
Website: www.aasb.org
E-mail: jgreely@aasb.org

Louie Flora

From: Susan Edwards [sedwards@lpsd.com]
Sent: Thursday, February 18, 2010 3:30 PM
To: Louie Flora
Subject: Comments on HB206

Mr. Flora,

I would like to add my comments on HB206, particularly Sec.(s) 2 through 4, as to what affects I believe it would have in our district, and other rural school districts.

1 If the intent of this bill is to reduce the dropout rate, it is at best misdirected. The cause and reasons for rural, mostly native students, to leave school are various and mostly beyond the control of a school or district. These factors include the economic, social and demographic conditions in the villages. No matter how dedicated and hard working a school or district staff is, these are variables beyond the control or the authority of the educational entity. Our district has some of the most dedicated and hardworking professional educators who devote more than their contracted time to providing their students with the best instruction possible, but for all that work and dedication, they are not the solution to socio-economic conditions.

2 Declining school enrollment is a product of a demographic shift from rural to urban environment. This demographic change is motivated by socio-economic factors that the local school authority has no influence over. If the State provided coherent and sustained economic development and social services in rural areas, such demographic migration might be ameliorated.

3 This would bill would impose undue and unnecessary costs on schools and districts already dealing with shrinking budgetary resources. The count period as it is structured now requires the expenditure of man hours to collect, collate, and validate the data the state requires. Prolonging the count period increases the demand for these resources, taking then away from other equally pressing administrative needs. Unless the State is going to subsidize the additional costs of this data collection, it is just one more unfunded mandate piled on an already burdened administrative staff.

4 If the goal is to reduce the dropout rate and increase graduation rates statewide, the relevant national research points fairly conclusively that establishing and maintaining early learning programs has been the most effective for keeping kids in school.

While the intentions of this bill should be applauded as well meaning and recognizes the problem of students not completing school, the bill does not recognize nor provide a solution for the causality of the problem.

Susan Edwards, Accountant
Lake and Peninsula Borough School District

(907) 246-4280
(907) 246-4473 -fax
sedwards@lpsd.com

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information yada yada yada."
Pessimism negates the existing world. Yet its negating is ambiguous. It can simply will decay and nothingness, but it can also renounce what exists and thus open a path for a new formation of the world."--- Martin Heidegger

Alaska Association of School Business Officials (ALASBO)
Laura Hylton, President
Amy Lujan, Executive Director
3145 Pioneer Avenue
Juneau, AK 99801
907-500-9086; alasbo@gci.net

February 18, 2010

Honorable Representative Seaton, Chair
House Education Committee - Alaska State Legislature

RE: HB206

Committee Members,

On behalf of the Board of the Alaska Association of School Business Officials, I would like to submit the following comments to the committee for consideration with regard to this bill.

The proposed extended 80-day is not an effective strategy for dropout prevention and unfairly penalizes school districts for a multifaceted problem. There are many reasons that students leave during the year, aside from dropping out. Review of data from past years suggests that districts will generally have lower counts under an 80-day system and reduced funding. Districts offer myriad counseling and instructional programs to support students most at risk of dropping out. If specific instances exist where this is not the case, efforts should be made to address those anomalies, rather than imposing an 80-day count on all districts.

Although the committee has tried to adjust for early grads and potential increases in enrollment, there will be unintended consequences of moving to an 80-day count, and an additional administrative cost. These impacts are not justified by the small possibility of an effect on dropouts.

We are in favor of the proposal to base funding on the prior year count, which would allow for better planning for school programs. However, this could be implemented with the current 20-day count system.

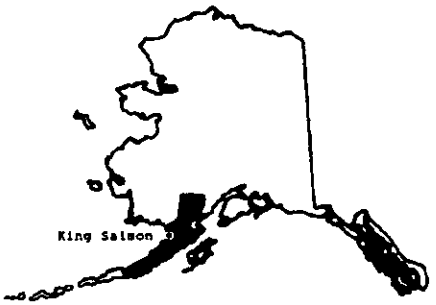
A proposed amendment to version P of the bill would allow an adjustment to the count only if the enrollment change is 10% or more. This is too high a threshold; if enrollment increases, districts need to receive funding accordingly.

Finally, the proposal for districts to "arrange for fees" for postsecondary courses is likely to be seen by some parents as a commitment for school districts to pay for these courses. This is a potential unfunded mandate on districts.

Respectfully,

Laura Hylton, President

THE
LAKE AND PENINSULA
SCHOOL DISTRICT
101 Jensen Drive
P.O. Box 498
King Salmon, Alaska 99613
Phone (907) 246-4280 / Fax (907)
246-4473



February 18, 2010

Honorable Representative Seaton, Chair
House Education Committee
Alaska State Legislature

RE: HB206

Representative Seaton and Honorable Members of the House Education Committee:

I would like to start by saying we appreciate your efforts to confront the dropout problem in Alaska and working with the educational community to solve this dilemma. However, we feel the proposed 80-day count period is not an effective strategy for dropout prevention. The cause and reasons for rural students leaving school are various and mostly beyond the control of a school or district. These factors include the economic, social and demographic conditions in the villages. Simply put, our population in rural Alaska is often times transient. These students move from one village to the next to live with relatives or leave for brief periods of time. Most if not all of these students eventually return. They do not drop out.

The implications of HB206 could be severe. For small rural districts, such as LPSD, that already suffer from declining enrollment the 80 day count period would most likely mean the loss of even more student funding. Without adequate funding programs that specifically target dropout prevention (Preschool, Early Literacy, School to Life, Activities) would eventually go away and hence, dropout rates would increase. Small schools would also be threatened and several in our region might ultimately have to close. This leaves students with no school and very few options as far as continuing education. Our parents are not prepared to take these already struggling students and home school them through graduation. Lastly, as these schools close and students move on, the villages will begin to die. Without kids a village is not healthy and eventually ceases to exist. Unfortunately, we have seen this happen with Ivanof Bay and if an 80-day count goes into affect, we will likely experience the same fate for two or three more villages.

While the intentions of this bill should be applauded, it does not recognize nor provide a solution for the problem. In my opinion, this untested theory, could become a problem in itself for Bush Alaska. Funding will be reduced, programs will be cut, schools will close, and villages will die – this is a huge chance to take on a proposal with no research behind it. If the goal is to reduce the dropout rate and increase graduation rates statewide, the relevant national research points fairly conclusively that establishing and maintaining early learning programs has been the most effective for keeping kids in school.

Respectfully,

Ty Mase
Superintendent

Louie Flora

From: Cindy Reilly [creilly@yksd.com]
Sent: Sunday, February 21, 2010 12:57 PM
To: Louie Flora
Subject: HB206

Mr Flora:

I wanted to voice my concerns about HB206, which would call for an 80-day student count on which education funding would be based. It has been suggested that school districts would work harder to keep students from dropping out if there was a longer period of count. I do not believe this is the case. We often see a reduction in the number of students enrolled during the year, but this is not for lack of trying to keep them enrolled. Our district provides guidance support to all our students working to meet their individual needs and working to remove the barriers that keep them from finishing their coursework. We believe all children are worth "whatever it takes" to succeed.

I am also concerned with the added burden of an 80 day count. The extra paperwork involved will bog down already stretched staff members, and for the small possibility of an effect this effort will have on the dropout problem, it just seems unneeded.

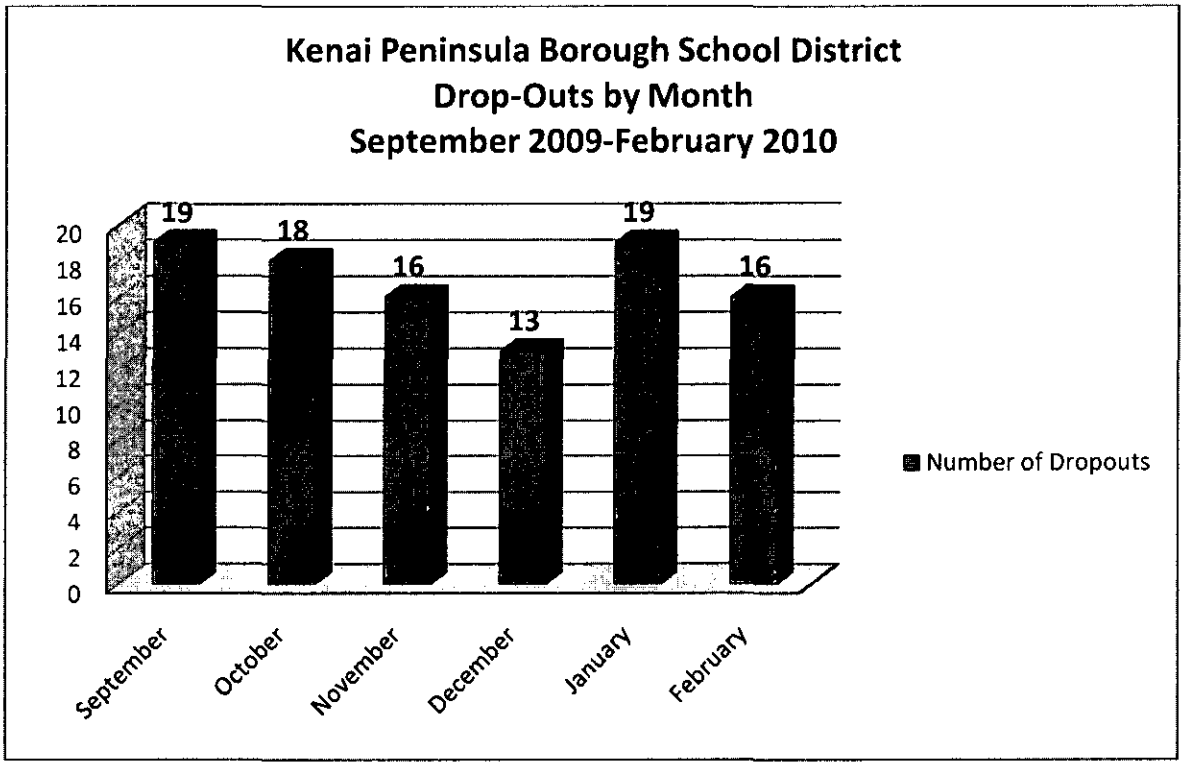
Finally, I want to say that I do like the idea of basing next year's funding on this year's count. Currently, I am building our FY11 budget. Not only am I unsure how much money I will actually have to work with, I don't even know for sure what my FY10 funding will be as the final Foundation report has not yet been released. It is extremely difficult to operate that way especially when education dollars are so tight already.

Thank you for the opportunity to comment on HB206.

Cindy Reilly, CFO
Yukon Koyukuk School District
4762 Old Airport Way
Fairbanks, AK 99709
(907)374-9410
Cell (907)750-7660

The Kenai Peninsula Borough School District has a high rate of transiency. This transiency can be attributed to a number of factors. From September through February, a total of 155 students transferred into the district from a district outside of Alaska and a total of 190 students transferred into the district from another Alaska district. In addition, a total of 147 students transferred to another district in Alaska and a total of 138 students transferred out of the state during the same timeframe.

Concern has been expressed that after the October count period efforts to keep students in school are relaxed. As our data demonstrates, there is no correlation between the end of the count period and the number of dropouts. The reasons why students drop out are complex and often have little immediate connection with school.



The district offers its struggling students several options to help them stay in school including alternative schools, a district-wide correspondence program and a credit recovery program that is located within the high school. During the 2009-2010 school year a total of 222 students transferred to a total of 234 additional educational settings within the district.

Louie Flora

From: Vorachek_Laurel [Vorachek_Laurel@asdk12.org]
Sent: Tuesday, February 16, 2010 11:34 AM
To: Louie Flora
Cc: Comeau_Carol; Graff_Ed; Fleckenstein_Mike
Subject: Oct 1 and 2nd Friday in February Counts
Attachments: 2009-10.pdf

Louie,
I have attached the data that you requested regarding the comparison of ASD's enrollment on October 1 with the 2nd Friday in February. It is important to note that the October 1 count is from the Fall OASIS that is submitted to Alaska Department and Education and Early Development (EED)and is still considered preliminary because EED is still looking at the data from all districts. Our IT staff pulled the 2nd Friday in February data on Feb. 12.

The significant changes are an increase in our special education and English language learners—both groups are from programs where additional services are provided.

Here is a legend to use with the data:
AF AM=African American or Black
AKNA/AI=Alaska Native or American Indian
Asian
NH-OPI-Native Hawaiian or other Pacific Islander
Hispanic=Hispanic or Latino
ME=Reporting two or more races (multi-ethnic)
EDS=Economically Disadvantaged Students
SWD=Students with Disabilities
LEP=Limited English Proficient (English Language Learners)

If you have any questions, please let me know. Thanks. Laurel

Laurel Vorachek
Executive Director, Assessment and Evaluation
Anchorage School District
5530 E. Northern Lights Blvd.
Anchorage, AK 99504
907.742.4427
Fax 907.742.4430

2009-2010 Anchorage School District

	AF AM	AKNA/AI	Asian	NH/OPI	White	Hispanic	ME	Total	EDS	SWD	LEP
Count as of February 12, 2010											
Number	3,155	4,454	5,146	1,955	23,806	4,868	6,180	49,564	21,826	7,401	5,535
Percent	6.37%	8.99%	10.38%	3.94%	48.03%	9.82%	12.47%	100.00%	44.04%	14.93%	11.17%
Count as of October 1, 2009											
Number	3,102	4,480	5,065	1,957	23,846	4,886	6,257	49,593	21,856	6,877	5,400
Percent	6.25%	9.03%	10.21%	3.95%	48.08%	9.85%	12.62%	100.00%	44.07%	13.87%	10.89%

From: Norman Eck [mailto:norman_eck@nwarctic.org]
Sent: Thursday, February 25, 2010 4:52 PM
To: Louie Flora
Cc: J.M. Walsh Company, Inc.; Andy Baker; Kent Dawson; Wendy Chamberlain
Subject: HB 206 concern: 80 Day Count Provision

Hi,

I am very concerned with the 80-day student count provision in HB 206.

Here is an analysis of our student count over an 80 day period for last and this school years. You will see how the student membership fits a similar pattern each year. I would expect that other districts have the same membership pattern as this.

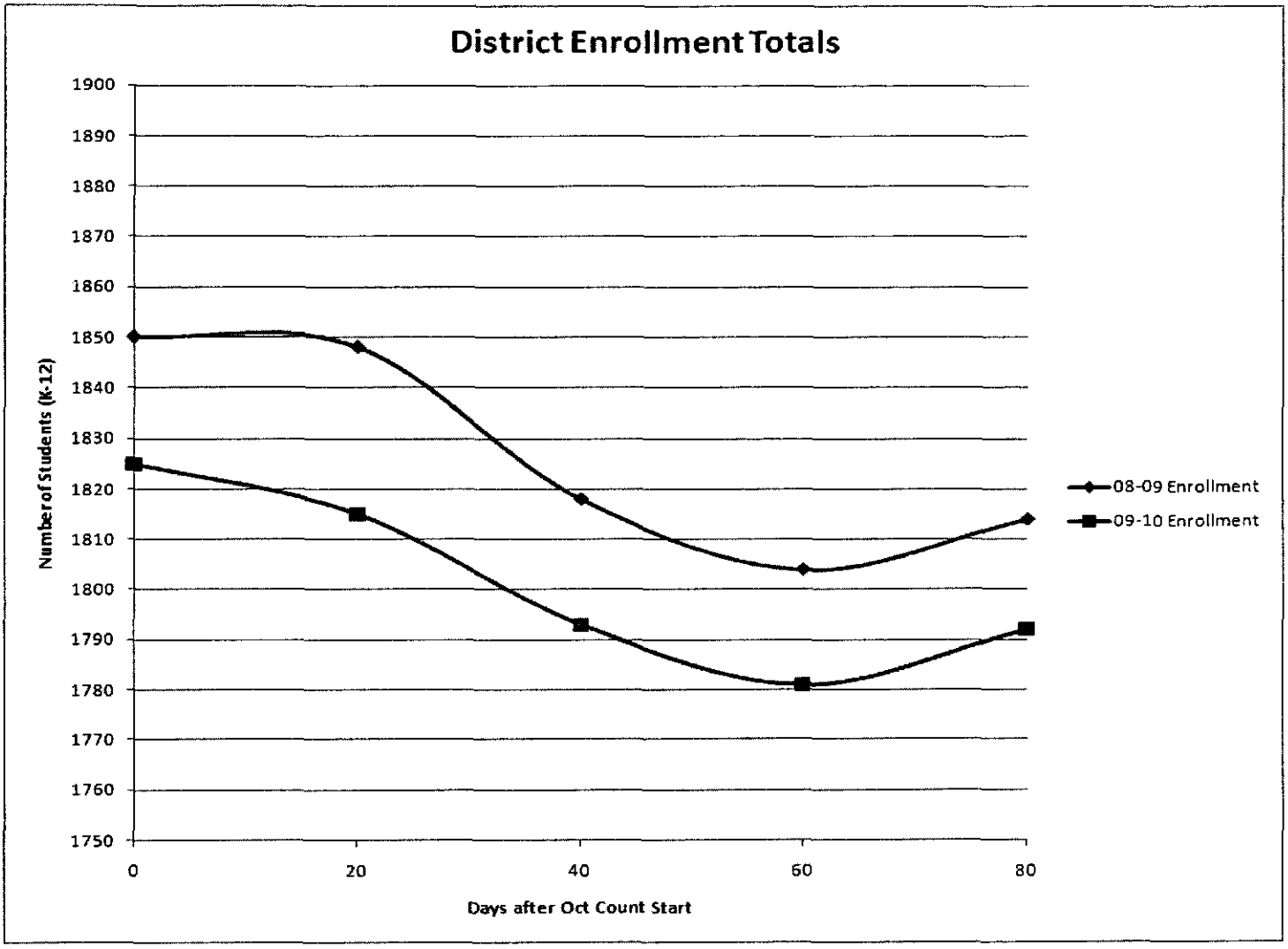
For last school year, FY2009, we had a decline of 1.8% in our student numbers over an 80 day period versus at the end of 20 days.

For the current school year, FY2010, we have a decline of 1.3% at the end of 80 days verses at the end of 20 days. This was a total of 23 students. We filed with District Court, in mid-December, 23 truancy cases with the District Attorney's office in Nome. We were instructed not to file them with the Kotzebue court. To date, about 60 days after filing the cases, I do not know of any result or any action taken by the court.

When the statement is made that the reason to have an 80-day count over a 20 day count is that schools push students out after 20 days of the count period is erroneous. All Northwest Arctic personnel are daily encouraging all students to be in school every day. Our teachers encourage good attendance habits. Our school board speaks to good attendance.

Northwest Arctic School District has about a $50 million budget. 1.3% of that budget is $650,000. This would cause Northwest Arctic to have $650,000 less in revenue to teach our students. With 85% of our budget being for personnel, and our fiscal plant items remaining constant regardless of our student count, we would have to reduce our teaching force by 7 or 8 teachers.

Below, please see a chart of our attendance over an 80 day period for last school year and this.



An 80 day count would be OK if a re-calibration (adjustment of about 2%) would be made to the funding formula to account for the natural decrease in enrollment experienced over the school year.

Please share this with Senator Seaton and the House Education Committee members.

Respectfully,

Norman Eck

Norman Eck, Ph.D.
Superintendent
Northwest Arctic Borough School District

Kodiak Island Borough School District
Office of the Superintendent
722 Mill Bay Road
Kodiak, AK 99615
907-481-6200

March 4, 2010

Representative Paul Seaton, Education Committee Chair
State Capitol, Room 102
Juneau, AK 99801-1182

RE: Kodiak Island Borough School District's Testimony Regarding House Bill 206

Dear Education Committee Chair Seaton and Education Committee Members:

Administration, School Board members and the finance department of Kodiak Island Borough School District (KIBSD) have reviewed House Bill 206 and would like to submit the following testimony for your consideration.

1. KIBSD is not in favor a provision that would limit our ability to offer students dual credit opportunities before they have taken and passed all three sections of the High School Graduation Qualifying Examination (HSGQE).

   Currently, KIBSD offers twenty dual credit courses that meet the approved course description for college, vocational and technical courses. A list of KIBSD's dual credit courses is enclosed with this document. Many of our students begin taking these dual credit classes as early as the ninth grade as well as seniors who have not yet passed all the required sections of the HSGQE. Dual credit courses give students the opportunity to not just work toward a high school diploma but to achieve certifications that would allow them to enter into the work force at an elevated level immediately following their graduation from high school.

2. KIBSD is not in favor of a mandated requirement to offer dual credit courses.

   The twenty dual credit courses currently being offered to Kodiak High School students are taught by ten teachers on a voluntary basis. These teachers do not receive an additional stipend from the university system but qualify as instructors of record. They have the ability to issue high school curriculum credit as well as approved syllabus college credit. The program could not suddenly expand due to a mandate; it takes time to develop a teacher's sense of collegial professionalism and willingness to voluntarily teach dual credit courses. A mandate would cause the union to become involved; thus, driving the delivery cost of dual credit courses to the point of jeopardizing the entire program.

3. KIBSD is not in favor of a requirement that would make Work Keys a high-stakes assessment.

   Our District utilizes Work Keys, in addition to a variety of other assessments, by allowing students to take multiple assessments throughout a school year to compile the vital information needed to study their own learning. Students become more meaningfully engaged in instruction and ultimately more connected to their life goals by studying their own learning. KIBSD also reaches into elementary grade levels with this low-stakes formative assessment methodology through Key Train. KIBSD intends to apply the knowledge gained through low-stakes formative assessments such as Key Train and Work Keys to a student's five-year career

plan; hence, laying the foundation for career choices and the pursuit of high school dual credit courses. Any legislation to increase the formality of the Work Key test would disrupt our low-stakes formative assessment process and hinder our ability to study student learning with students at their speed of learning. This combination of assessments, formative assessments and student options for dual credit helps to keep students engaged in school, graduate on time, and address drop-out issues.

Currently Kodiak High School has an over 80% graduation rate based on students graduating in four years. KIBSD graduation rate is 77.25% island-wide. Many of our students continue with an additional semester or school year and do in fact receive their high school diploma. Unfortunately, under current state reporting regulations, these students are not included in KIBSD's official graduation rate. KIBSD's current drop-out rate is 3.5%, which equates to twenty-eight students that we know by name. Of these twenty-eight students twenty have re-enrolled in our program to seek a degree but again, due to the rules of counting, are still considered drop-outs by the State. KIBSD boasts a higher graduation rate than we are allowed to report under the current rules and we attribute this success to the extra work we put into these students. I believe this type of success is shared by many school districts across Alaska who are engaged in similar programs.

4. KIBSD is not in favor of expanding the twenty-day student enrollment count to eighty days.

KIBSD researched its student enrollment records for the past five years focusing on the time frame of October through February and averaged a decline of 1.5%. The decline was not a consistent trend as each year indicated unique circumstances as follows:

School Year	Student Enrollment	Comments
2008/2009	-3	Enrollment declined between October to February mostly due to early graduation but was balanced by increased enrollment - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.
2007/2008	-30	Enrollment declined between October to February mostly due to early graduation - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.
2006/2007	-74	Enrollment declined between October to February due to excessive attendance expulsions (misused policy - policy has since been revised) - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools. Nearly all the 74 students were brought back into the system by the beginning of the 2007/2008 school year.
2005/2006	+52	Enrollment increased between October to February due to more students enrolling than withdrawing - early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.
2004/2005	-50	Enrollment declined between October to February due to early graduation at semester; some students enrolled in drug and alcohol rehabilitation programs; and some students transferred to other schools.

KIBSD believes educational programs should not be influenced by funding legislation through an eighty-day enrollment count but dependent on student progress and program need.

With an expanded eighty day count, school districts would experience increased reporting and related costs. Follow-up reporting to the State would also increase with a greater number of cross-over or double counted students; thus, growing the district level time, effort and cost to carry out this phase of the reconciliation. In addition, this measure will not effectively address drop-out rates because it does not specifically target grades 9-12. Rather, the expanded count requires that school districts dedicate additional State and local resources to track, report, and verify data for every student in grades K-12.

5. KIBSD is in favor of funding school districts based on the prior year student enrollment count.

   School district funding based on the prior year student enrollment count would establish reliable funding levels fundamental to the annual development of our budget as well as the preparation and establishment of educational programs.

In summary, Kodiak Island Borough School District is not in favor of House Bill 206 components that pertain to a provision that would limit our ability to offer dual credit courses to students prior to their passing the HSGQE; a mandated requirement to offer dual credit courses; a requirement that would make Work Keys a high-stakes assessment; or expanding the twenty-day student enrollment count to eighty days. Kodiak Island Borough School District is in favor of funding school districts based on the prior year student enrollment count.

Thank you for considering this testimony given by Kodiak Island Borough School District regarding House Bill 206.

Sincerely,

Stewart McDonald
Superintendent

HSGQE Proficiency Descriptors and WorkKeys Skill Levels

The tables for Reading and Mathematics below compare the Proficiency Descriptors for HSGQE to the WorkKeys Skills Levels descriptions. This comparison is only of descriptors prepared by EED, Assessment Unit. (A more thorough, rigorous comparison between assessments would need to be done at the item level.) Also, it is not clear which WorkKeys Skill Level (most skill areas are scored from level 3 to level 7) is most equivalent to Proficient on the HSGQE. The tables include the WorkKeys skills for the three main "certificate" levels.

Students in Alaska can earn a career readiness certificate (CRC) by taking WorkKeys assessments in three key skill areas: Reading for Information, Applied Math, and Locating Information.

CRC Level	WorkKeys Requirements
Bronze	scored at least a level 3 in each of the three core areas and has the necessary foundational skills for 35 percent of the jobs in the WorkKeys database
Silver	scored at least a level 4 in each of the three core areas and has the necessary foundational skills for 65 percent of the jobs in the WorkKeys database
Gold	scored at least a level 5 in each of the three core areas and has the necessary foundational skills for 90 percent of the jobs in the WorkKeys database
Platinum (new)	scored at least a level 6 in each of the three core areas and has the necessary foundational skills for nearly all of the jobs in the WorkKeys database

Competency areas highlighted in yellow in the WorkKeys section indicates those areas "may" be more challenging than the required competencies in the HSGQE proficiency descriptors, however significantly more detailed analysis would be required to determine the level of match between HSGQE and WorkKeys requirements.

While writing is required on the HSGQE it is not addressed in this document as writing is not currently a required component of WorkKeys in the Alaska regulations.

Reading

This comparison of descriptions for the HSGQE and skills for the WorkKeys assessments seems to show that, as might be expected from the description of the WorkKeys Reading for Information and Locating Information assessments (see below), there is some overlap in the areas of vocabulary; identifying main ideas; summarizing technical information; interpreting charts, graphs, tables, and illustrations; and following directions. There are areas in Summarize

Information and especially in Critique Arguments and Make and Support Assertions that do not seem to be addressed by the WorkKeys Reading for Information and Locating Information assessments.

> "The WorkKeys *Reading for Information* test measures the skill people use when they read and use written text in order to do a job. The written texts include memos, letters, directions, signs, notices, bulletins, policies, and regulations. It is often the case that workplace communications are not necessarily well-written or targeted to the appropriate audience. Reading for Information materials do not include information that is presented graphically, such as in charts, forms, or blueprints."
>
> "The WorkKeys *Locating Information* test measures the skill people use when they work with workplace graphics. Examinees are asked to find information in a graphic or insert information into a graphic. They also must compare, summarize, and analyze information found in related graphics."

Reading for Information and *Locating Information* contain informational text that would be found in the work place. The text types in the HSGQE are 60% informational and 40% literature.

HSGQE Proficiency Descriptors of the Minimum Competencies in Essential Skills for Reading	**WorkKeys Skills RFI (Reading for Information) LI (Locating Information)**
Use Context Clues A student proficient in the minimum competencies in essential skills	
uses context clues to determine the meaning of unfamiliar words within a text.	RFI:L3 Choose the correct meaning of a word that is clearly defined in the reading RFI: L3 Choose the correct meaning of common, everyday workplace words RFI:L4 Use the reading material to figure out the meaning of words that are not defined RFI:L5 Figure out the correct meaning of a word based on how the word is used RFI:L5 Identify the correct meaning of an acronym that is defined in the document RFI:L5 Identify the paraphrased definition of a technical term or jargon that is defined in the document RFI:L5 Apply technical terms and jargon and relate them to stated situations
Summarize Information A student proficient in the minimum	

competencies in essential skills	
summarizes events presented in a passage.	
determines and describes an author's position and/or viewpoint and applies it to a hypothetical situation.	
identifies relevant details and main ideas in a passage or parts of a passage.	RFI:L3 Identify main ideas and clearly stated details LI:L5 Sort through distracting information
summarizes technical information from a set of directions into a chart.	LI:L4 Summarize information from one or two straightforward graphics LI:L5 Summarize information from one or more detailed graphics
determines the purpose of a text.	
infers connections between ideas and events.	RFI:L4 Identify important details that may not be clearly stated
interprets charts, graphs, tables, and illustrations.	LI:L4 Find several pieces of information in one or two graphics LI:L4 Understand how graphics are related to each other LI:L4 Identify trends shown in one or two straightforward graphics LI:L4 Compare information and trends shown in one or two straightforward graphics LI:L5 Identify trends shown in one or more detailed or complicated graphics LI:L5 Compare information and trends from one or more complicated graphics
interprets information and applies it to new situations.	RFI:L5 Apply straightforward instructions to a new situation that is similar to the one described in the material
Critique Arguments A student proficient in the minimum competencies in essential skills	
locates supporting evidence in text.	
sorts and categorizes information.	

applies information from a text.	RFI:L5 Apply complex instructions that include conditionals to situations described in the materials
uses evidence to determine and support key ideas.	
describes the purpose behind language in an advertisement.	
differentiates between arguments based on opinions and arguments based on facts.	
Apply Multi-Step Directions A student proficient in the minimum competencies in essential skills	
follows multi-step directions to complete a task.	RFI: L3 Choose when to perform each step in a short series of steps RFI: L3 Apply instructions to a situation that is the same as the one in the reading materials RFI:L4 Apply instructions with several steps to a situation that is the same as the situation in the reading materials
determines and explains the reasons for using specific methods to complete a task.	RFI:L4 Choose what to do when changing conditions call for a different action (follow directions that include "if-then" statements)
identifies and sequences information from a variety of sources.	
locates specific information from multi-step directions from one or more sources.	
uses information from a chart to fill out a form.	LI: L3 Find one or two pieces of information in a graphic LI: L3 Fill in one or two pieces of information that are missing from a graphic
Make and Support Assertions A student proficient in the minimum competencies in essential skills	
identifies clear assertions (statements, opinions, or interpretations).	

identifies evidence and details from a text to support assertions.	

Mathematics

Most of the WorkKeys skills for Applied Math (see the description below) appear to compare to the Estimation and Computation skills of adding, subtracting, multiplying, and dividing numbers in various forms: positive and negative numbers, fractions, decimals, and percents. Some WorkKeys skills overlap with Numeration and Measurement. One skill assesses Geometry; no WorkKey skills cover Statistics and Probability and Functions and Relationships, however we have yet had time to review the new levels (6 and 7). It appears that the higher levels may cover some of these areas.

> "Applied Mathematics: This assessment measures the skill people use when they apply mathematical reasoning, critical thinking, and problem-solving techniques to work-related problems. The test questions require the examinee to set up and solve the types of problems and do the types of calculations that actually occur in the workplace. This test is designed to be taken with a calculator. A formula sheet that includes all formulas required for the assessment is provided. While individuals may use calculators and conversion tables to help with the problems, they still need to use math skills to think them through."

HSGQE Proficiency Descriptors of the Minimum Competencies in Essential Skills for Mathematics	WorkKeys Skills Applied Mathematics (AM)
Problem Solving, Communication, Reasoning, and Connections A student proficient in the minimum competencies in essential skills	*Problem Solving, Communication, Reasoning, and Connections are Process Skills. Students use Process Skills whenever they solve math problems.*
uses appropriate symbols to justify solutions to mathematics problems.	
uses a variety of problem-solving strategies (guess and check, working backwards, diagrams, patterns, etc.).	
solves multi-step problems in real-world context.	AM:L5 Find the best deal using one- and two-step calculations and then comparing results

Numeration A student proficient in the minimum competencies in essential skills	
reads, writes, models, and orders positive and negative numbers including fractions, decimals, percents, square roots, and numbers with simple exponents.	
converts between fractions, decimals, and percents.	AM: L3 Change numbers from one form to another using whole numbers, fractions, decimals, or percentages
compares, orders, and uses data containing mixed units of measurement (hours and minutes, feet and inches, metric units).	AM:L5 Calculate using mixed units (e.g., 3.5 hours and 4 hours 30 minutes)
expresses numbers in scientific notation.	
applies basic order of operations and rules of divisibility.	AM:L4 Put the information in the right order before performing calculations
Measurement A student proficient in the minimum competencies in essential skills	
accurately measures and draws distances and angles using a ruler or protractor.	
estimates and converts measurements of length and weight within the same system or between systems (standard and metric).	AM:L5 Decide what information, calculations, or unit conversions to use to solve the problem AM:L5 Look up a formula and perform single-step conversions within or between systems of measurement
identifies the appropriate tool and /or unit of measure with which to measure objects.	
solves problems involving rate, distance, time, scale, and money.	AM: L3 Convert simple money and time units (e.g., hours to minutes)
reads, writes, and uses money notation, determining possible combinations of coins and bills to equal given amounts; counts back change for any given situation.	

Estimation and Computation A student proficient in the minimum competencies in essential skills	
adds, subtracts, multiplies, and divides numbers in various forms: positive and negative numbers, fractions, decimals, and percents.	AM: L3 Solve problems that require a single type of mathematics operation (addition, subtraction, multiplication, and division) using whole numbers AM: L3 Add or subtract negative numbers AM:L4 Solve problems that require one or two operations AM:L4 Multiply negative numbers AM:L4 Add commonly known fractions, decimals, or percentages (e.g., 1/2, .75, 25%) AM:L4 Add up to three fractions that share a common denominator AM:L4 Multiply a mixed number by a whole number or decimal AM:L5 Divide negative numbers AM:L5 Calculate percent discounts or markups
solves multi-step problems using ratios and proportions.	AM:L4 Calculate averages, simple ratios, simple proportions, or rates using whole numbers and decimals
rounds numbers appropriately to solve problems.	
simplifies expressions involving simple exponents.	
Functions and Relationships A student proficient in the minimum competencies in essential skills	
analyzes, extends, and applies visual, numeric, and geometric patterns.	
evaluates and simplifies algebraic expressions and equations.	
converts representation of data between graphs, tables, and linear equations.	
solves linear equations, simple inequalities, and systems of linear equations.	

Geometry A student proficient in the minimum competencies in essential skills	
identifies and applies properties of angles, polygons, and lines (including parallel, perpendicular, and intersecting lines)	
uses formulas to calculate perimeters, circumferences, and areas	AM:L5 Calculate perimeters and areas of basic shapes (rectangles and circles)
applies the properties of equality and proportionality to solve problems involving congruent or similar shapes	
Probability and Statistics A student proficient in the minimum competencies in essential skills	
selects and uses appropriate scales of graphs	
reads data and predicts trends from tables, graphs, and charts	
analyzes, interprets, and appropriately labels bar graphs, line graphs, and circle graphs to display data	
determines the probability of an event	
selects an appropriate sampling group	

Dual Credit Courses
KHS and Kodiak College, UAA
Approved for 2009-2010

KHS Course	KOC Course Number	KOC Course Name	KIBSD Faculty	KOC Credit	Cost
Accounting	ACCT A120	Bookkeeping for Business	Jim Lambert	3	$75
Computerized Accounting & Business Co-op	ACCT A222	Intro to Computerized Accounting (QuickBooks)	Jim Lambert	3	$75
Advanced Auto Tech	ADT A102	Intro to Automotive Technology	David Morgan	3	$75
Mechanical Drawing	AET A100	Fundamentals of Drafting	Barry Altenhof	3	$75
Arch. Design Tech	AET A101	Fundamentals of CADD for Building Construction	Barry Altenhof	4	$100
Keyboarding or Computer Applications	CIOS A101	Keyboarding – Fall Semester*	Jim Lambert	3	$75
Multi-Media	CIOS A255	Multi-Media Applications	Matt Bieber	3	$75
Advanced Computer Apps	CIS A105	Intro to PC & Applications – Spring Semester**	Jim Lambert	3	$75
American Literature	ENGL A121	Intro to Literature	Ben Jackson	3	$75
Film as/and Literature	HUM A220	Film as/and Literature	Giovanni Tallino	3	$75
Spanish III	SPAN A101	Elementary Spanish I	Chad Pysher	4	$100
Welding I	WELD A112	Shielded Metal Arc Welding	A. Cavan & E. Raisley	4	$100
Welding II	WELD A114	Welding of High Strength Steel	A. Cavan & E. Raisley	4	$100
Advanced Welding Tech	WELD A157	Technical Drawing for Welders	A. Cavan & E. Raisley	3	$75
Boat Building	WELD A190	Selected Topics in Welding	Anthony Cavan	3	$75

Students must be enrolled for the full year to earn college credit except where noted.
List is subject to change. Call Kodiak College, UAA Student Services at 486-1235 for information.

2009-2010 Dual Credit Timeline:

Week of November 2nd – KoC Registrar visits KHS Keyboarding & Computer Applications classes to register students*

End of Feb 2010 – Kodiak College Registrar visits all other courses to register students**

*DEADLINE for students to register for Fall classes = Friday before WINTER BREAK
DEADLINE for students to register for yearlong classes = Friday before SPRING BREAK

Approved for Dual Credit but no students enrolled for 2009-2010

American Literature	ENGL A121	Intro to Literature	Dana Strong – Port Lions	3	$75
Spanish IV	SPAN A102	Elementary Spanish II	Chad Pysher	4	$100

Pending Approval – A Plus Certification course, Occupational Safety & Health course

2/8/2010

Questions from (H) EDC from 3/19/2010
Regarding Workkeys and the HSGQE

1. The regulation reads if a student takes the Workkeys in 11th grade, then retakes in 12th grade but scores higher then it is paid for by EED, if they do not score has high then either the student or the district would pay. Is this accurate? If it is accurate, what is the cost per test the student or district would pay?

The original intent of 4 AAC 06.717 (e) was that the state would pay for a second administration of any or all of the WorkKeys tests (doesn't specify 11th or 12th grade) if before the 2nd WorkKeys administration the student has used the instructional courseware and has shown a gain of at least one skill level in the courseware (e.g. Billy gets a Level 3 on WorkKeys math, then gets a level 4 on the math placement test in WIN or KeyTrain. Billy could then retake WorkKeys math at the state's expense, even if he ultimately gets a Level 3 on WorkKeys again.) Having said that, after re-reading the regulation, I believe it could be interpreted as you state below (i.e., Billy has to use WIN or KeyTrain after his first WorkKeys test, but EED would pay for the 2nd WorkKeys test only if he gets at least a Level 4 on WorkKeys that 2nd time.)

For students who want to retake WorkKeys, could they do that through the DOLWD?
As I mentioned in my previous email, EED and DOLWD have agreed on a policy that students will take WorkKeys at their high schools, whether it is the first test administration or a re-test. DOLWD will handle WorkKeys testing for its clients who are not in school. DOLWD currently offers WorkKeys testing at 13 of its 22 Job Centers (http://www.ajcn.state.ak.us/offices/index.html).

2. Right now it says the test results will be in the cumulative file, correct? I don't think we indicate it will be on transcript or diploma.

Correct -- the regulation says the WorkKeys scores will be kept in the cumulative record - nothing about transcript or diploma.

3. How can employers get a record of a student's/job-seeker's WorkKeys scores? Could DOLWD give WorkKeys scores to employers at students' request?

DOLWD will only have a record of WorkKeys scores for its clients who tested at a Job Center, and will release scores only if authorized by the individual. EED and each district will have a record of students' WorkKeys scores.

There are several ways in which a student may provide his/her own WorkKeys information directly to an employer:

- For each person (student or adult) who earns a National Career Readiness Certificate (NCRC), which means they obtained at least a Level 3 on all three tests, ACT issues an actual paper certificate that shows the level (Bronze, Silver, Gold, or Platinum), and the skills that were demonstrated. The student may show his/her certificate to an employer as part of the job application package or portfolio.

- ACT also provides a website that a certificate-earner may use to allow employers to verify the certificate online. [As an aside, ACT recommends that WorkKeys scores over 5 years old be considered out-of-date, although they no longer show an expiration date on the NCRC.]
- Alaska DOLWD's Labor Exchange System (ALEXsys - http://alexsys.labor.state.ak.us/) now provides a place for job applicants to list their WorkKeys NCRC level. All Alaska residents, including students, may establish an account in ALEXsys and keep track of their work history, education, certificates, skills, resumes, etc. Employers may search in ALEXsys for job candidates with a specific level of NCRC. Additionally, DOLWD is currently mounting a statewide outreach and education campaign to let Alaska employers know about WorkKeys and the NCRC (http://www.careerready.alaska.gov/employers.html for more info.)

4. How would WorkKeys information on a student transcript or cumulative record look?

It might look something like this:
WorkKeys Assessments
Applied Math - Level 4 (September 7, 2009)
Reading for Information - Level 3 (January 15, 2010)
Locating Information - Level 5 (April 28, 2010)
National Career Readiness Certificate (NCRC) - Bronze Level (issued May 5, 2010)
For more information about WorkKeys and the NCRC, please see
http://www.act.org/certificate/index.html

5. Information during the hearing was presented about the 12th grade class in 2008. Questions were asked about the data presented; those questions are in red, and the responses in green.

Class of 2008 Analysis

Number of grade 12 non-graduates	2787	
Number of grade 12 students coded by district as drops	1250	
Did any of these 1250 return and graduate since?		
Yes - 82		
Number of grade 12 continuing students (intend to attend in 08-09)	1537	
Did these students return and graduate since?		
Yes - 424		
Number of grade 12 non-graduates passing all parts of exam	1926	(69.1%)
Did any of these graduate due to passing local requirements since 2008?		
Yes - 452		
Number of grade 12 students who earned certificate of achievement	270*	
**Number not included in grade 12 non-graduates*		
Did any of these return and take the HSGQE and earn a diploma?		
Yes – 11		

6. One member of the committee asked for items sampler / practice tests from the HSGQE, those are attached to the email.

Post-it® Fax Note 7671	Date 3/1/10	# of pages ▶ 1
To Louise Flora	From Valdez LIO	
Co./Dept.	Co.	
Phone #	Phone # 835-2111	
Fax #	Fax #	

aska State Legislature

Please enter into the record my testimony to the House Education
(committee name)

committee on HB 206 (bill # / subject), dated 3/1/10

2 questions about the local district paying for college classes

1) Does this just apply to designated dual credit courses or also to approved (for instance, for a GT program or where local offerings are limited) (by the district) courses or to any course the student wants to take (at any price). The third option represents a blank check that is not manageable for local districts.

2) Not everyone who has passed the graduation qualifying exam is ready for college courses. The HSGQE is intended to be a minimum, not a college entrance exam. Correct me if I'm wrong, but I think the current language would allow a student to take algebra II or precalc at the community college and have the district pay for it, rather then avail themselves of the instruction in these subjects offered at the high School. Likewise the student could decide to take their electives as college classes at district expense, devastating the local budget and thus the offerings for other students at the high school.

Signed: Kathleen M. Todd MD
Testifier

Valdez City School Board (board member)
~~Representing (optional)~~

Box 1889 Valdez 99686
Address

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Student Enrollment Count Mechanisms for School Funding: State Policies

States use different mechanisms for counting students for the purpose of funding school districts. These approaches have important consequences for accurately compensating districts for the students in their schools and for retaining students in school throughout the school year.

Considerations for Colorado

As state policymakers consider whether and how to establish a new student enrollment count for Colorado, it is important to understand the variation in these mechanisms among states. State decision-makers must recognize the incentives for school districts if changes are made to Colorado's current single October count date. Depending on the mechanism and the implementation of a change, some districts could gain funding and some districts could lose funding if the state's count mechanism is changed.

Funding needs are also a key issue for districts under the state's current single October 1 count date system. For example, districts may lack resources to effectively serve students who return to school after the count date. State policymakers will also need to consider the financial incentives for school districts to educate students created by these different approaches.

This document identifies general state count mechanisms, their specific characteristics, and advantages and disadvantage of each approach.

General Student Count Mechanisms

- **Single Count Date** – a count on one day near the beginning of the year
- **Multiple Count Dates** – calculation based on two or more count dates during the year
- **Average Daily Attendance (ADA)** – an average of a daily count during all or most of the year of students in attendance
- **Average Daily Membership (ADM)** - an average of a daily count during all or most of the year of students enrolled
- **Single Count Period** – an average of a daily count during a period of time near the beginning of the year
- **Multiple Count Periods** – an average of a daily count during two or more periods of time during the year

Year of Funding

Each of the mechanisms can apply the count to district funding for the year in which the count was taken, or for the subsequent year. Such options are discussed in more detail on page 4.

Single Count Date

The single count date is a count of the number of students in attendance in each school district on a particular date – usually October 1, which is when the federal government requires a count of the number of students eligible for the free and reduced price lunch program for purposes of Title I funding. An advantage of the single count date is that it is relatively simple and thus minimizes state administrative costs.

There are several disadvantages to this strategy. First, the single count date gives school districts no financial incentives to focus on retaining students after the count date. Second, in most cases, enrollment rises or falls somewhat from fall to spring, so by basing funding on one fall count, districts are more over-funded or under-funded than by using other approaches. Third, some students don't enroll in a public school until after October 1, so the districts receive no funding for these students under the single count date approach. For high schools, this means that schools have a financial disincentive to enroll out-of-school youth who try to reenroll after the count date. It also impacts districts with enrollment affected by seasonal employment in the local community, as in resort communities where enrollment can increase during the ski season.

States using single count date (13): CO, GA, CT, IN, IA, KS, MD, MA, NV, NH, NJ, UT, WV

Multiple Count Dates

States that use multiple count dates take a count of the number of students in attendance on two or more particular dates. States usually require two count dates – one in the fall and the other in winter or spring – with half (or some other specific percentage) of a district's funding based on the first count and half on the second. Using multiple count dates encourages districts to retain their students throughout the year, and it also provides more of an accurate enrollment count than the single count date. Using just two count dates, however, still translates into a large degree of inaccuracy and increases pressure on schools to ensure that students are in attendance for the two days of the count.

States using multiple count dates (5): LA, ME, MI, MT, WI

Average Daily Attendance (ADA)

States that use ADA fund districts based on an average of a count conducted every school day of students in attendance throughout the school year. This report also includes in this category one state that conducts the daily counts of students in attendance for most of the school year. Under

ADA, absent students are excluded from the daily count and the district's average is lowered accordingly. This component encourages school districts to improve attendance to avoid funding reductions. This full-year count is the most accurate in funding students who attend school and provides districts with the financial incentives to keep them in school and in attendance. School districts in several states that turned to ADA cited this mechanism as another reason to bolster their attendance policies. A disadvantage of ADA is that districts' funding is reduced when students are absent, regardless of whether they are excused or unexcused. This mechanism may also entail greater state administrative costs because of more and ongoing counts.

States using ADA (7): CA, ID, KY, MS, MO, NY, TX
**Idaho counts the 28 weeks in the school year with the highest ADA

Average Daily Membership (ADM)

States that use ADM fund districts based on an average of a count conducted every school day of students in enrolled in a school throughout the school year. This report also includes in this category the three states that count enrolled students for most of the school year. ADM differs from ADA because the daily count includes absent students. Advantages of this approach include greater accuracy, a financial incentive to keep students in school all year, and no funding affect on districts for absent students. However, because ADM is based on students being enrolled – whether or not they are attending classes – a drawback of this method is that it provides no financial incentive for boosting attendance. Also, because ADM involves more counts, or ongoing counting and reporting, it might be more time-consuming and costly to administer.

States using ADM (18): AR, AZ, AK, DE, FL, MN, NE, NC, ND, OK, OR, PA, RI, SC, SD, TN, VT, VA
**Arkansas counts during the first three-quarters of the school year; Virginia counts from beginning of the school year through March 31; and Arizona counts the first 100 or 200 days.

Single Count Period

Several states use a single count period, characterized by a specific, multi-week period, typically at the beginning of the year that occurs for less than half of the school year. Some of these states include absent students in this count and others do not, and some of these states refer to this method as ADA or ADM because they average each daily count during the period. This report, however, does not characterize the approach this way because the count is for less than half of the school year. The single count period yields a more accurate count than a single count date, but as with the single count date, provides no financial incentive for school districts to retain or accept students after the period ends. Also similar to the single count date, this approach does not allow for state funding of districts that enroll students after the count period ends.

States using single count period (3): Alabama uses ADM of the first 20 days after Labor Day; New Mexico and Wyoming use ADM of the first 40 days of school.

Multiple Count Periods

The two states that use the multiple count periods approach fund districts based on an average count of more than one specified period of time – week, month, multiple weeks/months – during the school year that amounts to less than half of the school year. One state uses a period at the beginning of the year and later in the year; another state allows districts to use the highest number of enrolled students during a specified number of weeks. One of these states includes absent students in this count (ADM) and the other does not (ADA). This report does not include these two approaches in the ADM or ADA categories because the counts are for less than half of the school year. Multiple count periods are more accurate than single count dates or periods and multiple count dates, and provide districts with more of a financial incentive to retain students. This mechanism, however, is less accurate and has less of a financial incentive to keep students than counting students every day. Partial year counts, such as multiple count periods and the single count period may offer states lower administrative costs than longer counts.

States using multiple count periods (2): Illinois uses ADA of the best 3 month period; Ohio uses ADM of the first full week in October and the first full week in February.

Year of Funding:

Regardless of the mechanism, some states use counts for the current school year, some use counts for the subsequent school year, and one state uses counts from the current year and previous year as a basis for funding districts.

- **Examples of states that apply the count to the current school year:** Colorado (October 1 of current school year); Alaska (ADM); Nevada (last school day of first month of school year); Ohio (ADM of first week in October and first week in February).

- **Examples of states that apply the count to the subsequent school year:** Iowa (third Friday of the September of the prior year); Kentucky (prior year final ADA); Maine (October 1 and April 1 of year prior to the year of funding; Massachusetts (October 1 of previous year).

- **Example of a state that applies counts from the current and previous years:** Michigan (February count date from previous school year and September count date from current school year).

ACTIVITY WINTER 2010

WorkKeys Prepares Criminal Justice Students in New Mexico for Industry Demands

Their performance on eight ACT WorkKeys assessments carries a lot of weight for students in the criminal justice program at Central New Mexico Community College (CNM).

To graduate, they must achieve specific skill levels on the Applied Mathematics, Applied Technology, Listening, Locating Information, Observation, Reading for Information, Teamwork, and Writing assessments.

"Students need to attain the median skill levels required for the police patrol officer WorkKeys occupational profile," said Kevin Daugherty, director of the criminal justice program at CNM. "We use this profile because it best reflects the skills needed in the industry as a whole."

Daugherty knows what the industry needs thanks to local employers who serve on the program's advisory committee. Criminal justice students take the Listening, Reading, and Writing assessments upon entry into the

They take the five other assessments upon exit from the program.

Students' WorkKeys scores account for 30 percent of their grade in the criminal justice capstone course, a one-credit hour competency course students take as they prepare to exit a program.

While preparing for and taking the WorkKeys assessments means extra work for students, Daugherty says the benefits have been significant. "Students' academic performance overall improves as their WorkKeys skill levels increase. Our graduates tell us how well the program prepared them for the workforce and that they appreciated the opportunity to improve their skills."

The majority of CNM graduates go on to complete a four-year degree in criminal justice. Others enroll in police academies, and some go directly to work in corrections, probation and parole, security, and forensics. A few students are active duty police officers, who

CNM, continued on page 15

Students at Central New Mexico Community College listen as an instructor explains an assignment. CNM is using eight WorkKeys assessments in several of its associate degree programs.

Associate Degree Programs at Central New Mexico Community College Using WorkKeys Assessments	Usage			ACT WorkKeys Assessments							
	Required for ENTRY	Required for EXIT	Pretest and Posttest	Applied Mathematics	Applied Technology	Listening	Locating Information	Observation	Reading for Information	Teamwork	Writing
Automotive Technology			■	■			■		■		
Carpentry				■					■		
Computer Information Systems		■		■			■				
Construction Management		■		■			■	■	■	■	
Cosmetology		■				■	■	■		■	
Criminal Justice		■	■	■	■	■	■	■	■	■	■
Culinary Arts		■		■		■	■		■		
Diagnostic Medical Sonography	■			■			■		■		
Electrical Trades		■		■			■		■		
Emergency Medical Services		■				■		■		■	■
Fire Science		■		■	■	■		■		■	■
Medical Laboratory Technician		■					■	■	■	■	
Paralegal		■				■				■	■
Plumbing		■					■		■		
Project Management		■								■	
Radiologic Technician	■	■				■	■	■		■	
Surgical Technician		■				■	■	■		■	
Welding		■				■				■	

CNM, continued from page 8

enroll in the program to earn a degree for promotion purposes.

Criminal justice is one of 18 associate degree Career and Technical Education programs into which CNM has integrated the WorkKeys system. Faculty in these programs teach the skills that are assessed by WorkKeys.

Students take various WorkKeys assessments upon entry into or exit from programs to ensure they meet the skill levels required by the occupational profiles. CNM uses several assessments to qualify students for entry into two of its more popular programs—diagnostic medical sonography and radiologic technician. A growing number of the college's technical proficiency certificate programs—dental assistant, clinical laboratory assistant, and phlebotomist—also require WorkKeys testing.

In addition to their program degree or certificate, students earn a "WorkKeys Testing Results" document that lists the assessments taken and the scores earned. Students may also be eligible for a National Career Readiness Certificate by registering through the ACT system.

Requiring WorkKeys at CNM has proven to be a win-win situation for faculty, graduates, and employers.

"Faculty get better qualified students in their programs and are assured that their students are acquiring fundamental skills. Graduates gain a competitive edge by mastering skills in demand in the workplace, and employers get staff who are well prepared for their jobs," said David Licht, career analyst for CNM.

"We consider Central New Mexico Community College to be a major mover in economic development. An important part of our mission is to help provide New Mexico with the most highly trained labor force possible so we can be more competitive nationally and globally. WorkKeys assessments help us do just that."✦

HSGQE Proficiency Descriptors and WorkKeys Skill Levels

The tables for Reading and Mathematics below compare the Proficiency Descriptors for HSGQE to the WorkKeys Skills Levels descriptions. This comparison is only of descriptors prepared by EED, Assessment Unit. (A more thorough, rigorous comparison between assessments would need to be done at the item level.) Also, it is not clear which WorkKeys Skill Level (most skill areas are scored from level 3 to level 7) is most equivalent to Proficient on the HSGQE. The tables include the WorkKeys skills for the three main "certificate" levels.

Students in Alaska can earn a career readiness certificate (CRC) by taking WorkKeys assessments in three key skill areas: Reading for Information, Applied Math, and Locating Information.

CRC Level	WorkKeys Requirements
Bronze	scored at least a level 3 in each of the three core areas and has the necessary foundational skills for 35 percent of the jobs in the WorkKeys database
Silver	scored at least a level 4 in each of the three core areas and has the necessary foundational skills for 65 percent of the jobs in the WorkKeys database
Gold	scored at least a level 5 in each of the three core areas and has the necessary foundational skills for 90 percent of the jobs in the WorkKeys database
Platinum (new)	scored at least a level 6 in each of the three core areas and has the necessary foundational skills for nearly all of the jobs in the WorkKeys database

Competency areas highlighted in yellow in the WorkKeys section indicates those areas "may" be more challenging than the required competencies in the HSGQE proficiency descriptors, however significantly more detailed analysis would be required to determine the level of match between HSGQE and WorkKeys requirements.

While writing is required on the HSGQE it is not addressed in this document as writing is not currently a required component of WorkKeys in the Alaska regulations.

Reading

This comparison of descriptions for the HSGQE and skills for the WorkKeys assessments seems to show that, as might be expected from the description of the WorkKeys Reading for Information and Locating Information assessments (see below), there is some overlap in the areas of vocabulary; identifying main ideas; summarizing technical information; interpreting charts, graphs, tables, and illustrations; and following directions. There are areas in Summarize

Information and especially in Critique Arguments and Make and Support Assertions that do not seem to be addressed by the WorkKeys Reading for Information and Locating Information assessments.

> "The WorkKeys *Reading for Information* test measures the skill people use when they read and use written text in order to do a job. The written texts include memos, letters, directions, signs, notices, bulletins, policies, and regulations. It is often the case that workplace communications are not necessarily well-written or targeted to the appropriate audience. Reading for Information materials do not include information that is presented graphically, such as in charts, forms, or blueprints."
>
> "The WorkKeys *Locating Information* test measures the skill people use when they work with workplace graphics. Examinees are asked to find information in a graphic or insert information into a graphic. They also must compare, summarize, and analyze information found in related graphics."

Reading for Information and *Locating Information* contain informational text that would be found in the work place. The text types in the HSGQE are 60% informational and 40% literature.

HSGQE Proficiency Descriptors of the Minimum Competencies in Essential Skills for Reading	**WorkKeys Skills RFI (Reading for Information) LI (Locating Information)**
Use Context Clues A student proficient in the minimum competencies in essential skills	
uses context clues to determine the meaning of unfamiliar words within a text.	RFI:L3 Choose the correct meaning of a word that is clearly defined in the reading RFI: L3 Choose the correct meaning of common, everyday workplace words RFI:L4 Use the reading material to figure out the meaning of words that are not defined RFI:L5 Figure out the correct meaning of a word based on how the word is used RFI:L5 Identify the correct meaning of an acronym that is defined in the document RFI:L5 Identify the paraphrased definition of a technical term or jargon that is defined in the document RFI:L5 Apply technical terms and jargon and relate them to stated situations
Summarize Information A student proficient in the minimum	

competencies in essential skills	
summarizes events presented in a passage.	
determines and describes an author's position and/or viewpoint and applies it to a hypothetical situation.	
identifies relevant details and main ideas in a passage or parts of a passage.	RFI:L3 Identify main ideas and clearly stated details LI:L5 Sort through distracting information
summarizes technical information from a set of directions into a chart.	LI:L4 Summarize information from one or two straightforward graphics LI:L5 Summarize information from one or more detailed graphics
determines the purpose of a text.	
infers connections between ideas and events.	RFI:L4 Identify important details that may not be clearly stated
interprets charts, graphs, tables, and illustrations.	LI:L4 Find several pieces of information in one or two graphics LI:L4 Understand how graphics are related to each other LI:L4 Identify trends shown in one or two straightforward graphics LI:L4 Compare information and trends shown in one or two straightforward graphics LI:L5 Identify trends shown in one or more detailed or complicated graphics LI:L5 Compare information and trends from one or more complicated graphics
interprets information and applies it to new situations.	RFI:L5 Apply straightforward instructions to a new situation that is similar to the one described in the material
Critique Arguments A student proficient in the minimum competencies in essential skills	
locates supporting evidence in text.	
sorts and categorizes information.	

applies information from a text.	RFI:L5 Apply complex instructions that include conditionals to situations described in the materials
uses evidence to determine and support key ideas.	
describes the purpose behind language in an advertisement.	
differentiates between arguments based on opinions and arguments based on facts.	
Apply Multi-Step Directions A student proficient in the minimum competencies in essential skills	
follows multi-step directions to complete a task.	RFI: L3 Choose when to perform each step in a short series of steps RFI: L3 Apply instructions to a situation that is the same as the one in the reading materials RFI:L4 Apply instructions with several steps to a situation that is the same as the situation in the reading materials
determines and explains the reasons for using specific methods to complete a task.	RFI:L4 Choose what to do when changing conditions call for a different action (follow directions that include "if-then" statements)
identifies and sequences information from a variety of sources.	
locates specific information from multi-step directions from one or more sources.	
uses information from a chart to fill out a form.	LI: L3 Find one or two pieces of information in a graphic LI: L3 Fill in one or two pieces of information that are missing from a graphic
Make and Support Assertions A student proficient in the minimum competencies in essential skills	
identifies clear assertions (statements, opinions, or interpretations).	

identifies evidence and details from a text to support assertions.	

Mathematics

Most of the WorkKeys skills for Applied Math (see the description below) appear to compare to the Estimation and Computation skills of adding, subtracting, multiplying, and dividing numbers in various forms: positive and negative numbers, fractions, decimals, and percents. Some WorkKeys skills overlap with Numeration and Measurement. One skill assesses Geometry; no WorkKey skills cover Statistics and Probability and Functions and Relationships, however we have yet had time to review the new levels (6 and 7). It appears that the higher levels may cover some of these areas.

> "Applied Mathematics: This assessment measures the skill people use when they apply mathematical reasoning, critical thinking, and problem-solving techniques to work-related problems. The test questions require the examinee to set up and solve the types of problems and do the types of calculations that actually occur in the workplace. This test is designed to be taken with a calculator. A formula sheet that includes all formulas required for the assessment is provided. While individuals may use calculators and conversion tables to help with the problems, they still need to use math skills to think them through."

HSGQE Proficiency Descriptors of the Minimum Competencies in Essential Skills for Mathematics	WorkKeys Skills Applied Mathematics (AM)
Problem Solving, Communication, Reasoning, and Connections A student proficient in the minimum competencies in essential skills	*Problem Solving, Communication, Reasoning, and Connections are Process Skills. Students use Process Skills whenever they solve math problems.*
uses appropriate symbols to justify solutions to mathematics problems.	
uses a variety of problem-solving strategies (guess and check, working backwards, diagrams, patterns, etc.).	
solves multi-step problems in real-world context.	AM:L5 Find the best deal using one- and two-step calculations and then comparing results

Numeration A student proficient in the minimum competencies in essential skills	
reads, writes, models, and orders positive and negative numbers including fractions, decimals, percents, square roots, and numbers with simple exponents.	
converts between fractions, decimals, and percents.	AM: L3 Change numbers from one form to another using whole numbers, fractions, decimals, or percentages
compares, orders, and uses data containing mixed units of measurement (hours and minutes, feet and inches, metric units).	AM:L5 Calculate using mixed units (e.g., 3.5 hours and 4 hours 30 minutes)
expresses numbers in scientific notation.	
applies basic order of operations and rules of divisibility.	AM:L4 Put the information in the right order before performing calculations
Measurement A student proficient in the minimum competencies in essential skills	
accurately measures and draws distances and angles using a ruler or protractor.	
estimates and converts measurements of length and weight within the same system or between systems (standard and metric).	AM:L5 Decide what information, calculations, or unit conversions to use to solve the problem AM:L5 Look up a formula and perform single-step conversions within or between systems of measurement
identifies the appropriate tool and /or unit of measure with which to measure objects.	
solves problems involving rate, distance, time, scale, and money.	AM: L3 Convert simple money and time units (e.g., hours to minutes)
reads, writes, and uses money notation, determining possible combinations of coins and bills to equal given amounts; counts back change for any given situation.	

Estimation and Computation A student proficient in the minimum competencies in essential skills	
adds, subtracts, multiplies, and divides numbers in various forms: positive and negative numbers, fractions, decimals, and percents.	AM: L3 Solve problems that require a single type of mathematics operation (addition, subtraction, multiplication, and division) using whole numbers AM: L3 Add or subtract negative numbers AM:L4 Solve problems that require one or two operations AM:L4 Multiply negative numbers AM:L4 Add commonly known fractions, decimals, or percentages (e.g., 1/2, .75, 25%) AM:L4 Add up to three fractions that share a common denominator AM:L4 Multiply a mixed number by a whole number or decimal AM:L5 Divide negative numbers AM:L5 Calculate percent discounts or markups
solves multi-step problems using ratios and proportions.	AM:L4 Calculate averages, simple ratios, simple proportions, or rates using whole numbers and decimals
rounds numbers appropriately to solve problems.	
simplifies expressions involving simple exponents.	
Functions and Relationships A student proficient in the minimum competencies in essential skills	
analyzes, extends, and applies visual, numeric, and geometric patterns.	
evaluates and simplifies algebraic expressions and equations.	
converts representation of data between graphs, tables, and linear equations.	
solves linear equations, simple inequalities, and systems of linear equations.	

Geometry A student proficient in the minimum competencies in essential skills	
identifies and applies properties of angles, polygons, and lines (including parallel, perpendicular, and intersecting lines)	
uses formulas to calculate perimeters, circumferences, and areas	AM:L5 Calculate perimeters and areas of basic shapes (rectangles and circles)
applies the properties of equality and proportionality to solve problems involving congruent or similar shapes	
Probability and Statistics A student proficient in the minimum competencies in essential skills	
selects and uses appropriate scales of graphs	
reads data and predicts trends from tables, graphs, and charts	
analyzes, interprets, and appropriately labels bar graphs, line graphs, and circle graphs to display data	
determines the probability of an event	
selects an appropriate sampling group	

Testimony: HB 206 High School Assessment /Post Secondary Class

On behalf of Dr. Norman Eck, Superintendent, Northwest Arctic Borough School District

80-Day Count

- Makes a flawed assumption that school districts intentionally push students out of school after the count.
- In reality the count is below level in rural Alaska due to PDF checks being distributed at the same time as the count with parents often traveling to Anchorage for shopping, medical and other reasons once the dollars are available.
- Students who drop out midyear often re-enroll in spring hence many fifth and sixth year graduates across the state.
- Request to change distribution date until summer of before the winter holiday and leave the 20 day count in October in place.

Work Keys as an Additional or Replacement Assessment for Alaska Graduates

- This needs to be a voluntary assessment and used as career awareness program starting in early grades, not an end of high school assessment.
- Career awareness comes through exposure, and this assessment favors urban students with professional parents as opposed to rural students in communities with limited career/job options.
- Our understanding that in the pilot district this did not working smoothly. This will make it very difficult to run in rural Alaska.
- Having access to pencil/paper tests in lieu of on line testing dismisses the critical career awareness interactive lessons that accompany the full program.
- Recommend making Work Keys fully available as an instruction and assessment tool, but not required as a high school exit requirement.

Postsecondary Classes/Training Offered in High School

- If students are to have access to college classes while in high school, the State needs to set the criteria and cover the costs as it public schools mandate responsibility for K-12 students.
- If we have an option for additional grades we recommend full funding for 2-year kindergarten, giving all students in underperforming schools a boost toward success as opposed to providing funds for those already successful.

Wrangell High School College Class Enrollment 2009-2010

Math 105 (4 credits)	Total WRG Senior Credits	40	$22,560	
	Total WRG Credits			40
Math 107 (4 credits)	Total WRG Senior Credits	40	$22,560	
	Total WRG Credits			40
Math 108 (3 credits)	Total WRG Senior Credits	9	$3,807	
	Total WRG Credits			9
Math 200 (4 credits)	Total WRG Senior Credits	12	$6,768	
	Total WRG Credits			12
English 111 (3 credits)	Total WRG Senior Credits	15	$6,345	
	Total WRG Credits			15
English 211 (3 credits)	Total WRG Senior Credits	15	$6,345	
	Total WRG Credits			15
EMT (6 credits)	Total WRG Senior Credits	12	$10,152	
	Total WRG Credits			78
CNA (9 credits)	Total WRG Senior Credits	36	$45,684	
	Total WRG Credits			36
Welding 120 I/II (6 credits)	Total WRG Senior Credits	0		
	Total WRG Credits			132
Marine Fab 175 (3 credits)	Total WRG Senior Credits	12	$5,076	
	Total WRG Credits			27
Advanced Woods 100 (3 credits)	Total WRG Senior Credits	6	$2,538	
	Total WRG Credits			15
Total 2010 Senior Credits Including in Progress		197		
Total Full Tuition Charge to WHS at UAS Fee Rate for Seniors Only			**$131,835.00**	
Total WHS Credits in Progress Spring Semester 2010				419

FINANCIAL AID

TUITION AND FEES

2009-2010 Tuition Schedule

Additional credits are assessed at the appropriate rate per credit. For non-res rates are $471 per credit for lower division, $489 for upper division, and $64· credit.

- Non-residents may take up to 4 credits per semester at the residen however, additional credits will cause all credits, including the first f re-assessed at the non-resident rate.
- For Alaskan residents, additional credits are assessed at $141 per c division, $159 for upper division, and $316 for graduate credit.
- Western Undergraduate Exchange (WUE) program: residents of Ariz California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington and Wyoming and are eli WUE program. The WUE surcharge is 150% of the lower division re: rate.

Tuition prices vary, based upon the following criteria:

- Lower division (000 - 299 level), upper division (300-499 level) anc (600-699 level) courses.
- Resident - State of Alaska, Sister City, Yukon and Northwest Territo
- Non-resident - Residents of all non-WUE states, International stude
- WUE - residents of the 14 participating western states.

Following are three graphs showing tuition costs per credit for Resident, WUE Lower Division, Upper Division and Graduate level courses per semester. Sum to be determined.

LOWER DIVISION (000-299)

	Resident	WUE	Non-Res
	$141	$212	$471
1	$141	4 credits or less same as resident tuition	
2	$282		
3	$423		
4	$564		
5	$705	$1,060	$2,355
6	$846	$1,272	$2,826

Louie Flora

From: Friedman_Jeff [Friedman_Jeff@asdk12.org]
Sent: Tuesday, February 09, 2010 2:50 PM
To: Louie Flora
Subject: RE: HB 206 also heard on Wednesday

I have a question about the proposed AS 14.03.074(b) in this bill. What does it mean that the district shall "make arrangement for the fee" of the post secondary school? Does that mean pay the fee? Or simply help facilitate the student paying the fee? When my son was enrolled in high school, he also enrolled in courses at Alaska Pacific University. The cost was over $13,000. It would have been nice for me if the school district had paid that, but it would probably have meant cutting some other student's remedial tutoring.

Jeff Friedman
Anchorage School Board
1534 D Street
Anchorage, AK 99501
907-742-4699

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Tuesday, February 09, 2010 2:13 PM
To: lhsclaf+liolist@legis.state.ak.us; lhsclaf+akschooldistricts@legis.state.ak.us; lhsclaf+educationlist@legis.state.ak.us
Subject: HB 206 also heard on Wednesday

Hi,

This is to inform you that in addition to HB 317 the House Education Committee will hear HB 206 Version P tomorrow. Testimony will be taken on the bill.

Louie Flora
House Education Committee Aide,
Representative Paul Seaton, Chairman
(907) 465-3923

Kodiak Island Borough School District
722 Mill Bay Road
Kodiak, Alaska 99615
(907) 481-6200 Office
(907) 481-6218 Fax

Board of Education

February 9, 2010

Comment on House Bill No. 206

Although the Kodiak Island Borough School District Board of Education supports many measures in HB 206, there are several obstacles that must be addressed before full support can be granted. KIBSD does support the notion of the "Hold Harmless" and the use of the previous year student count for funding of a school year budget. The security of knowing that an increase of students in a given year will result in additional funding for that increase is also appealing. Through special revenue grants, KIBSD currently implement Workkeys and provides opportunities for college credit while taking high school courses. HB 206 mandates this assessment and college credit option but is not clear on how funding will be provided to support cost of implementation. There are three concerns that present barriers to KIBSD to address.

First Concern

The 80-day count does not align with other mandated student counts. The current 20-day count satisfies several Federal mandated accounting requirements. These include:

- the Free and Reduced Lunch numbers, counted and reported by November of each year;
- the Title I low income student count factoring into the ESEA funding formula;
- the Title I-C counting period occurs through the first part of every year and is reported at the end of the 20-day count and affects free and reduce lunch funding;
- the Special Education Intensive Needs count is calculated on a single day during the establishment of the Average Daily Membership and utilizes the same personnel resources to collect the data; and
- special revenue funds and competitive grants requiring the Average Daily Membership are based on the 20-day count and are usually due in January of each year.

The 80-day count and conflicting required 20-day counts will produce different numbers resulting in non-representative data. KIBSD does not believe that the intent for this bill is to create complications between various reporting and funding documents.

Second Concern

Early graduation is a common practice for students who have earned their credits and met requirements for graduation before January. This practice is to the advantage of eligible students. These students are often advanced and wish to seek early entry into college/technical training programs; join the military; or other beneficial programs. Other students are fifth year seniors ready to complete their programs. An 80-day count will create pressure to stop this practice and require these students to graduate in May.

Third Concern

The conflicting 20-day and 80-day count models will require additional staff time and effort. The staff responsible for student count periods are otherwise occupied with conducting mid-year grant reporting, developing budgets, completing budget revisions, and preparing for student assessments in the months of January and February. The proposed 80-day count will create an additional unnecessary strain on already stretched resources.

We respectfully request that you take our observations and concerns under consideration as you address HB 206. Some of the provisions of HB 206 are anticipated to cause additional work for our staff and are likely to result in tangible or measurable benefits. We are hopeful that your committee will remove the provision for the 80-day count from HB206 and retain our current 20-day count period.

Thank You,

Norm Wooten
Board of Education President

Louie Flora

Subject: FW: Email Testimony Re: HB 206 Version P

-----Original Message-----
From: alasbo@gci.net [mailto:alasbo@gci.net]
Sent: Friday, February 05, 2010 5:19 AM
To: Louie Flora
Cc: Rep. Paul Seaton
Subject: Email Testimony Re: HB 206 Version P

Louie,

Thank you for providing me with the latest version of HB206. As we discussed last week, I am out-of-town at a school business conference and will not be able to testify today. I have had the opportunity to discuss the current version of the bill with several colleagues. If possible, please provide the following comments to the committee.

We are concerned with several issues in the current bill:

1) Requirement for career assessment appears to be an unfunded mandate for additional testing on school districts. We and our affiliate organizations under the Alaska Council on School Administrators (ACSA) have endorsed a position statement (see below) that opposes mandatory implementation of these types of programs. If implementation were to be required, funded professional development for staff would be essential.

2) Payment for postsecondary coursework under the proposed 14.03.074 appears to be another unfunded mandate on school districts. Although many districts already have dual credit arrangements and fee sharing structurs in place, the language in this bill may result in parents demanding that these existing systems be restructured and that school districts bear a potentially unlimited cost and administrative burden to provide these courses.

3) We do not feel that the 80-day count effectively addresses the dropout issue. We appreciate the addition of new language to address mid-year graduates and increases in enrollment. We also like the idea that baseline funding for the new school year will be determined by the prior year count. However, it is extremely likely that the 80-day count will result in lower counts for school districts, especially those in rural areas. There is often a drop in enrollment by mid-year, as families move out-of-district for various reasons, whereas they tend to move into rural districts in the summer and fall. The 80-day count will also impose an additional administrative burden on both districts and the state. Again, we do not feel it is an effective mechanism for addressing the dropout problem.

Thank you for your consideration and the opportunity to provide input to this process.

Position Statement 09-12

Work Ready College Ready Program Mandate

The Alaska Council of School Administrators recognizes the importance of building pre-vocational and vocational trainings and awareness statewide, but opposes mandatory implementation of the Work Ready

College Ready and Work Keys programs.

- There is no accountability mechanism built into the implementation plans for districts, schools, or students to gauge effectiveness or growth over time for students acquiring the critical work ready skills.

- The lack of appropriate infrastructure supporting the use of the program hinders the effectiveness of the program for our students.

- The Work Ready College Ready and Work Keys programs create another layer of "testing" for students that are not relevant for all students and are not directly aligned with our statewide model for improving student achievement and learning.

Adopted by the Alaska Council of School Administrators
October and December 2009

Amy Lujan
Executive Director
Alaska Association of School Business Officials (ALASBO)
3145 Pioneer Avenue
Juneau, AK 99801
907-500-9086
907-723-7415 (cell)
www.alasbo.org

On Thu, Feb 4, 2010 at 10:51 AM , Louie Flora wrote:

> Hi,
>
> Attached is the most recent version of HB 206, House Education
> Committee legislation to address the high-school drop-out rate.
>
> New language extending the student count period from 20-days to
> 80-days begins on page 2, line 27. Per the sponsor statement: HB 206
> requires school districts to conduct an extended count period to
> determine school funding. This provision increases the count period
> from 20-days to 80-days and would provide a financial incentive for
> schools to retain their students for the whole year. School districts
> will be funded based on their prior year's count. Current law holds
> districts harmless for a decrease in student count, and HB 206 would
> allow districts with an increase in student numbers during the current
> year to receive an adjusted funding level for that year. Students who
> graduate from high-school in the middle of the 80-day count would be
> included in the full count period.
> This version of HB 206 will be discussed tomorrow in House Education,
> and potentially voted on. If you wish to participate in the meeting
> and cannot go to your local Legislative Information Office, please
> e-mail and I will provide you with a dial-in number.
>
> Louie Flora
> House Education Committee Aide,
> Representative Paul Seaton, Chairman
> (907) 465-3923

Louie Flora

Subject: FW: House Education Committee Meeting Schedule for Next Week

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From: Jack Walsh [mailto:jwalsh@naknek.bbsd.schoolaccess.net]
Sent: Friday, February 05, 2010 2:09 AM
To: Louie Flora
Cc: lhsclaf+houseeducationcommittee@legis.state.ak.us; lhsclaf+liolist@legis.state.ak.us; lhsclaf+educationlist@legis.state.ak.us; 'Cindy Monsen'; 'Mike Swain '
Subject: Re: House Education Committee Meeting Schedule for Next Week

In the last week we have received information on HB206 and it's most recent version. While I will not be available for the House Education Committee Meeting on Friday, there are some thoughts I would like to share with Committee Members. I realize an email may be fairly informal, I can provide a follow-up if necessary.

As for the addition of a new testing requirement in career preparedness for all 12th grade students, I am not certain what real purpose this might serve for the state, school districts, the post secondary institutions, employers, and most importantly the individual students asked to take the test. Instituting a test in the 12th grade may suggest career readiness for some, but in what way will it be more informative then what we already have available through transcripts and other standardized measures? Testing in 12th grade in this area seems to be motivated by something other than better serving any individual student.

Like the HSGQE, which may be the last test the legislature required and believed would best serve the public, every test has its limitations and rarely is testing the 'silver bullet' people sometimes hope it will be. Some superintendents hope that this test will eliminate the need for an HSGQE, and would reduce the impact of a 'high stakes test' which occasionally denies students access to a diploma. If the new test eliminates the need for the HSGQE, that may be the best reason for a career preparedness test implementation.

On the issue of an 80 day student count period, I do not see where that would benefit many districts. The extended count period may only further complicate the current system since the 80 day period may see students make multiple moves between multiple districts. I do appreciate the forward funding suggestion which has been suggested frequently over the years. I also appreciate the consideration that the final funding may consider what best serves the district. I am concerned that the sponsor's statement suggests the current funding rules provide a 'hold harmless' safety net, when it actually spreads the funding void over a three year period rather than taking the full impact in any one year. Districts appreciate that relief, but we still lose funding equal to the amount more students would have generated.

The final point I wanted to make is that I believe districts and the UA system have been working on dual credit and other college course option for many years. These situations are most developed and robust in our largest communities and districts where teachers at both the hs and college level have the necessary academic background and have been working together for a while. In these instances they have reached agreements on course costs, and better articulating to parents and students which credits will be useful as students transition from high school. I believe these recommendations may help students in Alaska, but it will also further accentuate the differences in what can be offered in different districts where high turnover and limited personnel restricts available options. Other technologies may level the field some, (video conferencing, eluminate, etc) but there is still a discrepancy in how successful these classes are compared to live instructors on site.

Thanks for the opportunity to reply, I will try to be more timely next time. jack Walsh, Superintendent of Bristol Bay Borough School District

Louie Flora wrote:
Please see the attached schedule for next week in House Ed.

Thank you.

Louie Flora
House Education Committee Staff
Representative Paul Seaton, Chair
(907) 465-3923

--

Jack Walsh, Superintendent
Bristol Bay Borough School District
PO Box 169
Naknek, AK 99633

Phone: (907) 246-4225
Fax: (907) 246-6857

Visit our new website at: http://bbbsd.net/

Louie Flora

From: Al Weinberg [alweinberg@hydaburg.k12.ak.us]
Sent: Tuesday, February 09, 2010 3:57 PM
To: Louie Flora
Subject: RE: HB 206 also heard on Wednesday

To: House Education Committee

Re: HB 206 (80-day count period provision)

I have been involved in public education for 48 years, 42 years in Alaska. I have never known an educator who did not care if students dropped out of school, regardless of whether they had been counted for funding. In my opinion, the rationale given for the proposed 80-day count period discredits the motives of educators without providing significant real data to back it up.

B. A. Weinberg, Superintendent
Hydaburg City School District

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Tuesday, February 09, 2010 2:13 PM
To: lhsclaf+liolist@legis.state.ak.us; lhsclaf+akschooldistricts@legis.state.ak.us; lhsclaf+educationlist@legis.state.ak.us
Subject: HB 206 also heard on Wednesday

Hi,

This is to inform you that in addition to HB 317 the House Education Committee will hear HB 206 Version P tomorrow. Testimony will be taken on the bill.

Louie Flora
House Education Committee Aide,
Representative Paul Seaton, Chairman
(907) 465-3923

Louie Flora

From: Lauren Burch [lburch@sisd.org]
Sent: Thursday, February 04, 2010 12:45 PM
To: Louie Flora
Subject: comment on HB 206

Hello Sir, I appreciate your keeping us in the loop.

Current law holds districts harmless for a decrease in student count, That is only true for district wide. If my school drops below ten, it is cut from funding. We dropped three schools this year. Two would have been at 8-9, but I could not risk it as zero funding is a hard fall. This will simply compound the issue and close more schools. Unless there is something I do not understand. thanks, lauren

Lauren Burch
Superintendent
Southeast Island School District
(907) 828-8254
lburch@sisd.org

"You can judge your age by the amount of pain you feel when you come in contact with a new idea." Pearl S. Buck

Louie Flora

Subject: FW: HB 206 Version P and new sponsor statement
Attachments: Education Week.pdf

-----Original Message-----
From: Doug Conboy [mailto:dconboy@chevakschool.org]
Sent: Thursday, February 04, 2010 2:01 PM
To: Louie Flora
Subject: FW: HB 206 Version P and new sponsor statement

Conversation: HB 206 Version P and new sponsor statement
Subject: Re: HB 206 Version P and new sponsor statement

Mr. Flora,
In the bill 14.03.074 says a district Shall pay the costs for post-secondary.
What am I missing here? This states very clearly that we would indeed be paying for something.

Also in the bill 14.03.073 calls for a nationally recognized assessment.
We are one of two states with the wisdom to refuse National Standards.
I see this as a sell out and one that will hurt us all badly down the road.
I am attaching an article relating to the total lack of intelligence that National Standards represents for your information. I hope that in reading the message in the article you will understand my intense opposition to National Standards as see the extreme threat they represent to education and to our students.

You state that "the intent of the extended count is to provide an incentive for districts to maintain student numbers year-round"
I remain confused as to how counting my kids more or longer is going to keep any of them in school?
If you weight your cows every day they don't gain more weight or gain it any faster. If you want them to gain weight, you need to feed them more or better.
I see counting our kids longer in the same way. Unless we DO something different. Counting them for a longer period of time is of no more substance than a sack full of wind.

I thank you for your response, but I find this bill lacking in substance and common sense. It also has the potential to decrease funding for schools in enrollment decline as I see it, due to the way it is worded. I will be traveling tomorrow so I cannot testify. I would appreciate you sharing this note and my first with the committee. If it seems appropriate please feel free to do so.
My Thanks,
Doug Conboy
PS: I made a couple of typo corrections to the first note that will come along with this one. Please do me the favor of using this version if you do share it with the committee.

Louie Flora

Subject: FW: HB 206

From: John Conwell [mailto:jconwell@UCSD.net]
Sent: Thursday, February 04, 2010 3:10 PM
To: Adam Berg; Bryce_Edgmon@legis.ak.state.us
Cc: Holly Holman; John Conwell; Dan Masoni; magnusen@akwisp.com; Sonia Handforth-Kome; Tammy Pound (local); Tonya Miller
Subject: HB 206

Dear Representative Edgmon,

I have read the Sponsor Statement for HB 206 (Version P) and would like to share some concerns that I have with you:

1. I do not understand the rationale behind increasing the student count period from 20-days to 80-days as a funding incentive for districts to retain students in school. Is there research to back up the assumption that this measure will reduce the dropout rate? School administrators and teachers have an ethical obligation to do everything in their power to keep children from dropping out of school. It is somewhat insulting to me as a member of the profession to think that educators would want to keep kids in school solely to maintain funding. While schools certainly could do better to keep kids engaged in school, there has to be a better solution than increasing the count period.
2. The provision in the bill that would allow students to take college or vocational education credits for free once they have passed the HSGQE is problematic. Last year, 90% of our 10th graders passed the HSGQE on their first try. These students go on in their 11th and 12th grade years to take many of the courses offered through the District's rigorous curriculum; including advanced math, foreign language, music, art, and Career and Technical Education courses. Some of these courses are offered for college credit through our dual credit and Tech Prep programs. Through our MOA with the university, students earn these college credits at greatly reduced rates. Most of the courses are taught by our high school faculty. Students who want to earn college credit but cannot afford the tuition have access to scholarships. It has been my experience that if the student or the family has to pay the tuition or fill out the paperwork for a scholarship, they have an incentive to finish the course. If these courses are offered for free, as the bill proposes, who pays for the credits? Is the university able to offer so many more courses to students in rural Alaska? Does rural Alaska have the internet bandwidth capacity to handle distance delivered courses? As I may have mentioned to you previously, Unalaska does not presently have the capacity, both in terms of personnel and technology, to offer many distance-delivered or locally taught college courses.
3. The career preparedness requirement outlined in HB 206 is laudable. However, please keep in mind that since the passage of NCLB nearly 10 years ago, school districts have "tooled the factory" to produce students who are proficient in math and language arts. The goal mandated by the legislature was to have all students perform at grade level on the Standards Based Assessments and to pass the HSGQE. If the legislature changes the mandate to require all 11th grade students to pass the WorkKey's assessment, they need to know that schools will need to "re-tool." Presumably, the HSGQE was designed to measure what a student knows and is able to do with regard to their post-secondary education and career readiness. Is one to assume now that this assessment that the State has required students to pass for the last several years was flawed?
4. The Sponsor Statement says that "the HSGQE has been identified as a contributing factor to the high-school drop-out rate." Who has identified it at such? Is that statement based on empirical research or anecdotal comments? To the contrary, our District has often found that students who pass the HSGQE, especially ESL students and students with disabilities, have felt even more empowered to finish high

school! We recognize that there are problems with the HSGQE, but let's be careful to not throw out the baby with the bathwater.

I urge you and other members if the House Education Committee to consider the possible adverse consequences of HB 206. As written, this bill contains many complex components; each requiring extensive research and debate. I hope that UCSD board members and I can discuss this bill with you further during the legislative fly-in next week.

Respectfully,

John P. Conwell
Superintendent
Unalaska City School District
P.O. Box 570
Unalaska, AK 99685
Office: 907-581-3151 Fax: 581-3152 Mobile: 359-3151
jconwell@ucsd.net www.ucsd.net

"To Provide an Exemplary Education"

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Louie Flora

From: Woody Wilson [wwilson@wrangellschools.org]
Sent: Thursday, February 04, 2010 5:31 PM
To: Louie Flora
Subject: Comments and questions
Attachments: WRG Comment HB 206.docx

Louie,

I am forwarding these comments for the meeting in the morning. If I can get to the LIO I will try to testify. Wrangell is already doing what the legislation is asking without all the bureaucracy of this legislation.

The WorkKeys is not valuable to college bound students and for the most part is a waste of money, energy, and valuable teaching time for those students. Please see my entire comments.

Would be nice to put the brakes on this thing until further expert testimony could be reviewed.

Thanks.

Woody Wilson, Superintendent
Wrangellschools.org
907-874-2347

HB 206 (Version P) Sponsor Statement

Alaska has one of the highest high-school drop-out rates in the nation. HB 206 addresses this problem by providing incentives for districts to keep students by replacing the current 20-day student count period with an 80-day count for purposes of determining student numbers for school funding. HB 206 seeks to elevate student engagement by allowing students who pass the High School Graduation Qualifying Exam (HSGQE) to take college or vocational education credits for free until high-school graduation.

Students who do not pass all three sections of the HSGQE should not be disqualified from taking college or vocational education credits. Many very successful business people in this and other states could not pass all three sections of the qualifying exam. That should not penalize them or hold them back.

It also adds a student's career preparedness assessment scores to their high-school transcript.

The career preparedness requirement attempts to ensure that high school graduation is based on student competency for real-world employment applications. The Department of Education and Early Development (DEED) currently requires that all 11th graders take a career assessment test, in this case the WorkKeys Assessment.

The above statement is incorrect. "The department does "not" currently require....." It is the opinion of my School Board and the opinion I share that WorkKeys should not become a requirement since it has little, if any, value to most students in Wrangell. Students who are college bound will find WorkKey test documents useless for all practical purposes. Most colleges and universities do not recognize WorkKeys scores as having any value. Students entering a trade or going on to technical schools may find more value in the WorkKeys scores since they may find counselors, teachers, and employers who understand what those scores mean. One size does not fit all and we do not believe in mandating something that will have no value to a large number of our students.

WorkKeys is a job skills analysis and assessment system that sets out specific skills and levels of skills required by employers, so that students understand the connection between what they learn in school and what is required for each occupation. HB 206 builds on the DEED plan by requiring that the career preparedness assessment be taken again before a student exits high school, and requiring that those assessment scores be posted on a student's transcript. This would allow a student to use their final year of high school to improve specific skill and make their scores meaningful for employment or college qualification.

To my knowledge no college or universities currently uses WorkKey scores for entrance or anything else. Most do not even know what it is.

HB 206 allows students who take and pass all three sections of the HSGQE prior to graduation to take college credits or vocational school credits until graduation. This could allow students to advance toward an associate degree or vocational education certificate by the time they have graduated high school. New studies indicate all students should start college with at least six college credits to improve college graduation rates. The HSGQE has been identified as a contributing factor to the high-school drop-out rate. Students interpret that passing the exam means they have met their high school qualifying criteria, leading to a lack of interest in school. Incorporation of classes that are selected based on relevance to the individual student will help maintain interest and achievement.

Wrangell Public Schools currently offers 51 College Credits to students in a wide variety of classes. Will this bill help us defray the cost of these courses? This current school year Wrangell Public Schools is offering Math 105, Math 107, Math 108, Math 200, English 111, English 211, Early Childhood Development, Emergency Trauma Technician (ETT), Emergency Medical Technician I (EMT-I), Certified Nurse Assistant, Advanced Woodworking, Welding I (metals fabrication) and Welding II (metal fabrication). All these courses are concurrent or dual enrollment college courses. How will this bill benefit our students or our district?

HB 206 requires school districts to conduct an extended count period to determine school funding. This provision increases the count period from 20-days to 80-days and would provide a financial incentive for schools to retain their students for the whole year. School districts will be funded based on their prior year's count. Current law holds districts harmless for a decrease in student count, and HB 206 would allow districts with an increase in student numbers during the current year to receive an adjusted funding level for that year. Students who graduate from high-school in the middle of the 80-day count would be included in the full count period.

It is my belief that the prolonged count period will accomplish nothing but to perhaps cause more frustration for school secretaries, administrators, and IT people who have to compile these data. It is very possible that school districts may loose funding.

Will there be a fiscal note attached to the bill? Extending the count will not come without cost in each district and in DEED. Thickening the bureaucracy is not always a good thing without knowing if positive results can be gained. The assumption is that schools have control over whether or not the student attend and continue their education. Agreed, schools can influence this decision but schools certainly do not have control. Parents are the control in this instance. I fear schools will be punished for decisions made in the homes of their students.

Furthermore there are other reasons for school populations to increase and decrease that have nothing to do with drop outs. Drop out prevention seems to be the primary purpose for this legislation. How does the bill control for normal transience of school

populations. Transience is certainly not related to school drop outs but would cause a district to either gain or loose funds. For example:

> Village A has a fire that burns several homes. Families from Village A move to Village B. Village A has a significant decrease in student population over the count period and Village B has an increase. One school will be penalized while the other will be rewarded. Neither may have had an increase or decrease based purely on drop outs.

- Where will the money for tuition come from? Is it supposed to come from the school district's foundation formula? There is no fiscal note that I have seen yet so I may not understand how this is intended to be paid for.
- What about districts that use their own staff to teach the college courses through articulation agreements with universities and colleges. Are they reimbursed for the courses they are teaching since no university staff is involved other than the registrar?
- If the local district teaches these classes can they be reimbursed through the Governor's Scholarship Program?
- There would seem to be models that achieve the same result, like the current model used in Wrangell, without any need for legislation, additional counts, and additional bureaucracy. Why haven't these models been reviewed?

Thank you for the opportunity to comment.

Woody Wilson
Superintendent, Wrangell Public Schools
907-874-2347
wwilson@wrangellschools.org

ALASKA COUNCIL
OF SCHOOL ADMINISTRATORS

326 Fourth Street, Suite 404 • Juneau, Alaska 99801
Phone: (907) 586-9702 • Fax: 586-5879
web site: www.alaskaacsa.org

Alaska Council of School Administrators

2 February 2010

House Education Committee Members
Alaska State Capitol

Dear Chair Seaton:

I will be unavailable to comment on HB 206 during the scheduled hearing on Friday, February 5, 2010. Please accept the following remarks on behalf of the Alaska Council of School Administrators.

It is the administrators' job to inform policy, but ultimately we are the implementers of policy decisions. As HB 206 is written, there are several administrative concerns regarding its implementation.

1) The proposed career preparedness assessment would be a new assessment. I am sure the committee realizes that in order to comply with No Child Left Behind mandates, our students have been subjected to an inordinate amount of testing. If there is to be a new assessment, no matter how appealing it may be, something MUST be taken off the table. We cannot support yet another layer of testing.

2) Districts should not be required to absorb new costs associated with students taking college or vocational credit courses.

3) Adjusting the student count period is a concern. At this point, we do not have the necessary data to fully understand the potential impact of proposed changes on school districts' funding. Our operating costs are definitely fixed by the fall, and in many cases have been predetermined the previous spring, once contracts are issued.

4) Some discussions in the previous hearing implied that districts are not trying hard enough to keep children in school, thus need a financial incentive to do so. While there may be isolated cases of student count abuse, please do not paint all districts with a broad brush. It is inaccurate to suggest that most school administrators disregard the vital issue of students who leave school early. That quite simply is not the case.

Thank you for taking the time to consider these points as you deliberate HB 206.

Sincerely,

Mary A. Francis, Ph.D.
Executive Director

Louie Flora

From: alasbo@gci.net
Sent: Tuesday, February 02, 2010 6:18 PM
To: Rep. Paul Seaton
Cc: Louie Flora; Dave Jones; Laura Hylton
Subject: HB317 & HB206

Representative Seaton,

You asked me yesterday for some additional information on school district pupil transportation contracts during my testimony on HB317.

I have discussed this matter with several of my colleagues and learned that there is variability in the CPI clauses of the contracts around the state. Some of the newer contracts may address both increases and decreases in CPI, whereas others only reference increases. Unfortunately there is no file of all the district contracts, so we'd have to contact each district to get more precise information. Also, some contracts have separate fuel clauses, which may be based on local rates. These rates may not go down, even if the Anchorage CPI does!

In light of this situation, and the uncertain economic times, we would certainly be in favor of the new language proposed in HB317.

Regarding HB206, I did not get a chance to testify on Monday, and I will be out-of-town for the next week, when I understand a new version may be available. I am concerned that the proposed change in the count procedure does not effectively address the dropout issue, and that it will result in reduced funding for districts. Quite often counts will be reduced as the year goes on, but this may be due to mid-year graduations and families moving, not solely to dropouts. While there is movement both in and out throughout the year, families are more likely to move to rural areas of the state in the summer, than in the dead of winter!

In addition to reducing the foundation funding in districts even where there is no dropout problem, a significant change to the count procedure may have other unintended consequences, such as increased closures of small schools "on the edge" of the 10-student minimum.

I am also concerned about possible unfunded mandates in this bill, which may include the additional career assessment exam and district-funded enrollment in post-secondary courses.

My colleagues and I await the expected new version of HB206, and we hope that there will be sufficient time to review it before your committee takes action on the bill. Although I will be traveling this week, I will continue to check BASIS.

Thank you for your consideration.

Amy Lujan
Executive Director
Alaska Association of School Business Officials (ALASBO)
3145 Pioneer Avenue
Juneau, AK 99801
907-500-9086
907-723-7415 (cell)
www.alasbo.org

Louie Flora

From: Fred E. Parady [fred.parady@nsbsd.org]
Sent: Monday, January 25, 2010 3:07 PM
To: Rep. Paul Seaton
Cc: Peggy Cowan
Subject: HB206

Chairman Seaton:

Thank you in advance for taking time to consider these comments.

It is our understanding that the current draft of HB206 contemplates adding a spring 20 day count period. To be candid, I have been unable to pull up the exact language in the bill, which likely reflects my inexpert use of the legislative website.

Having said that, the North Slope Borough School District opposes such a provision at this time, primarily because the ramifications of an additional counting period are unknown. Given that current funding is tied to this count and that state funding is one of the most critical elements of revenue, and thus our ability to serve students across the Slope, we would prefer further study before enactment of a statute.

We support continued study of school funding and of course, full funding of ISER and full recognition of rural cost differentials.

We appreciate your leadership and legislative support to rural schools across Alaska. Please feel free to contact me for any additional insight or if I can be of any help.

Cordially,

Fred

Fred E. Parady
Chief Operating Officer
North Slope Borough School District
P.O. Box 169
Barrow, Alaska 99723-0169
907.852.9516 (w)
907.367.3529 (cell)
907.852.9505 (fax)
fred.parady@nsbsd.org

Louie Flora

From: Woody Wilson [wwilson@wrangellschools.org]
Sent: Tuesday, January 26, 2010 9:01 AM
To: Louie Flora
Subject: additional info

Louie,

This may or may not be information you are interested in for this up coming meeting but students can pick up college courses in Wrangell. We currently have a possible 51 college credit for students this year.

We have a host of academic and tech prep courses available to students. These are taught in Wrangell by teachers in Wrangell. If there is another small district doing more than this I am not aware. The courses are not virtual but I know offering college/dual credit courses has been an issue in the past with the legislature.

Woody Wilson, Superintendent
Wrangellschools.org
907-874-2347

Louie Flora

From: Steve Atwater [SAtwater@KPBSD.k12.ak.us]
Sent: Monday, January 25, 2010 6:16 PM
To: Louie Flora
Subject: Kenai Position on HB206.

Louie,
Representative Seaton asked that I email him to let him know KPBSD's support for the proposed revision to HB206 that would change the way school enrollment is counted for funding purposes.

I understand that a current year enrollment would serve as the floor for funding for the following year. Should there be an increase to the enrollment from this floor, then the school district would receive additional funding.

KPBSD does not support the original language of HB206 that called for funding be based on an average of two counts.

Steve Atwater
Superintendent

Louie Flora

From: Michael Byer [mbyer@hbsd.net]
Sent: Sunday, January 24, 2010 8:00 PM
To: Rep. Paul Seaton
Cc: Mary Francis
Subject: HB 206

I think this bill should be reviewed and discussed with school boards and with superintendents at the upcoming legislative fly-in's. I know that other Superintendents have expressed that sentiment within our organization.

Two thoughts immediately come to mind. One is that if we have test that determines graduation/career readiness, we should need only one.
The second is that we have not had a problem with the count being in October and a second count would mean extra time and effort by staff that would draw away from the other demands we work hard to satisfy.

Thank you,

Michael Byer, Superintendent
Haines Borough School District
PO Box 1289
Haines, AK 99827
(907) 766-6725

School District Comment on student count averaging

Dear Mr. Flora,

Thank you again for the opportunity to respond. The Galena City School District would support a second count period in an effort to allow school funding dollars to follow the students. We hear so often that student's move after the count period causing problems both for the school losing the student and the school receiving students. Larger districts have an economy of number and in my opinion are affected less. Some argue their challenge is simply larger. A second count would provide potential adjustment that (should, could, would) allow funds to follow the students. Some will argue, "schools already have staff contracted and to remove levels of funding will present financial shortfalls". School budgeting requires certain speculation; the legislature has mediated some of that through "hold-harmless" protection which possibly could serve this second count? In the end we support, "the money should follow the student".

Respectfully,

Jim Smith, Galena City Schools Superintendent

Re: school district comment for Meeting tomorrow

Lauren Burch [lburch@sisd.org]

Sent: Monday, August 24, 2009 2:01 PM

To: Loule Flora

truancy

no citations issued, but that could be our problem if law enforcement is now pursuing the option if informed. In the past our local court system has been unwilling to prosecute truancy at any age. There could be a new attitude by the magistrate for Prince of Wales Island that we missed.

count averaging

we are a district of small schools. We will close as many as four of our ten schools this year because they do not have ten kids. So what happens when I have ten kids in October and then nine later in the year when they do the second count? Our funding is based on making the ten kid minimum. Ten comes with funding and nine comes with no money whatsoever. Or...I start with nine knowing someone is moving in later in the year and I have ten at the second count. So I get full funding when I hit ten later in the year?

We have enough trouble surviving the count period now. Having two adds an additional uncertainty to an already fragile financial situation.

Exam relevancy

I have no opinion. I think we have gone crazy over testing in general. I live on an island where kids need to know how to fix outboard engines, weld, do home repairs, plumbing and wiring. We offer none of these skills as we are so busy making sure they pass the tests and funnel our limited resources in that direction.

Lauren Burch
Superintendent
Southeast Island School District
(907) 828-8254
lburch@sisd.org

"Today I shall behave as though this day is the one by which I shall be remembered." R. A. Twerski

Louie Flora

From: Rep. Paul Seaton
Sent: Wednesday, September 30, 2009 4:01 PM
To: Louie Flora
Subject: FW: HB 215

From: David Arp [mailto:arpd@mail.ssd.k12.ak.us]
Sent: Friday, April 10, 2009 2:16 PM
To: Rep. Paul Seaton
Subject: HB 215

Representative Seaton,

I'm writing this letter in an effort to gain more clarification on HB 215. The minimal information I can glean from the internet indicates that the crux of the bill is to assist School Districts budget development process by allowing us to use historic data for future allocations. As a school Business Manager I can appreciate the goal! Prior to assuming this role, I spent a decade managing a private investment group and serving on not for profit boards. Nothing has compared to the difficulty of the current school budget process.

My main concerns with the new format (count in October and count in February) are how it will impact the current cycles. State regulations require us to have a public budget process and turn in the budget to our respective cities by May 1st each year. If you run the count until the end of February that will leave less than two months for the State to analyze the numbers for potential duplication of students and the districts to resolve the duplicates, creation of budgets, public process, Board approval, and submission to the City and/or Borough for final approval.

Also, will the new legislation require a balancing of the numbers each year? Depending on how this is handled we could wind up right back where we started. If you or your staff could point me in the direction where I could find more clarification on this bill I would greatly appreciate it. My contact information is listed below. Thank you very much for your time and consideration.

Sincerely,

David W. Arp
Business Manager
Sitka School District
300 Kostrometinoff Street
Sitka, AK 99835
Work: 907-966-1254
Fax: 907-966-1260
Mobile: 907-738-1343
Email: arpd@mail.ssd.k12.ak.us

Louie Flora

Subject: FW: House Education Committee hearing on Drop-out prevention through proposed dual student counts January 20th

From: PJ Ford Slack [mailto:pjford@dgsd.k12.ak.us]
Sent: Friday, January 08, 2010 12:21 PM
To: Louie Flora
Cc: Michael McCowan
Subject: RE: House Education Committee hearing on Drop-out prevention through proposed dual student counts January 20th

Dear Mr. Flora,
The Student Count briefing sheet still does not address the issue of forward funding. Technically the count for Oct. 2010 and Feb. 2011 (for example) should be used to plan the following years budget (FY 2011-2012). What is being proposed will put many districts, and especially REAA's in a situation where they cannot meet their obligations let alone plan a reasonable budget. As it is we do a projection that may or may not be accurate. Contracts are given out the March prior to the projections. If we do a count the way the document suggests that will be averaged for that school year, a district might be in a position that it would be unable to meet payroll or hold school for the required 180 days. I have been through such shortfalls in Oregon. Once I district must close its door because it has no other funds the impact to the town and businesses is huge.

I suggest if we wish to have a dual count, that is averaged, that the count be used to budget for the following school year so adjustments can be made. That would move our state to a more accurate forward funding model.

Many thanks,

PJ Ford Slack, Ph.D.
Superintendent Delta/Greely School District
REAA 15

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Friday, 8 January 2010 10:35 AM
To: lhsclaf+akschooldistricts@legis.state.ak.us
Subject: House Education Committee hearing on Drop-out prevention through proposed dual student counts January 20th

Hello,

The House Education Committee will be holding a hearing on January 20th beginning at 8:00 a.m. (concluding at 10:00 a.m.) Under discussion will be the dual student count provision of CSHB 206 which I have attached to this e-mail along with a paper put together by staff at the Department of Education and Early Development for a House Education meeting in August of 2009. We have requested that the department clarify the model that they have put together in the briefing paper as it is somewhat confusing, and to describe the impact of this provision over a three year period. We have also requested that they model the impact of the provision on a small school district and a large school district.

Previously in August we requested school district comment on this provision and there was a discussion on it at that meeting. The committee chair would like to maintain a dialogue, and make sure that all districts have a clear understanding of this provision as we move forward with HB 206.

This provision has been added to HB 206 as one way to incentivize a decrease in student drop-out rates statewide.

Please let me know if you will be able to dial in from your office to this meeting. The dial in number is 1-888-295-4546.

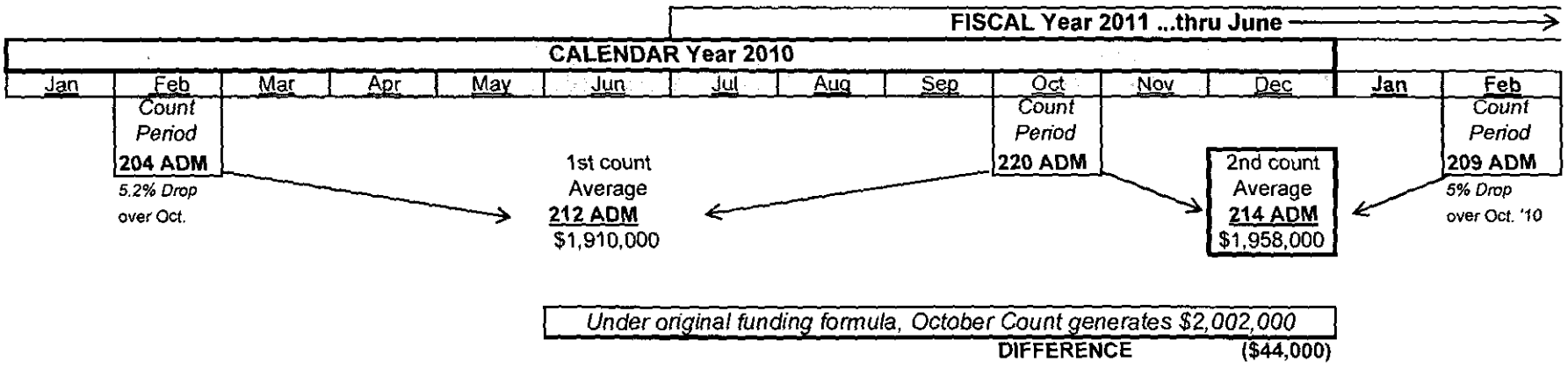
Thank you for your assistance in this discussion.

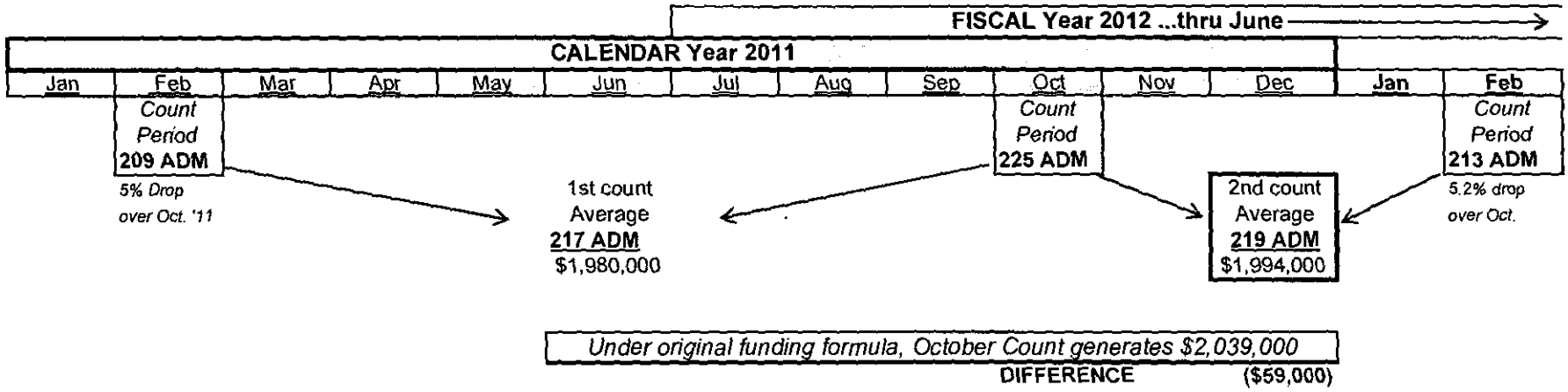
Louie Flora
House Education Committee Aide,
Representative Paul Seaton, Chairman
(907) 235-2921

Department of Education & Early Development
Prepared 1/19/2010

Prepared by School Finance

HB 206 ~ Averaged Student Count





NOTE: Reduction in the spring is based on the dropout rates from FY2008 & FY2009 at 5.2%.

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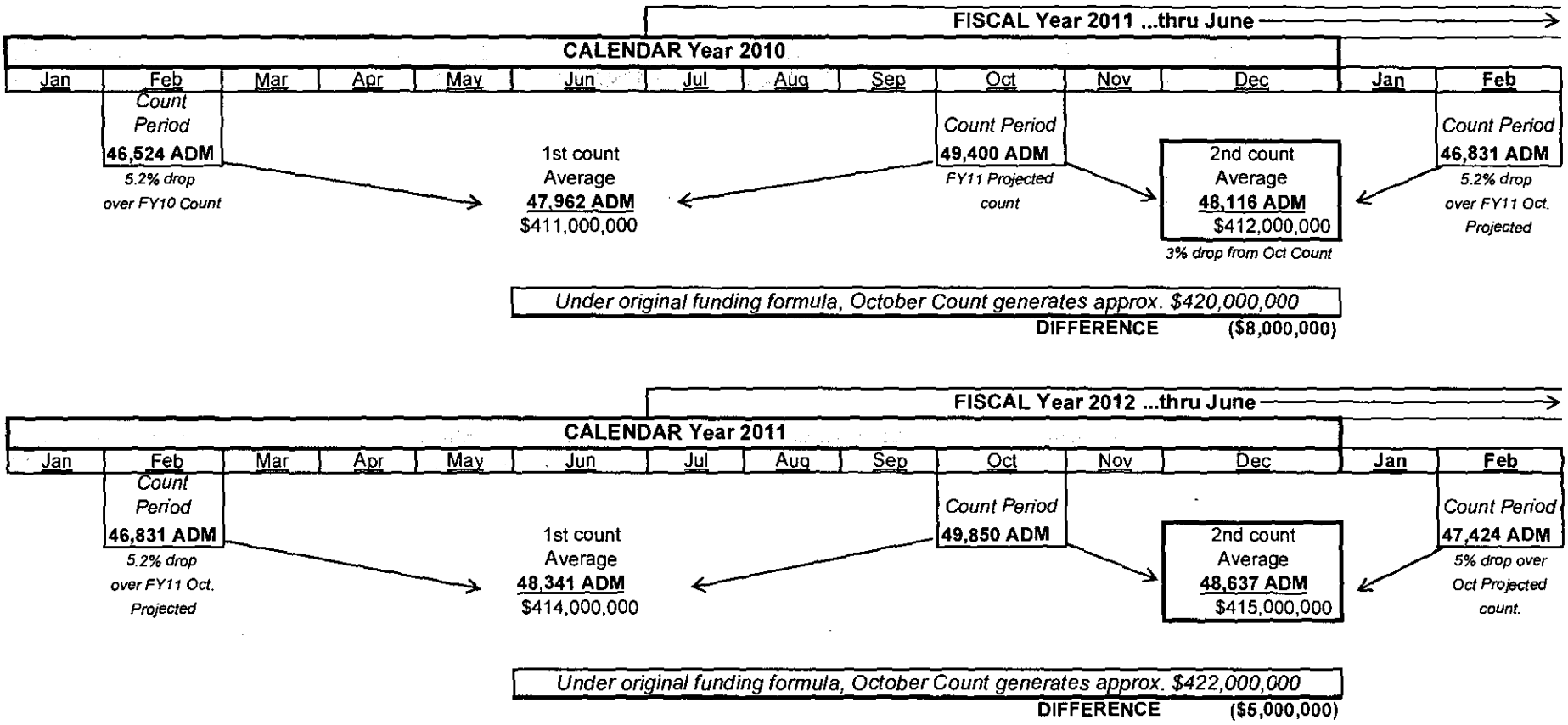
Department of Education & Early Development
Prepared 1/19/2010

Prepared by School Finance

HB 206 ~ Averaged Student Count

Large Sample District



NOTE: Reduction in the spring is based on the dropout rates from FY2008 & FY2009 at 5.2%.

G:\DistSup\$11Foundation\FiscalNotes\[HB206_CountChart.xlsx]

Dropout Prevention: Student Views

(Editor's Note: The 18th Annual June Nelson Memorial Scholarship Competition included this essay question: ***Alaska's dropout rate, at 8 percent, is double the national average, according to the U.S. Department of Education. Thirty-eight percent of today's 9th graders will have no high school diploma 10 years from now. Knowing this, what can communities, parents and students do to decrease the dropout rate?*** Here are two essays based on that question from 2009 June Nelson Scholarship Competition winners.

By Marissa Chingliak
Akiachak School
Yupiit SD

Although many think that success is a result of luck, the truth is, as Marva Collins quotes, "Success doesn't come to you...you go to it." I view dropping out as a loss of motivation to succeed. I believe that parents, students and communities can work together to decrease Alaska's drop-out rate by motivating students to achieve and succeed.

I believe a solid education begins at home. First of all, a parent should teach their child the values of self-discipline, education and success. These concepts work closely together whether in school or in the workplace. Secondly, I believe that a parent should discipline their child so they know not to make decisions that will result in negative consequences. Otherwise the child will go their own way and easily get away with skipping or dropping out of school. Lastly, a parent should encourage their child to stay in school. I know from experience how a little encouragement from a parent goes a long way. Besides parents doing their part to decrease the Alaska drop-out rate, students can make a difference also.

Because we're in school for the majority of your young lives, it makes a big impact on our character. That is why I believe that students should set an example for other students. As a graduating senior, I have mentored some pre-3rd graders as well as some freshmen. I have had the privilege to watch them improve their attitude and work sills. I believe that a positive example will help mold an under-motivated student into a diligent young adult and will prevent dropping out of high school. Secondly, I think that students should encourage other students to stay in school. Many students who drop out feel they are mentally challenged and have no hope. Help and encouragement from another knowledgeable schoolmate will make a possible drop-out motivated to stay in school. Lastly, I think that a peer-mentoring program orchestrated by upperclassmen would be a great way to prevent dropouts. If a student is falling behind in school, a peer-mentor would not only help, but would be another reason to stay in school. In addition, students making a big difference in the Alaska drop-out rate, a community could also do their part in prevent it.

It takes a village to raise a child. A village-community can contribute a lot to decrease the Alaska drop-out rate. For example, if a student decides to drop out, I think that the tribal court should weigh the reasons for the decision. A tribal court judge can decide whether the reason is just, or if it isn't good enough, Another thing a community can do to prevent the Alaska drop-out rate is start a community tutoring program. They can hire professionals, such as teachers, to tutor students who are struggling in school. Often times, when a student struggles in school, their final decision is to just drop out. That is how a community tutoring program could decrease Alaska's drop-out rate. Lastly, a community can encourage a student to stay in school. There can never be too much encouragement, whether from a parent, student or a community. More encouragement just makes students feel content and cared for, and that will make a big difference in a young person's life.

When parents, students and communities work together, they can decrease the Alaska drop-out rate of 8 percent. Parents should start teaching and encouraging their child at home. Students from school can set a positive example for and help motivate struggling students. Communities can also become involved in helping support the efforts of parents and the school. I believe that all these components, working together, will help decrease the drop-out rate of Alaska.

By David Herbert
Seward High School
Kenai Peninsula SD

Paul is an ordinary guy. In middle school, he is the class secretary, has a B average in his classes and is popular among his peers. AT home he spends time hanging out with his older "bro" and teasing his little sister. His parents offer him support. He is looking forward to high school, in particular to sports (his brother thinks he has the right stuff for the football team).

Now let's look forward a few years: Paul is a senior now and does not have enough credits to graduate. After many talks with his counselor, Paul decides it is not worth the effort to try and make up the classes and he drops out. In just a few short years, he went from a student brimming with potential to a high school drop-out with limited options. What caused this change? There is no one source, but as we look back at his years in high school we can see problems and possible corrections.

As a freshman Paul's classes provided him with a challenge. Unlike in middle school, the variety of classes for each student meant that his teachers were less aware of each other's assignments and Paul had a difficult time making a schedule. On top of this, he had sport's practices after school, leaving him drained and hampering homework and projects. His B average slipped to a C. In his sophomore year, Paul struggled academically. To maintain his eligibility to play sports, he switched into easier classes. "Getting his art credits out of the way," he told his parents. During his junior year, things continued downhill. After scraping by his first quarter, Paul's grades slipped to a D average, making him ineligible for sports. Under pressure from his coach to get his grades up, he starting doing drugs and drinking with his friends to relieve the stress. Without sports to keep his grades up, he failed several of his classes. In his senior year he loses interest in school entirely and drops out.

Where did Paul go wrong? Or where did we go wrong?

It is obvious to see differences between his actions in middle school and in high school. These changes likely happened gradually and would be overlooked by school officials unless they have records and observations form the middle school and time to look them over. In cases like Paul's, his records should go onto a warning level to help his counselor better plan later classes. When, in his sophomore year, he starts to avoid hard classes to keep his grades up, he takes the first step to dropping out. Every middle school and high school should have enough counselors to successfully track each student and catch problems early.

Paul was motivated by sports to keep his grades up, but when he became ineligible he lost all interest in school. A simple solution to this would be to make required classes pass/fail. Students should be given chances to learn the material for a class without pressure on GPA and then given the chance to test out of it, earning a credit.

In his junior year, the major problem that every kid is warned about comes up... Drugs. The emphasis on how bad drugs are in elementary school and middle school is strong, but in high school there are very few reminders of this. It is very easy for students to forget their D.A.R.E. training after several years. Drugs are more often used by people with lower self-esteem and people under stress. The effects drugs have on a person's health are immense, but the damage they do to a person's reputation and standing can have a much more devastating outcome to their life. Not all students that do drugs will drop out of school. However, drug use is another sign that a student is having problems. Parents must stay tuned into their students' activities outside of school and schools should continue anti-drug education into the high school years.

Ultimately, the problem with dropouts cannot be solved with money or programs alone. It is individual attention from an early age that will motivate students to graduate. To combat a rising drop-out rate schools must provide more counselors to catch problems early and seek individual solutions. Further, schools must be innovative in grading methods, and provide alcohol and drug education during high school. The involvement of students, parents and the community are essential for all schools to be successful and lower the drop-out rate.

Estimated Impact of Federal Stimulus in Alaska

Estimate based on District % of 2008-2009 allocations.
Actual allocations will be based on 2009-2010 data when available.
2009-2010 allocations will be based on 2007 census data and the allocations may shift significantly from 2008-2009.

American Recovery and Reinvestment Act of 2009

	Title I ESTIMATE	SFSF ESTIMATE	Title II-D ESTIMATE	Special Education	619 Preschool Disabled
ALASKA GATEWAY SCHOOL DISTRICT	$ 169,585	$ 635,579	$ 10,549	$ 133,474	$ 11,098
ALEUTIAN REGION SCHOOL DISTRICT	$ 5,523	$ 30,185	$ 501	$ 32,057	$ 10
ALEUTIANS EAST BOROUGH SCHOOL DISTRICT	$ 29,810	$ 168,375	$ 2,794	$ 53,619	$ 4,871
ANCHORAGE SCHOOL DISTRICT	$ 11,547,957	$ 33,176,445	$ 550,621	$ 12,545,691	$ 476,726
ANNETTE ISLAND SCHOOL DISTRICT	$ 60,653	$ 331,248	$ 5,498	$ 94,465	$ 11,752
BERING STRAIT SCHOOL DISTRICT	$ 1,080,687	$ 3,413,112	$ 56,647	$ 506,947	$ 14,218
BRISTOL BAY BOROUGH SCHOOL DISTRICT	$ 9,894	$ 47,180	$ 783	$ 47,184	$ 2,103
CHATHAM REGION SCHOOL DISTRICT	$ 53,782	$ 242,203	$ 4,020	$ 44,175	$ 46
CHUGACH SCHOOL DISTRICT	$ 49,781	$ 158,738	$ 2,635	$ 47,217	$ 2,799
COPPER RIVER SCHOOL DISTRICT	$ 119,012	$ 522,621	$ 8,674	$ 150,157	$ 9,065
CORDOVA CITY SCHOOL DISTRICT	$ 32,524	$ 192,342	$ 3,192	$ 101,955	$ 11,775
CRAIG CITY SCHOOL DISTRICT	$ 53,936	$ 249,890	$ 4,147	$ 155,867	$ 5,666
DELTA GREELY SCHOOL DISTRICT	$ 253,354	$ 1,090,657	$ 18,101	$ 287,682	$ 31,205
DENALI BOROUGH SCHOOL DISTRICT	$ 13,806	$ 111,823	$ 1,856	$ 110,286	$ 2,874
DILLINGHAM CITY SCHOOL DISTRICT	$ 83,701	$ 404,240	$ 6,709	$ 145,459	$ 13,179
FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT	$ 2,335,723	$ 7,934,180	$ 131,682	$ 3,621,828	$ 140,060
GALENA CITY SCHOOL DISTRICT	$ 30,630	$ 147,583	$ 2,449	$ 619,422	$ 1,490
HAINES BOROUGH SCHOOL DISTRICT	$ 38,833	$ 218,060	$ 3,619	$ 88,379	$ 5,574
HOONAH CITY SCHOOL DISTRICT	$ 30,289	$ 132,782	$ 2,204	$ 42,805	$ 2,782
HYDABURG CITY SCHOOL DISTRICT	$ 57,341	$ 181,328	$ 3,009	$ 27,529	$ 710
IDITAROD AREA SCHOOL DISTRICT	$ 147,862	$ 517,327	$ 8,586	$ 98,664	$ 8,326
JUNEAU BOROUGH SCHOOL DISTRICT	$ 486,962	$ 1,954,868	$ 32,444	$ 1,221,660	$ 38,982
KAKE CITY SCHOOL DISTRICT	$ 51,000	$ 192,271	$ 3,191	$ 32,397	$ 3,464
KASHUNAMIUT SCHOOL DISTRICT	$ 265,349	$ 797,470	$ 13,235	$ 90,421	$ 1,472
KENAI PENINSULA BOROUGH SCHOOL DISTRICT	$ 1,579,887	$ 5,541,645	$ 91,973	$ 2,381,192	$ 83,370
KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT	$ 264,949	$ 1,435,382	$ 23,823	$ 568,195	$ 45,202
KLAWOCK CITY SCHOOL DISTRICT	$ 49,028	$ 196,223	$ 3,257	$ 50,075	$ 3,472
KODIAK ISLAND BOROUGH SCHOOL DISTRICT	$ 273,574	$ 1,521,404	$ 25,250	$ 667,894	$ 22,245
KUSPUK SCHOOL DISTRICT	$ 192,197	$ 711,538	$ 11,809	$ 126,558	$ 2,171
LAKE AND PENINSULA SCHOOL DISTRICT	$ 118,495	$ 484,908	$ 8,048	$ 117,185	$ 9,029
LOWER KUSKOKWIM SCHOOL DISTRICT	$ 1,761,519	$ 6,076,288	$ 100,847	$ 1,066,557	$ 45,732
LOWER YUKON SCHOOL DISTRICT	$ 1,725,438	$ 5,167,303	$ 85,760	$ 573,022	$ 7,488
MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT	$ 2,474,642	$ 8,373,915	$ 138,980	$ 3,928,474	$ 130,363
NENANA CITY SCHOOL DISTRICT	$ 40,501	$ 180,709	$ 2,999	$ 151,236	$ 195
NOME CITY SCHOOL DISTRICT	$ 65,641	$ 371,380	$ 6,164	$ 178,894	$ 10,477
NORTH SLOPE BOROUGH SCHOOL DISTRICT	$ 221,524	$ 1,130,970	$ 18,770	$ 414,741	$ 15,515
NORTHWEST ARCTIC SCHOOL DISTRICT	$ 675,241	$ 2,566,672	$ 42,598	$ 530,247	$ 14,952
PELICAN CITY SCHOOL DISTRICT	$ -	$ -	$ -	$ 4,945	$ 4
PETERSBURG CITY SCHOOL DISTRICT	$ 46,874	$ 273,248	$ 4,535	$ 152,363	$ 10,437
PRIBILOF ISLAND SCHOOL DISTRICT	$ 13,152	$ 87,694	$ 1,455	$ 32,980	$ 2,088
SITKA BOROUGH SCHOOL DISTRICT	$ 165,570	$ 892,115	$ 14,806	$ 362,918	$ 27,817
SKAGWAY CITY SCHOOL DISTRICT	$ -	$ -	$ -	$ 21,219	$ 1,397
SOUTHEAST ISLAND SCHOOL DISTRICT	$ 43,858	$ 212,448	$ 3,526	$ 46,014	$ 2,791
SOUTHWEST REGION SCHOOL DISTRICT	$ 476,265	$ 1,499,073	$ 24,880	$ 211,397	$ 13,935
ST MARYS CITY SCHOOL DISTRICT	$ 112,942	$ 352,027	$ 5,843	$ 53,643	$ 740
TANANA CITY SCHOOL DISTRICT	$ 14,228	$ 61,367	$ 1,018	$ 17,036	$ 702
UNALASKA CITY SCHOOL DISTRICT	$ 12,655	$ 60,418	$ 1,003	$ 88,783	$ 4,895
VALDEZ CITY SCHOOL DISTRICT	$ 38,196	$ 182,135	$ 3,023	$ 188,694	$ 15,278
WRANGELL CITY SCHOOL DISTRICT	$ 63,918	$ 304,492	$ 5,054	$ 93,973	$ 9,706
YAKUTAT CITY SCHOOL DISTRICT	$ 14,940	$ 85,715	$ 1,423	$ 31,465	$ 3,464
YUKON FLATS SCHOOL DISTRICT	$ 174,149	$ 623,534	$ 10,349	$ 101,452	$ 9,698
YUKON KOYUKUK SCHOOL DISTRICT	$ 220,649	$ 772,149	$ 12,815	$ 288,218	$ 309
YUPIIT SCHOOL DISTRICT	$ 307,430	$ 962,277	$ 15,971	$ 138,676	$ 7,003
MT. EDGECUMBE HS	$ 10,584	$ 65,627	$ 1,089	$ 69,031	$ -
Undistributed	$ -	$ -			
PART D SUBPART 2	$ 135,433	$ -			
SubTOTAL	$ 28,301,480	$ 93,043,162	$ 1,544,213	$ 32,956,419	$ 1,300,721
Title I School Improvement (Set aside)	$ (1,179,228)	Competitive:	$ 1,544,213		
Total	$ 29,480,708	Technical Assistance:	$ 160,469		
		Total	$ 3,248,895		

University of Alaska Anchorage

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907.786.4836

www.uaa.alaska.edu

AMEREF

The mission of the Alaska Mineral and Energy Resource Education Fund (AMEREF) is to provide Alaska's students with the knowledge to make informed decisions relating to mineral, energy, and forest resources.

Visit *http://www.ameref.org/*

Memorandum

From: Louie Flora, Staff, Rep. Seaton
To: Legal Services
Date: April 18, 2009
RE: New workdraft request for HB 206

On April 15th the House Education Committee adopted HB 206 version E and made the following two conceptual amendments:

Insert

On page 2, after line 10"

"(4) provide as needed the Alaska Postsecondary Commission information that would be useful for determining a student's eligibility for scholarships"

On page 2, line 12

Delete "diploma"

Insert "transcript"

26-LS0765\E
Mischel
4/10/09

CS FOR HOUSE BILL NO. 206(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act establishing a career assessment requirement in public schools; relating to postsecondary courses for secondary school students; and relating to student counts for school funding purposes."

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

*** Section 1.** AS 14.03 is amended by adding new sections to read:

Sec. 14.03.073. Secondary student career assessment. (a) Each school district in the state shall require students in grade 12 to complete a career preparedness assessment as described in (b) of this section.

(b) The commissioner shall select for use in the state an assessment designed to measure a student's level of preparedness to make the transition to work or college. The assessment must assess a student's career aptitude and readiness for postsecondary education or training in the areas of

(1) applied mathematics;

(2) reading for information; and

(3) locating information.

(c) Subject to the availability of appropriations, the department shall

(1) obtain a license that enables school districts to administer the assessment described in (b) of this section with no charge assessed to the district by the vendor of the assessment;

(2) provide districts with training and support in administering the assessment; and

(3) provide a report to each student on the results of the student's assessment, based on nationally recognized criteria for evaluating a student's preparedness to make the transition to work or college.

(d) The results of a student's career preparedness assessment shall be displayed in summary form on the student's high school diploma.

Sec. 14.03.074. Secondary student enrollment in postsecondary institution. (a) A secondary student who passes all portions of the examination required under AS 14.03.075 may enroll in a postsecondary institution in the state that is approved by the commissioner if

(1) the student is enrolled in a public secondary school in the state;

(2) the student is otherwise eligible to enroll, as determined by the postsecondary institution; and

(3) the postsecondary courses will be completed before the student's graduation from secondary school.

(b) The school district in which the student is enrolled in secondary school shall make arrangement for the fees for the appropriate postsecondary courses in which the student enrolls under this section.

*** Sec. 2.** AS 14.17.500(a) is amended to read:

(a) A district shall prepare and submit to the department by **March 15** [NOVEMBER 5] of each fiscal year, in the manner and on forms prescribed by the department, an estimate of its ADM and other student count data, including per school student count data, for the **current and** succeeding fiscal year upon which computations can be made to estimate the amount of state aid for which the district may be eligible under AS 14.17.400 in the succeeding fiscal year. In making its report,

the district shall consider its ADM, other student count data, the pattern of growth or decline of the student population in preceding years, and other pertinent information available to the district.

*** Sec. 3.** AS 14.17.600(a) is amended to read:

(a) Within two weeks after the end of **each of** the 20-school-day **periods** [PERIOD] ending the fourth Friday in October **and the last Friday in February**, each district shall transmit a report to the department that, under regulations adopted by the department, reports its ADM for that counting period**, the average ADM over the two consecutive counting periods for the previous fiscal year, and, for the February report and October report, the current year,** and other student count information that will aid the department in making a determination of its state aid under the public school funding program. [FOR CENTRALIZED CORRESPONDENCE STUDY, THE OCTOBER REPORT SHALL BE BASED ON THE PERIOD FROM JULY 1 THROUGH THE FOURTH FRIDAY IN OCTOBER.] The department may make necessary corrections in the report submitted and shall notify the district of changes made. The commissioner shall notify the governor of additional appropriations the commissioner estimates to be necessary to fully finance the public school funding program for the current fiscal year.

*** Sec. 4.** AS 14.17.610(a) is amended to read:

(a) **Except as provided in (d) of this section, the** [THE] department shall determine the state aid for each school district in a fiscal year on the basis of the district's **averaged** student count **for the October and February counting periods** [DATA] reported under AS 14.17.600 **for the preceding and current fiscal years**. On or before the 15th day of each of the first nine months of each fiscal year, one-twelfth of each district's state aid shall be distributed on the basis of the [DATA REPORTED FOR THE] preceding fiscal year **entitlement**. On or before the 15th day of each of the last three months of each fiscal year, one-third of the balance of each district's state aid shall be distributed, after the balance has been recomputed **under (d) of this section** [ON THE BASIS OF STUDENT COUNT AND OTHER DATA REPORTED FOR THE CURRENT FISCAL YEAR].

*** Sec. 5.** AS 14.17.610 is amended by adding a new subsection to read:

(d) If the averaged student count made and reported by a district under AS 14.17.600 for the current year is higher than the averaged count made under that section for the preceding fiscal year, the department shall recompute the state aid, including per school student count data, to adjust for the higher average student count, and the higher average count shall be used for the student count for the current year and for the estimates made for the succeeding fiscal year under AS 14.17.500. The February student count must be submitted to the department by March 15 of the current year for a recomputation to be made under this subsection.

*** Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. In the first school year following the effective date of this Act, the student count completed in the immediately preceding school year shall be used as the average student count under AS 14.17.610(a) and (d), as amended and added by secs. 4 and 5 of this Act, as though two student count periods had occurred for that year and added.

Rep. Cathy Munoz

From: carin smolin [carin_smolin@jsd.k12.ak.us]
Sent: Tuesday, March 31, 2009 4:49 PM
To: Rep. Cathy Munoz
Cc: Laury Scandling; Peggy Cowan
Subject: Re: HB 206

Hi Cathy:
Thanks for your response to my question and explaining the intent of this bill. This effort is laudable but I do not believe it is the appropriate way to support vocational/career and technical education.

Our state needs to decide what "test"-HSGQE or this WorkKeys, is required for high school graduation rather than adding another similar assessment system to the HSGQE on top of the overburdened testing we already have for our students and/or requiring them to take Workkeys twice?, once in 11th grade and once in 12th grade, as noted in this bill?.

Our students do not need this assessment to take classes at the University system as a prerequisite to enrollment. In fact, the UA system has their own assessment, Acuplacer, for entering freshmen, that we often encourage 11th and 12th grade students to take if they are considering UA system schools.

Regarding WorkKeys, the Juneau School District piloted this exam this year and had issues with the test processing and scheduling. The good news was that most of our 11th grade students who took the paper and pencil version of the test passed it. The technology side of accessing the online test for groups of students at one time, has not been easily accomplished nor resolved, so it is clear that we as a state are not ready to implement this as a requirement.

At this time, any of our high school students can take courses at the University through a small fund ($10,000) we set aside called College Connection. We have an agreement with UAS on who qualifies, min 2.5 GPA, teacher recommendation, and exhausted those course offerings at the high school, to enroll in a UAS class and have College Connection funds pay for it.

UAS has also been very generous in helping many of our students with free tuitions this year to offset some of these costs and issues and make available courses for these students.

We also have many opportunities for students to receive dual credit, be enrolled in a high school class taught by our high school teachers that is aligned with a UAS course, typically our vocational-related classes, and earn high school and university credit at the same time.

There is no question we need more money to support vocational/career and technical education opportunities for our high school students. We have limited funding from the federal Carl Perkins grant that is distributed statewide via a formula that unfortunately does not support Juneau with much more than $80,000 a year, and may not be used to pay for vocational teachers. This federal program has not had any funding increases for close to TWO decades.

Any state support/direct funding for vocational instructors, resources, facilities and support for partnerships with university programs would be greatly appreciated.

Thanks again for your support. Feel free to contact me if you have any questions about our career and

technical eduction programs in the district.

Carin

Carin Smolin
Career and Technical Education Coordinator
Juneau School District
Phone: 907.523.1877
Email: carin_smolin@jsd.k12.ak.us

On Mar 31, 2009, at 2:10 PM, Rep. Cathy Munoz wrote:

> Hi Carin, thanks for the message on HB 206 sponsored by Rep. Paul Seaton. Paul is trying to expand vocational education opportunities with this bill. He proposes to allow a second WorkKeys examination to be given before graduation. Apparently all students are now required to take this assessment in the 11th grade. The bill would require that those scores be posted on the graduation transcript or certificate, and would allow students that had passed all 3 sections of the qualifying exam to take college or vocational school credits at the expense of the school district. He believes that this would allow students to advance toward an associate degree or voc. Ed certification by the time of graduation.
>
> It sounds like a good approach on the surface, but I would be concerned about the financial requirements for the local districts. The state would not be guaranteed to fund the program so I think that in order for it to be fair to the districts funding for this legislation should be considered as an addition to the current formula or in the special needs portion of the formula.
>
> I hope that this is helpful. Sincerely, Cathy Munoz

Louie Flora

From: David Arp [arpd@mail.ssd.k12.ak.us]
Sent: Friday, April 10, 2009 2:16 PM
To: Rep. Paul Seaton
Subject: HB 215

Representative Seaton,

I'm writing this letter in an effort to gain more clarification on HB 215. The minimal information I can glean from the internet indicates that the crux of the bill is to assist School Districts budget development process by allowing us to use historic data for future allocations. As a school Business Manager I can appreciate the goal! Prior to assuming this role, I spent a decade managing a private investment group and serving on not for profit boards. Nothing has compared to the difficulty of the current school budget process.

My main concerns with the new format (count in October and count in February) are how it will impact the current cycles. State regulations require us to have a public budget process and turn in the budget to our respective cities by May 1st each year. If you run the count until the end of February that will leave less than two months for the State to analyze the numbers for potential duplication of students and the districts to resolve the duplicates, creation of budgets, public process, Board approval, and submission to the City and/or Borough for final approval.

Also, will the new legislation require a balancing of the numbers each year? Depending on how this is handled we could wind up right back where we started. If you or your staff could point me in the direction where I could find more clarification on this bill I would greatly appreciate it. My contact information is listed below. Thank you very much for your time and consideration.

Sincerely,

David W. Arp
Business Manager
Sitka School District
300 Kostrometinoff Street
Sitka, AK 99835
Work: 907-966-1254
Fax: 907-966-1260
Mobile: 907-738-1343
Email: arpd@mail.ssd.k12.ak.us

Louie Flora

From: Fred Parady [fred.parady@nsbsd.org]
Sent: Tuesday, April 14, 2009 3:52 AM
To: Rep. Paul Seaton
Cc: Dave Jones; Amy Lujan; Arnold Brower; Charlotte Brower; Mary Anniagruk Sage; Debby Edwardson
Subject: HB215

Attachments: Parady Fred E. - Work.vcf; ATT00001.txt

Parady Fred E. - Work.vcf (519...

ATT00001.txt (68 B)

Rep. Seaton:

Thank you for your dedication to and passion for education.

We recently read HB215, and are concerned that the proposed changes to the student count methodology could have unanticipated consequences.

Therefore, we respectfully request that the bill be tabled for this session and brought forward during the interim for committee work. Then, the changes could be studied and discussed in more depth by all of the school districts across Alaska.

Before closing, we should note that we all share in common the goal of accuracy.

Thanks again for the chance to comment on HB215.

Cordially,

Fred

Fred Parady
Acting Superintendent
Chief Operating Officer
North Slope Borough School District
P.O. Box 169
Barrow, Alaska 99723
fred.parady@nsbsd.org

Registration

Register to Test

Useful Information

Test dates

ACT fees

Services for students with disabilities

Standby testing

Test Centers

U.S. and Canada

International

Codes

High school

College and scholarship

ACT Online Prep

THE WRITING TEST
Do you need to take it?

Retest Restrictions

While you can take the ACT as often as you wish, there are restrictions on how frequently you can test and receive test scores.

- You may not receive scores from more than one test taken during a scheduled national or international test date. For example, you may test on Saturday **or** on an authorized non-Saturday date (e.g., because your religious beliefs prohibit testing on Saturday) **or** on a rescheduled test date arranged by ACT—but not on more than one of those days. If you are admitted and allowed to test a second time, we will report only the scores from the first test. The second set of scores will be cancelled without refund.

- You may not receive scores from more than one test day per state administration (initial or makeup), if your school participates in ACT State Testing. If you are allowed to test more than once, we will report only the scores from the first test. The second set of scores will be cancelled.

- If you test or **want to retest** through another testing program **other than those listed above** (such as special or residual testing), you must wait a minimum of 60 days between retests. If you are allowed to test without waiting 60 days, your second set of scores will be cancelled without refund.

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Louie Flora

From: Saichi Oba [snso@email.alaska.edu]
Sent: Monday, April 06, 2009 2:53 PM
To: Shana Crondahl
Cc: 'Oba, Saichi'; 'Pete Kelly'; Louie Flora
Subject: Re: FW: HB 206
Attachments: snso.vcf

Hi Shana (cc Louie, Pete) -
Dual enrollment has many meanings.
Some secondary students (those dual enrolled through Tech Prep) pay a reduced fee ($25.00 per credit); other students - enrolled as a non-degree seeking student - pay the regular tuition and fees.
Tech prep courses are typically taught by faculty from the district, often using a facility the school district provides (hence the reduction in tuition costs).
A non-degree seeking student is one enrolled at a 'regular' UA course - typically held on a campus; taught by faculty under UA contract, right alongside other UA students.
For the most part, students are footing the bill - whether through Tech Prep or non-degree status.
We are currently exploring (actually developing) a UA policy that would allow UA to formally admit dual enrolled students to a UA certificate or associate degree (if they so desire). The recent changes in the HEOA allow universities to now allow this.
Saichi

Shana Crondahl wrote:

> Hi Saichi,
> Below is Louie's response, how they are thinking of amending the bill. I asked Pete, and he said he doesn't think the University of Alaska has a policy regarding dual enrollment of highschool students in university courses, but that the policy is campus by campus. Is that true, or is there also a university policy related to dual enrollment? I know that some campuses have their own policies.
> Shana
>
> ---
>
> **From:** Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
> **Sent:** Monday, April 06, 2009 12:53 PM
> **To:** Shana Crondahl
> **Subject:** RE: HB 206
>
> Thank you. That is helpful.
> e are looking at deleting the words on page 2, line 22 "pay the course fees for" and inserting "make arrangements for the fees for the appropriate". This is in response to testimony that indicated school districts may have arrangements with colleges, or through native corporations etc. for fee reduction or fee payment, and we did not want the language to interfere with this, or create a scenario where the college would be required to charge the school district full course fees.
>
> Louie
>
> ---
>
> **From:** Shana Crondahl [mailto:shana.crondahl@alaska.edu]
> **Sent:** Monday, April 06, 2009 11:59 AM
> **To:** Louie Flora
> **Cc:** 'Oba, Saichi'; 'Pete Kelly'

Subject: HB 206

Hi Louie
I listened to the House Education hearing on April 3 for HB 206, and gathered from the hearing that you would be working over the interim on how to have some sort of standard policy for high school students taking college and vocational classes and having school districts pay for the classes, so that students across the state had equal access to those classes. I don't believe the university or DEED has an overall policy addressing dual enrollment, but that policies vary from campus to campus and from school district to school district. In developing HB 206, if you need a university contact, the person to work with would be Saichi Oba.
Thanks,
Shana Crondahl

University of Alaska
Office of Government Relations
(907) 463-3086
shana.crondahl@alaska.edu

Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

HB 206
Sponsor Statement

Alaska has one of the highest drop-out rates in the nation. HB 206 addresses this problem by providing two incentives for students to stay in school until graduation: adding a student's career preparedness assessment score to their high-school diploma, and allowing students who pass the High School Graduation Qualifying Exam to take college or vocational education credits for free until high school graduation.

The career preparedness requirement attempts to ensure that high school graduation is based on student competency for real-world employment applications. The Department of Education and Early Development (EED) currently requires that all 11th graders take a career assessment test, in this case the WorkKeys Assessment. WorkKeys is a job skills analysis and assessment system that sets out specific skills and levels of skills required by employers, so that students understand the connection between what they learn in school and what is required on the job. HB 206 builds on the EED plan by requiring that the career preparedness assessment be taken again before a student exits high school, and requiring that those assessment scores be posted on a student's transcript and graduation certificate. This would allow a student to use their final year of high school to improve upon specific skill and make their scores meaningful for employment or college qualification.

The second part of HB 206 allows students who take and pass all three sections of the High School Graduation Qualifying Exam prior to graduation to take college credits or vocational school credits at the expense of the school district until graduation. This could allow students to advance toward an associate degree or vocational education certificate by the time they have graduated high school. The High School Graduation Qualifying Exam has been identified as a contributing factor to the high-school drop out. Students interpret that passing the exam means they have met their high school qualifying criteria, leading to a lack of interest in school. Incorporation of classes that are selected based on relevance to the individual student will help maintain interest and achievement.

State Capitol, Room 102 Juneau, AK 9980 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

Mr. Chairman and members of the committee, my name is Marcia Olson. I am a Career & Technical Education Program Specialist for the Department of Education, and I've been asked to give you a brief overview of the Alaska Career Ready program.

Alaska Career Ready is

- a program to ensure that Alaska students and job-seekers have the applied academic skills – sometimes called foundational skills -- that are required in various careers. These include skills such as Applied Math, Reading for Information, and Locating Information in graphical formats.
- The program provides the opportunity for students and job-seekers to do 4 main things: 1. assess their foundational skill levels; 2. practice and improve those skills; 3. learn what foundational skills are required by various careers; and 4. document their skills by earning a nationally-recognized certificate, called a Career Readiness Certificate.
- The program is a joint effort between the Department of Education and the Department of Labor.

Alaska Career Ready is based on the WorkKeys system.

- WorkKeys is a job skills analysis and assessment system developed by the ACT Company. ACT is probably better known for its college entrance exam, the ACT test. The WorkKeys system is housed in the Workforce Development Division of the ACT company, and is geared specifically towards foundational skills as they are used in the workplace.
- The WorkKeys system sets out specific skills and levels of skills so that employers, students, and job seekers are all speaking the same language and using the same measurement system to talk about these skills. The system gives students, in particular, a way to see the connection between what they learn in school and what skills they will actually need to use on a job.
- To determine the skills to be included in the WorkKeys system, ACT has analyzed or "profiled" over 15,000 specific jobs, and they continue to profile thousands more each year. Through these profiles, they have determined several skill areas that are important in most careers, including the 3 areas I mentioned earlier (Applied Math, Reading for Information, and Locating Information in visual formats. *(Teamwork, Observation, Writing, Business Writing, Applied Technology, and Listening.)*
- Within each skill area, they have determined varying complexities or "levels" for the skill. Each job profile reports the level of each skill that is recommended for success in that type of job.
- The results of all job profiles are kept in a database that is accessible on the WorkKeys website. This provides students and job-seekers with an easy way to find out what levels of skills are recommended for success in hundreds of different careers.
- So the job profiling is the first part of the WorkKeys system. Then, based on these profiles, the ACT company has developed assessments for each of these skill areas, so that individuals can find out where their skills are and compare them to the skills required for a different careers.
- If a person scores at least the minimum level on each of the three assessments (Reading, Math, and Locating), he/she will earn a nationally recognized "Career Readiness Certificate" issued by ACT, which lists the skills the person demonstrated.
- The WorkKeys system is used in approximately 25 states, and by employers, schools, and job training programs across the country, such as Subaru, Dow Chemical, Northrop Grumman, Chicago Public Schools, Syracuse University, Aims Community College, New Jersey State AFL-CIO, British Petroleum, and many others.

Alaska Career Ready also has an instructional component.

- There is a web-based instructional program that students and job seekers may use in order to practice and improve their skills. This software is not provided by the ACT company, but by an independent curriculum company called WIN. The lessons are based directly on the WorkKeys skills.
- The software provides practice tests, or "placement tests", to determine initial skill levels; tens of thousands of lessons to practice and improve these skills; and a built-in management system that records each learner's progress.

Education regulations

- Current regulations require assessments be given starting with the 2009-2010 school year.
- 11th graders—WorkKeys® Assessment in each of 3 areas (Applied Math, Reading for Information, and Locating Information).
- 6th and 8th graders—informal placement test in each of the same 3 areas. These are not the WorkKeys tests; they are practice tests available from within the instructional software.
- The Department of Education is providing training and technical support for schools to provide the assessments.

TO: Jean Mischel, Legal Services

From: Louie Flora, Staff, Rep. Seaton

Date: February 15, 2010

RE: Amendment to HB 206

Hi,

Can you please draft an amendment to HB 206 version P to address the concern that because version P uses the previous year's count to fund the current year, there could be significant shortfalls in funding if an unexpected increase occurs during the current year, for example if increase in military personnel occurs in the period between the previous year and the current year count period.

Please draft an amendment that states something to the effect of:

" if in the first twenty days of the 80 day count period it is determined that the student count has increased by more than 10 percent above the last year's number a school district can apply for a waiver from the Commissioner of the Department of Education & Early Development and the increased percent will receive funding at 80% of the previous years' funding level. Student population numbers will be adjusted at the end of the 80 day count period so that the increase will be accounted for in funding the next year."

Thanks,

Please call if any questions

Louie Flora

Staff, Rep. Seaton

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSHB 206( ), Draft Version "P"

Page 3, line 18:

Delete "The"

Insert "Except as provided in AS 14.17.610(d) and (e), the"

Page 3, line 23, following "**(d)**":

Insert "**and (e)**"

Page 4, line 2:

Delete "a new subsection"

Insert "new subsections"

Page 4, line 8, following "AS 14.17.500.":

Insert "A recomputation under this subsection shall take into account the supplement received by a district under (e) of this section and include the remaining balance owed in state aid for the increase in the current year student count that was the basis for the supplement if, at the end of the 80-day count period, the increase in the current year student count is the same or higher for the entire count period."

Page 4, following line 10:

Insert a new subsection to read:

"(e) Before a recomputation is made under (d) of this section, a district may request supplemental state aid by providing satisfactory proof on a form provided by the department that the student count conducted in the first 20 days of the 80-day

student count period in the current fiscal year is more than 10 percent above the count made in the 80-day student count period for the preceding fiscal year. The department shall provide an eligible district supplemental state aid before the recomputation period in an amount that is equal to 80 percent of the state aid owed for the difference in the student counts. Nothing in this subsection requires a district to seek supplemental state aid before a recomputation is made under (d) of this section."

HB 215

Louie Flora

From: Friedman_Jeff [Friedman_Jeff@asdk12.org]
Sent: Thursday, April 09, 2009 5:03 PM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Bob Buch; Rep. Berta Gardner
Cc: Comeau_Carol; Siegfried_Robin
Subject: HB 130 & HB 215

Dear Chair Seaton and Committee Members:

These two bills will be heard by the House Education Committee on Friday.

The Anchorage School Board is in favor of HB 130. We believe we need the flexibility to administer anonymous surveys without going to the expense of attempting to get parental permission from enough parents so the data collected is valid. It isn't that parents tend to object, it's just that the permission form sometimes gets lost along the way. We would still be required to notify parents so they had an opportunity to refuse permission. Parents who do object to these surveys tend to be well informed and get their objections in. The data from these surveys, when valid, helps us address serious social problems such as teen pregnancy and illegal drug use.

HB 215 is fairly new, and the Anchorage School Board has not had time to take a position on this bill. Our administration has noted some potential concerns. First, count periods cost money and time. Conducting a second count will divert resources from the classroom to various administrative functions in our Records, IT, Accounting, and other departments.

Second, there may not be sufficient time between submitting the second count on March 15 for DEED to do its OASIS verification before making its April 15 payment to districts. This could result in double payments to districts for the same child.

A second count period certainly has some advantages. However, it must be remembered that most schools issue contracts to staff through the end of a school year. If we hire an aide in August to assist a special education student, we can not terminate that aide simply because the special education student moved to Palmer in February. On the other hand, the Mat-Su district can't get additional funding to hire an aide of its own when that student moves without a second count period. That is why ASD previously suggested a small discretionary fund within DEED that districts could apply for when students moved during the year. That might be a more equitable way to handle the movement of some of these more expensive children during the school year.

HB 215 is complex, and may have many consequences, both intended and unintended. I hope the committee takes time to analyze this bill thoroughly and gives districts time to weigh in on this over the interim before the bill moves on.

Jeff Friedman
Anchorage School Board
1534 D Street
Anchorage, AK 99501
907-742-4699 (Home)

Alaska State Legislature

Representative Peggy Wilson
House District 2

SPONSOR STATEMENT
HB 215

"An Act relating to student counts for school funding purposes; and repealing school experience for salary scales provisions."

HB 215 repeals salary scale limitations for hiring new out of state teachers, allowing for more competitive recruitment efforts. The bill will also average a spring and fall student count to determine school funding and make it applicable for the following school year which will give schools the ability to set budgets based on concrete funding numbers.

HB 215 will help address multiple problems facing Alaska's education system. It will help school districts hire staff for hard-to-fill positions. Specialty positions, such as therapists and special needs teachers are in high demand in school districts across the country, and we have a shortage here in Alaska. Current statutes limit the amount of out of state professional experience that may be used to establish a teacher's position on the salary scale. By repealing this antiquated statute, districts will be able to negotiate salaries on a case by case basis, this will help keep Alaska competitive with the rest of the country when vying for needed educational professionals.

Secondly, HB 215 will change the way student counts for school funding purposes are conducted. This will help schools set a budget that allows them to retain teachers. Current statutes provide for one student count held in October of each year. Funding for the same year is dependent on that count. By that time, school districts have already set their budget, and if the count doesn't match that budget schools can be forced to cut positions they had contracted for the full year, exposing themselves to lawsuits.

HB 215 will establish counts in October and in February. These counts will be averaged and then used to determine funding for the following year; allowing school districts to know the minimum funding they will get in the upcoming year and set their budgets with concrete funding numbers. There will be an additional average count using the February number, and the following October's number. If this average is higher, school funding will be increased for the current school year.

An additional benefit of having a student count in the late February is that it makes it in a school districts' best financial interest to keep students in school for the whole year. Drop out rates in Alaska are one of the highest in the nation. To better serve Alaska's youth, we need to do everything we can to improve our graduation rates and attack this problem from all angles.

ALASKA STATE LEGISLATURE

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

Sectional Analysis

House Bill 215

"An Act relating to student counts for school funding purposes; and repealing school experience for salary scales provisions."

Section 1. Requires a school district to submit to the department by March 15 of each fiscal year student count data and an ADM estimate for the current and succeeding fiscal years so state aid can be estimated.

Section 2. Establishes two consecutive student count periods, one in February and one in October and requires that they be averaged. It also defines when those counts results need to be submitted to the Department.

Section 3. Requires that a school districts state aide is determined by student counts from both preceding and current fiscal years. Seventy five percent of this aide will be distributed equally on or before the 15th day of each of the first nine months of each fiscal year (July – March). The remaining balance of state aide will be distributed equally on or before the 15th day of the last three months of the fiscal year (April – June). Prior to distribution this balance will be recomputed under **Section 4.**

Section 4. Requires that the if the average student count for the current year is higher than the averaged count from the preceding fiscal year, the department will recomputed state aid, taking into account the higher average student count.

Section 5. Repeals the statute limiting school experience for salary scale provisions.

Section 6. Defines the transition to the new student count method. In the first year the student count from the preceding school year shall be used as if it were an averaged count.

Applicable Statutes.

Sec. 14.17.500. Student count estimate.

(a) A district shall prepare and submit to the department by November 5 of each fiscal year, in the manner and on forms prescribed by the department, an estimate of its ADM and other student count data, including per school student count data, for the succeeding fiscal year upon which computations can be made to estimate the amount of state aid for which the district may be eligible under AS 14.17.400 in the succeeding fiscal year. In making its report, the district shall consider its ADM, other student count data, the pattern of growth or decline of the student population in preceding years, and other pertinent information available to the district.

(b) Part-time students shall be included in the student count data in accordance with regulations adopted by the department.

(c) When reporting a district's ADM, a part-time student who is a correspondence student may not be counted as more than one full-time equivalent student.

Sec. 14.17.600. Student counting periods.

(a) Within two weeks after the end of the 20-school-day period ending the fourth Friday in October, each district shall transmit a report to the department that, under regulations adopted by the department, reports its ADM for that counting period and other student count information that will aid the department in making a determination of its state aid under the public school funding program. For centralized correspondence study, the October report shall be based on the period from July 1 through the fourth Friday in October. The department may make necessary corrections in the report submitted and shall notify the district of changes made. The commissioner shall notify the governor of additional appropriations the commissioner estimates to be necessary to fully finance the public school funding program for the current fiscal year.

(b) Upon written request and for good cause shown, the commissioner may permit a district to use a 20-school-day counting period other than the period set out in (a) of this section. However, a counting period approved under this subsection must be 20 consecutive school days unless one or more alternate counting periods are necessary to permit a district to implement flexible scheduling that meets the district's needs and goals without jeopardizing the state aid for which the district would ordinarily be eligible under this chapter.

Sec. 14.17.610. Distribution of state aid.

(a) The department shall determine the state aid for each school district in a fiscal year on the basis of the district's student count data reported under AS 14.17.600 . On or before the 15th day of each of the first nine months of each fiscal year, one-twelfth of each district's state aid shall be distributed on the basis of the data reported for the preceding fiscal year. On or before the 15th day of each of the last three months of each fiscal year, one-third of the balance of each district's state aid shall be distributed, after the balance has been recomputed on the basis of student count and other data reported for the current fiscal year.

(b) Distribution of state aid under (a) of this section shall be made as required under AS 14.17.410 . If a district receives more state aid than it is entitled to receive under this chapter, the district shall immediately remit the amount of overpayment to the commissioner, to be returned to the public education fund. The department may make adjustments to a district's state aid to correct underpayments made in previous fiscal years.

(c) Upon an adequate showing of a cash flow shortfall of a district, and in the discretion of the commissioner, the department may make advance payments to a district. The total of advance payments may not exceed the amount of state aid for which the district is eligible for the fiscal year.

Sec. 14.20.220. School experience for salary scales.

(a) *[Repealed, Sec. 52 ch 6 SLA 1984].*

(b) *[Repealed, Sec. 52 ch 6 SLA 1984].*

(c) *[Repealed, Sec. 52 ch 6 SLA 1984].*

(d) *[Repealed, Sec. 35 ch 46 SLA 1970].*

(e) For teachers holding bachelors' degrees, not more than six years of school experience outside the state may be substituted for a like period of school experience in the state when a teacher's position on the salary scale is established, and, for teachers holding masters' degrees, not more than eight years of school experience outside the state may be substituted for a like period of school experience in the state when a teacher's position on the salary scale is established.

(f) *[Repealed, Sec. 23 ch 37 SLA 1986].*

(g) In this section, "school experience" means a full-time elementary or secondary teacher in a public or nonpublic school as defined in AS

ATP Alaska Teacher Placement

Alaska Teacher Supply & Demand

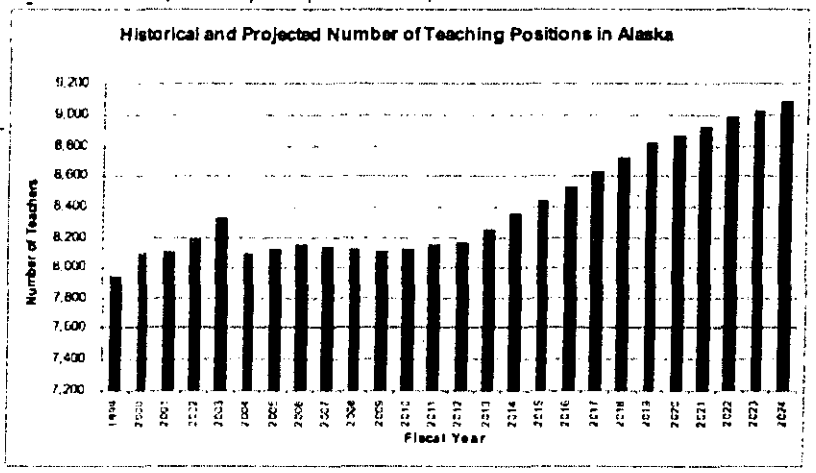
It is possible to learn quite a bit by looking at the annual supply and demand of teachers and school administrators across the state of Alaska.

We are frequently asked about the chances of being hired are for a school district, job category or school district. Well, this is our best information about the supply and demand of jobs by region and school district.

Trends can tell educators where jobs are likely to be found, and give some guidance as to patterns in high needs, and low needs certification areas. We only have overall numbers from this report, not specific data by certification area.

ⓘ **Warning:** Don't read TOO much into trend data. Statistics are useful, but only one piece of the puzzle.

- Download Supply & Demand Report



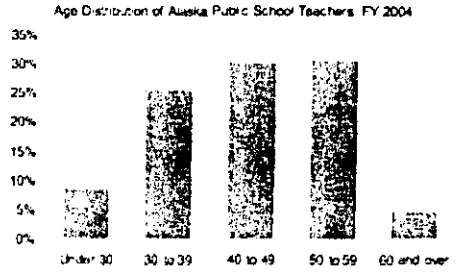
Supply & Demand in Context

Teacher supply and demand describes the ebb and flow of certified educators - teachers and administrators really - into and out of school districts in the state.

Why should you care? The supply and demand in any profession impacts the amount and characteristic of openings for new entrants.

We have taken the ISER data, and looked patterns of need to determine where openings are likely to occur.

Here's what we found of particular interest to job candidates:



- School population drives the number of teacher openings
- Alaska's school population (ADM) is expected to remain fairly stable until 2009
- School ADM is expected to increase significantly from 2010 on
- Alaska requires between 8,100 - 8,200 teachers working each year
- About 35% of Alaska's teaching force is between 50 and 59 years old
- Alaska allows retirement after 20 years of service
- About 33% of current teachers (2,700 or so) will likely retire by 2010
- Alaska replaces (turns over) 14% of its teachers yearly for various reasons
- 1134 teachers are either new to Alaska teaching, or moving each year!
- Alaska universities only graduate 220 - 230 teachers each year
- Alaska needs between 900 - 1000 teachers from Outside each year
- Lowerst Turnoer: Urban (sort of!) districts with 10% - 13% annually
- Highest Turnover: Southwestern, Interior & Western rural districts with 26% - 28% annually

Average Teachers Hired by District

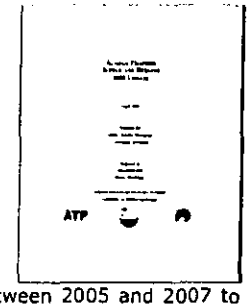
We took data from the ISER 2005 Supply & Demand Report, and calculated the average number of teachers hired by each district in a typical year. ISER used data gathered over five schools between 1998 and 2003.

Average Number of Teachers Hired by District
(1998-2003 SYs - Based on ISER Supply & Demand Report)

District	%Turnover	# Teachers	# New Hires	District	%Turnover	# Teachers	# New Hires
Alaska Gateway	21%	37	8	Kodiak	14%	190	27
Aleutian Region	32%	6	2	Kuspuk	34%	49	16
Aleutians East	30%	34	10	Lake & Peninsula	36%	42	16
Anchorage	10%	2656	268	Lower Kuskokwim	28%	533	96
Annette Island	12%	30	7	Lower Yukon	26%	142	37
Bering Strait	15%	95	23	Matanuska-Susitna	10%	750	75
Bristol Bay	17%	29	4	Mt. Edgecumbe	13%	14	2

Chatham	26%	22	6	Nenana	27%	26	7
Chugach	25%	14	4	Nome	23%	52	12
Copper River	14%	42	6	North Slope	21%	186	39
Cordova	18%	35	6	Northwest Arctic	26%	158	41
Craig	21%	31	7	Pelican	50%	4	2
Delta Greely	19%	52	10	Petersburg	10%	47	5
Denali	27%	29	8	Pribilof	34%	12	4
Dillingham	29%	40	12	Saint Marys	38%	13	5
Fairbanks	10%	917	92	Sitka	11%	110	12
Galena	14%	57	8	Skagway	21%	13	3
Haines	17%	31	5	Southeast Island	30%	13	4
Hoonah	16%	21	3	Southwest Region	31%	66	20
Hydaburg	41%	10	4	Tanana	46%	7	3
Iditarod	48%	36	17	Unalaska	13%	18	2
Juneau	13%	343	45	Valdez	12%	60	7
Kake	22%	15	3	Wrangell	13%	33	4
Kashunamiut	20%	23	5	Yakutat	31%	17	5
Kenai	12%	633	76	Yukon Flats	35%	37	37
Ketchikan	11%	145	16	Yukon Koyukuk	36%	30	11
Klawock	21%	10	2	Yupiit	30%	21	6
Alaska Average	14%	8,076	1,131	Note: Latest data is from 4 school years ago.			

2005 Supply & Demand Update



Alaska Teacher Placement (ATP) has contracted with the Institute of Social and Economic Research (ISER) between 2005 and 2007 to identify and analyze trends in K-12 educator supply and demand in the State of Alaska, including teacher turnover rates.

This report is an analysis of Alaskan teacher supply and turnover data from 1999-2004, and projects supply and demand data for the next five years.

Is There a Teacher Shortage?

Concern has been expressed in recent years about a potential shortage of qualified teachers for the nation's schools. A number of factors are seen as contributing to shortfalls: Student enrollment is growing, the teaching corps is aging, and many teachers are nearing retirement age. Finding enough qualified teachers has been a problem for many schools and districts around the country, especially in Alaska. Often this difficulty has been seen as evidence of a national shortfall in qualified educators.

However, the United States does not have an overall shortage of teachers. Indeed, nationally, more teachers are trained than are needed on an annual basis. Nonetheless, there is a lopsided distribution of educators, both in terms of the geographic location of available teachers and in the numbers of teachers trained in particular fields. For example, there are shortages of teachers in specific subject areas, including special education, mathematics, and science (Darling-Hammond & Sykes, 2003).

Still, retaining current teachers, rather than training new ones, is the larger problem nationally. Ingersoll (2003a, 2003b) found that increasing student enrollment and teacher retirements due to an aging workforce are not the primary causes of teacher shortages. Rather, the major factor driving teacher shortages is teacher turnover, both from educators migrating to new positions and from those leaving the teaching profession altogether, prior to retirement age. Studies have found that between 40 and 50 percent of new teachers leave the profession within the first five years of their teaching career (Ingersoll and Kralik, 2004).

Factors in Teacher Turnover

The primary reasons for educator dissatisfaction(in national studies) were poor salaries, poor administrative support, and student discipline problems.

While these studies offer important findings, they do not fully address the unique circumstances in Alaska that contribute to teacher turnover. For instance:

- Many schools in Alaska are in remote locations accessible only by plane or boat, so access can be both expensive and difficult.
- Housing availability and housing costs are often problematic (NANA Pacific, 2004), and in some rural Alaskan communities, teacher housing even lacks water and sewer hookups.

- Health care, shopping options, entertainment, and other "city" amenities can be quite limited.
- Teachers in rural schools are often required to teach multiple subjects across several grade levels.
- Cultural differences can create difficulties, especially for those who come to Alaska from the "lower 48" states. Alaska is home to many Alaska Native cultures; each having distinct languages, belief systems, traditions, and cultural practices, and it can be difficult for non-Native educators to learn how to work effectively within Native communities.

No comprehensive study of teachers who leave their jobs has been conducted in Alaska. However, McDiarmid, et. al., (2002) surveyed a sample of teachers in Alaska (n=135) who left their jobs at the end of the 2000-2001 school year, to try to understand why teachers either changed districts or left the career of teaching entirely.

When asked why they changed districts, the vast majority of teachers cited personal or family reasons (80%). Many also indicated they wanted to reside elsewhere (63%), were dissatisfied with district administrative support (61%), community support of the school (51%) or school board support (45%).

Affordable housing and higher quality housing were also significant concerns (46% and 38%).

Salary was only a concern for 22 percent overall, although teachers moving between urban districts were much more likely to change positions due to salary (50%) than rural educators (14%).

Better medical care was of concern to rural educators (30%) and not at all (0%) for urban teachers changing districts.

When asked to explain why they left teaching completely, subjects cited family or personal reasons (59%), the choice to pursue another career (50%), dissatisfaction with job description or responsibilities (45%), and dissatisfaction with community support of the school (37%). Better salary or benefits were only cited by 21 percent of those leaving the teaching profession. Health issues were another significant reason for teachers' departure (18%).

- Download the Alaska Teacher Supply & Demand Report 2005 in PDF format.

Add Your Own Information!

Want to Contribute?

Since the ATP website uses a wiki database engine, you can add links that you think are good by simply creating an account, and directly editing any page yourself!

Adding your links, resources and suggestions to the ATP website is quite easy once you give it a try, and you won't break anything. You can even create new pages, and upload pictures.

Together we can build a better website, and a social network of Alaska teachers, administrators and job candidates helping each other!

- Register to be an ATP Editor
- Editing Help

supply_and_demand.txt · Last modified: 12/03/2006 02:20 by johncn

Louie Flora

From: James Elliott [jelliott@crsd.k12.ak.us]
Sent: Friday, April 10, 2009 8:22 AM
To: Rep. Peggy Wilson; Rep. Paul Seaton
Subject: HB 215

Follow Up Flag: Follow up
Flag Status: Yellow

I am writing in support of the proposed changes in the experience credits for outside teachers. Alaska cannot produce anywhere near the number of new teachers districts require annually. Thus, the proposed change will allow districts in Alaska to compete for effectively with their counterparts in other states.

Please make my statement in support of the the subject legislation a part of your committee's record.

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Louie Flora

From: Dave Jones [DJones2@KPBSD.k12.ak.us]
Sent: Thursday, April 09, 2009 4:06 PM
To: Rep. Paul Seaton
Cc: Louie Flora
Subject: HB 215

Dear Representative Seaton,

Thank you for the opportunity to be able to talk with you today concerning HB 215. I have done further review of HB 215 since our discussion, and would like to offer some further input on the bill. It seems that the more times I read the bill, the more I realize it affects multiple areas and could potentially have some unforeseen consequences.

I like the repeal of the teacher experience cap for out of state candidates and the attempt to set a base support amount. However, I have some concerns that the attempt to address drop out rates by using a second count period will in fact result in a financial disincentive for districts. Historical enrollment trends in our district indicate that our enrollments reach a low point in approximately February and then build to their highest levels in the fall. I believe that the effect of averaging a second count in February will lead to overall decreased funding support from the state.

I would like to have further time to determine the actual effects of this bill, and to see if we could come up with alternative solutions to the drop out problem without negatively affecting our financial support. Therefore, I am requesting that this bill be held in the House Education Committee for the interim.

Thank you for your consideration of my request and for your efforts on behalf of education.

Dave Jones
Assistant Superintendent
KPBSD
714-8857

Louie Flora

From: Dennis Niedermeyer [dennis@niedserv.com]
Sent: Thursday, April 09, 2009 4:07 PM
To: Rep. Paul Seaton
Cc: Dave Jones; Jeans, Eddy (EED); Melody Douglas
Subject: HB 215

Dear Representative Seaton,

I have just become aware of a recently introduced bill (HB 215) which would significantly alter the existing funding mechanism for Alaska Schools. This proposed bill is a MAJOR departure from the existing foundation entitlement calculation mechanism and should require an extensive public review and study, prior to it being passed out of committee and or enacted.

My cursory review of this bill indicates that it would severely impact districts with declining enrollment such as Kenai and Ketchikan. It will also undo years of work to establish a better mechanism to allow Districts some assurance of a known funding amount for the current year. As an example, using counts from February, as proposed in the bill, to determine in part the current year funding entitlement would result in school funding that could not be determined until the end of April or May and possibly after school was out. This added additional unknown factor in establishing budgets and program planning; and is untenable for Alaskan Schools.

I believe that advancing this bill without further input and study could potentially damage the system for financing of public education system in Alaska.

I would request that you consider holding HB 215 in your committee until such time as public hearing can be held and an extensive analysis of the impact on affected schools and districts can be evaluated.

Your consideration of my input is appreciated.

Sincerely,

Dennis Niedermeyer
Retire Alaska School Business Official

HOLY SEE						
	331	147	79	37	515	02/01/2009
HONDURAS						
BAY ISLANDS						
	104	54	32	14	172	10/01/2001
LA CEIBA						
	113	67	39	17	197	03/01/2009
SAN PEDRO SULA						
	176	62	36	15	253	04/01/2009
TEGUCIGALPA						
	170	66	38	17	253	04/01/2009
TELA						
	116	56	33	14	186	10/01/2008
[OTHER]						
	75	33	22	8	116	01/01/2006
HONG KONG						
HONG KONG						
	335	115	63	29	479	02/01/2008
HONG KONG NAVY CONTRACTING DEPT						
	335	115	63	29	479	02/01/2008
HUNGARY						
BUDAPEST						
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PAPA						
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AKUREYRI						
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09/01 - 04/30	146	86	48	22	254	03/01/2009
KEFLAVIK-GRINDAVIK						
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NAVSTA KEFLAVIK						
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REYKJAVIK						
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09/01 - 04/30	92	66	38	17	175	03/01/2009
INDIA						
AGRA						
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BANGALORE						
	364	88	49	22	474	11/01/2006
CHENNAI						
Name change to Chennai (formerly Madras) effective 1 May 97.						
	248	68	39	17	333	11/01/2006
GOA						
	194	55	33	14	263	04/01/2009
HYDERABAD						
	297	72	41	18	387	11/01/2006
KOLKATA						
Eff. 01 FEB 2007, Calcutta, India, renamed to Kolkata, India						
	253	70	40	18	341	02/01/2008
MUMBAI						
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NEW DELHI						
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PUNE						
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TRIVANDRUM						
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INDONESIA						
BALI						
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12/15 - 01/15	243	112	61	27	382	05/01/2008
BANDA ACEH						
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BANDUNG						
	82	41	26	10	133	10/01/1998
BATAM						
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JAKARTA						
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JAYAPURA						
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SURABAYA						
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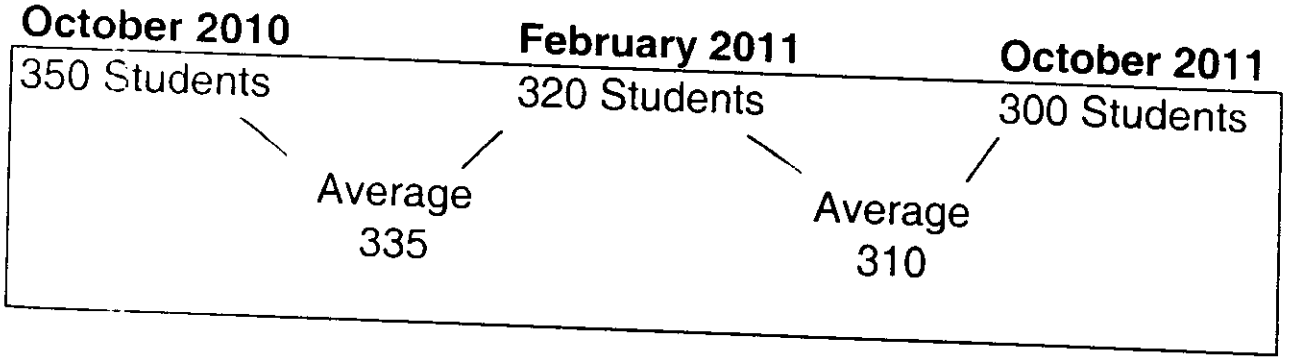
YOGYAKARTA						



Funding For 2011 School Year
335*BSA

Amendment 1

Offered in the **House EDU Committee** By:Representative Wilson

To Bill Number: HB 215 Version: 26-LS0456/T

Date: 4/10/09

Delete Sections: 1,2,3,4,6.

Retain: **Section 5**

Amendment 1

Offered in the **House EDU Committee** By:Representative Wilson

To Bill Number: HB 215 Version: 26-LS0456/T

Date: 4/10/09

Delete Sections: 1,2,3,4,6.

Retain: **Section 5**

Memo

From: Louie Flora, Staff, Rep. Seaton
To: Legal Services
RE: final bill request
Date: April 10, 2009

The attached amendment was incorporated into HB 215 version 26-LS0456\T which was adopted by the House Education Committee and passed from committee this morning.

Please incorporate into a final to be read across the floor as soon as possible.

Thanks,

Louie

HB 235

26-LS0913\R.5
Chenoweth/Mischel
2/8/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE MUÑOZ

TO: CSHB 235( ), Draft Version "R"

Page 2, line 11:

Delete "The"

Insert "If money has been appropriated for the purpose, the"

Page 2, line 20:

Delete "In addition to other loan forgiveness benefits available to a participant,"

Insert "If money has been appropriated for the purpose, and as an alternative to loan forgiveness benefits provided under (a) of this section,"

Page 2, following line 25:

Insert a new paragraph to read:

"(2) practices in the state in a field of study described in AS 14.44.025(b) for not less than 750 hours during the year;"

Renumber the following paragraphs accordingly.

Page 2, line 30:

Delete "in the state,"

Insert "as provided in AS 47.07,"

Page 2, line 31:

Delete "participant's"

Page 2, line 31, following "billings":

Insert "submitted by the practice"

Replaces by R.5

26-LS0913\R.4
Kurtz/Mischel
2/6/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE MUÑOZ

TO: CSHB 235( ), Draft Version "R"

Page 2, line 11:

Delete "The"

Insert "If money has been appropriated for the purpose, the"

Page 2, line 20:

Delete "In addition to other loan forgiveness benefits available to a participant,"

Insert "If money has been appropriated for the purpose, and as an alternative to loan forgiveness benefits provided under (a) of this section,"

Page 2, line 30:

Delete "in the state,"

Insert "as provided in AS 47.07,"

Page 2, line 31:

Delete "participant's"

Page 2, line 31, following "billings":

Insert "submitted by the practice"

AMENDMENT 2

OFFERED IN THE HOUSE BY REPRESENTATIVE MUÑOZ

TO: CSHB 235 ( ), Draft Version "R"

Page 2, line 26:

Insert "(2) practices in the state in a field of study listed in AS 14.44.025(b) for not less than 750 hours during the year; and"

Page 2, line 26:

Delete "(2)"

Insert "(3)"

Page 3, line 2:

Delete "(3)"

Insert "(4)"

Shortage Designation: Health Professional Shortage Areas (HPSAs)

Shortage Designation Home
Find Shortage Areas
HPSA & MUA/P by Address
HPSA by State & County
HPSA Eligible for the Medicare Physician Bonus Payment
MUA/P by State & County
Health Professional Shortage Areas (HPSAs)
HPSA Designation Criteria, Guidelines & Process
Automatic Facility HPSA Scoring
How to Apply for HPSA Designation
HPSA Dictionary
Designated HPSA Statistics
Medically Underserved Areas/Populations (MUA/Ps)
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Dental HPSA Designation Overview

Also see:

- HPSA Designation Criteria
- Dental HPSA Designation Criteria
- Guidelines for Primary Medical Care/Dental HPSA Designation

There are three different types of HPSA designations, each with its own designation requirements:

- Geographic Area
- Population Groups
- Facilities

Geographic Areas must

- Be rational areas for the delivery of dental services
- Meet one of the following conditions
  - Have a population to full-time-equivalent dentist ratio of at least 5,000:1
  - Have a population to full-time equivalent dentist ratio of less than 5,000:1 but greater than 4,000:1 and unusually high needs for dental services
- Dental professionals in contiguous areas are overutilized, excessively distant or inaccessible to the population

Population Groups must

- Reside in a rational service area for the delivery of dental care services
- Have access barriers that prevent the population group from use of the area's dental providers
- Have a ratio of the number of persons in the population group to the number of dentists practicing in the area and serving the population group of at least 4,000:1
- Members of Federally recognized Native American tribes are automatically designated. Other groups may be designated if the meet the basic criteria described above.

Facilities must

- Be either Federal and/or State correctional institutions or public and/or non-profit medical facilities
- Federal or State Correctional facilities must:
  - Have at least 250 inmates and
  - Have a ratio of the number of internees per year to the number of FTE dentists serving the institution of at least 1,500:1
- Public and/or non-profit private dental facilities must:
  - provide general dental care services to an area or population group designated as having a dental HPSA and
  - have insufficient capacity to meet the dental care needs of that area or population group

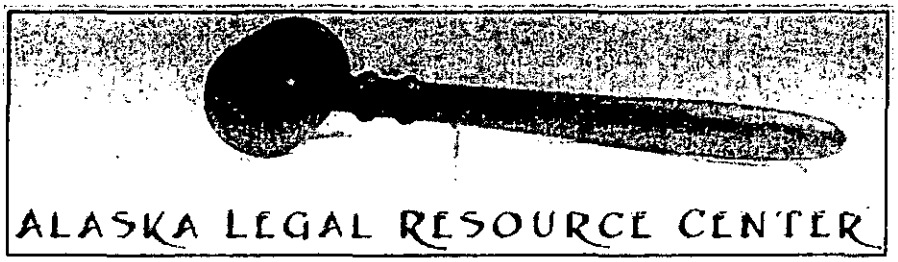
Related Links

State Primary Care Offices for designation application help and State shortage information

Exchange Visitor Program for physicians with J-1 visas working in HPSAs

National Health Service Corps scholarships & loan repayment in return for service at NHSC-approved sites in greatest-need HPSAs

Medicare PSA/HPSA Physician Bonus



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Chapter 7. Medical Assistance For Needy Persons

Section 10. Purpose.
Section 20. Eligible Persons.
Section 25. Assignment of Medical Support Rights.
Section 30. Medical Services to Be Provided.
Section 32. Inpatient Psychiatric Services For Persons Under 21 Years of Age.
Section 35. Priority of Medical Assistance. [Repealed, Sec. 4 Ch 106 SLA 2003].
Section 36. Cost Containment Measures Authorized.
Section 40. State Plan For Provision of Medical Assistance.
Section 42. Recipient Cost-Sharing.
Section 45. Home and Community-based Services.
Section 50. Implementation of the Medical Assistance Program.
Section 55. Recovery of Medical Assistance From Estates.
Section 60. Receipt of Federal Money.
Section 63. Payment For Certain Services Furnished or Paid For By a School District.
Section 65. Payment For Prescribed Drugs.
Section 67. Payment For Adult Dental Services.
Section 70. Payment Rates For Health Facilities.
Section 71. Reports By Health Facilities.
Section 72. Report By the Department. [Repealed, Sec. 35 Ch 126 SLA 1994].
Section 73. Uniform Accounting, Budgeting, and Reporting.
Section 74. Audits and Inspections.
Section 75. Administrative Procedure.
Section 80. [Renumbered as AS 47.07.900
Section 110. - 47-07-190l Medicaid Rate Advisory Commission [Repealed, Sec. 6 Ch 28 SLA 2003].
Section 900. Definitions.

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Alaska Statutes.
Title 47. Welfare, Social Services and Institutions
Chapter 7. Medical Assistance For Needy Persons
Section 10. Purpose.

previous: Chapter 7. Medical Assistance For Needy Persons
next: Section 20. Eligible Persons.

AS 47.07.010. Purpose.

It is declared by the legislature as a matter of public concern that the needy persons of this state who are eligible for medical care at public expense under this chapter should seek only uniform and high quality care that is appropriate to their condition and cost-effective to the state and receive that care, regardless of race, age, national origin, or economic standing. It is equally a matter of public concern that providers of services under this chapter should operate honestly, responsibly, and in accordance with applicable laws and regulations in order to maintain the integrity and fiscal viability of the state's medical assistance program, and that those who do not operate in this manner should be held accountable for their conduct. It is vital that the department administer this chapter in a manner that promotes effective, long-term cost containment of the state's medical assistance expenditures while providing medical care to recipients. Accordingly, this chapter authorizes the department to apply for participation in the national medical assistance program as provided for under 42 U.S.C. 1396 - 1396p (Title XIX, Social Security Act).

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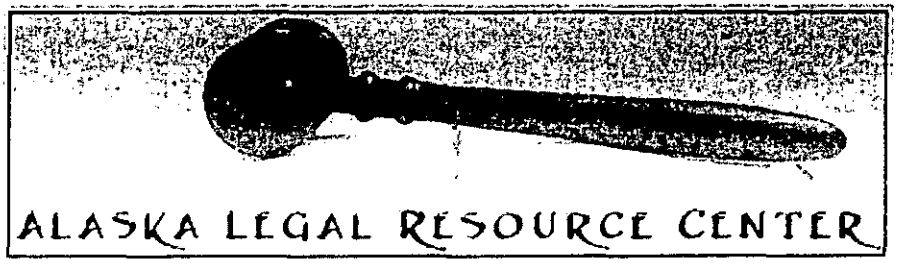

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Alaska Statutes.
Title 47. Welfare, Social Services and Institutions
Chapter 7. Medical Assistance For Needy Persons
Section 20. Eligible Persons.

previous: Section 10. Purpose.
next: Section 25. Assignment of Medical Support Rights.

AS 47.07.020. Eligible Persons.

(a) All residents of the state for whom the Social Security Act requires Medicaid coverage are eligible to receive medical assistance under 42 U.S.C. 1396 - 1396p (Title XIX, Social Security Act).

(b) In addition to the persons specified in (a) of this section, the following optional groups of persons for whom the state may claim federal financial participation are eligible for medical assistance:

(1) persons eligible for but not receiving assistance under any plan of the state approved under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental Security Income) or a federal program designated as the successor to the aid to families with dependent children program;

(2) persons in a general hospital, skilled nursing facility, or intermediate care facility, who, if they left the facility, would be eligible for assistance under one of the federal programs specified in (1) of this subsection;

(3) persons under 21 years of age who are under supervision of the department, for whom maintenance is being paid in whole or in part from public funds, and who are in foster homes or private child-care institutions;

(4) aged, blind, or disabled persons, who, because they do not meet income and resources requirements, do not receive supplemental security income under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act), and who do not receive a mandatory state supplement, but who are eligible, or would be eligible if they were not in a skilled nursing facility or intermediate care facility to receive an optional state supplementary payment;

(5) persons under 21 years of age who are in an institution designated as an intermediate care facility for the mentally retarded and who are financially eligible as determined by the standards of the federal program designated as the successor to the aid to families with dependent children program;

(6) persons in a medical or intermediate care facility whose income while in the facility does not exceed $1,656 a month but who would not be eligible for an optional state supplementary payment if they left the hospital or other facility;

(7) persons under 21 years of age who are receiving active treatment in a psychiatric hospital and who are financially eligible as determined by the standards of the federal program designated as the successor to the aid to families with dependent children program;

(8) persons under age 21 and not covered under (a) of this section, who would be eligible for benefits under the federal program designated as the successor to the aid to families with dependent children program, except that they have the care and support of both their natural and adoptive parents;

(9) pregnant women not covered under (a) of this section and who meet the income and resource requirements of the federal program designated as the successor to the aid to families with dependent children program;

(10) persons under 21 years of age not covered under (a) of this section who the department has determined cannot be placed for adoption without medical assistance because of a special need for medical or rehabilitative care and who the department has determined are hard-to-place children eligible for subsidy under AS 25.23.190 - 25.23.210;

(11) persons who can be considered under 42 U.S.C. 1396a(e)(3) (Title XIX, Social Security Act, Medical Assistance) to be individuals with respect to whom a supplemental security income is being paid under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act) because they meet all of the following criteria:

(A) they are 18 years of age or younger and qualify as disabled individuals under 42 U.S.C. 1382c(a) (Title XVI, Social Security Act);

(B) the department has determined that

(i) they require a level of care provided in a hospital, nursing facility, or intermediate care facility for the mentally retarded;

(ii) it is appropriate to provide their care outside of an institution; and

(iii) the estimated amount that would be spent for medical assistance for their individual care outside an institution is not greater than the estimated amount that would otherwise be expended individually for medical assistance within an appropriate institution;

(C) if they were in a medical institution, they would be eligible for medical assistance under other provisions of this chapter; and

(D) home and community-based services under a waiver approved by the federal government are either not available to them under this chapter or would be inappropriate for them;

(12) disabled persons, as described in 42 U.S.C. 1396a(a)(10)(A)(ii)(XIII), who are in families whose income, as determined under applicable federal regulations or guidelines, is less than 250 percent of the official poverty line applicable to a family of that size according to the United States Department of Health and Human Services, and who, but for earnings in excess of the limit established under 42 U.S.C. 1396d(q)(2)(B), would be considered to be individuals with respect to whom a supplemental security income is being paid under 42 U.S.C. 1381 - 1383c; a person eligible for assistance under this paragraph who is not eligible under another provision of this section shall pay a premium or other cost-sharing charges according to a sliding fee scale that is based on income as established by the department in regulations;

(13) persons under 19 years of age who are not covered under (a) of this section and whose household income does not exceed 175 percent of the federal poverty line as defined by the United States Department of Health and Human Services and revised under 42 U.S.C. 9902(2);

(14) pregnant women who are not covered under (a) of this section and whose household income does not exceed 175 percent of the federal poverty line as defined by the United States Department of Health and Human Services and revised under 42 U.S.C. 9902(2);

(15) persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage under 42 U.S.C. 1396a(a)(10)(A)(ii)(XVIII).

(c) Receipt of medical assistance under this chapter is considered to be an additional benefit to these individuals and does not affect other assistance payments, federal or state, for which the recipient is eligible.

(d) Additional groups may not be added unless approved by the legislature.

(e) Notwithstanding (b)(4) of this section, a person is not eligible for Medicaid benefits until a final determination is made on the eligibility of that person for benefits under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act).

(f) A person may not be denied eligibility for medical assistance under this chapter on the basis of a diversion of income, whether by assignment or after receipt of the income, into a Medicaid-qualifying trust that, according to a determination made by the department,

(1) has provisions that require that the state will receive all of the trust assets remaining at the death of the individual, subject to a maximum amount that equals the total medical assistance paid on behalf of the individual; and

(2) otherwise meets the requirements of 42 U.S.C. 1396p(d)(4).

(g) A person's eligibility for medical assistance under this chapter may not be denied or delayed on the basis of a transfer of assets for less than fair market value if the person establishes to the satisfaction of the department that the denial or delay would work an undue hardship on the person as determined on the basis of criteria in applicable federal regulations.

(h) A person who meets the eligibility requirements of (a) or (b) of this section, except that the person is a qualified alien as defined in 8 U.S.C. 1641, is eligible for medical assistance unless the person is not eligible under the limited eligibility provision of 8 U.S.C. 1613.

(i) The department may allow a person under 19 years of age who is determined to be eligible for benefits under this chapter to remain eligible for those benefits for up to 11 calendar months following the month that the person is determined eligible for benefits or until the person is 19 years old, whichever occurs earlier.

(j) [See conditional effective date note]. A person may not apply for medical assistance coverage on behalf of a child under 18 years of age who is not emancipated unless the person is the parent or legal guardian of the child or, if the parent or legal guardian can be contacted and consents to the application, the person is

(1) an adult caretaker relative who lives with the child and who is exercising care and control of the child; or

(2) an employee of the department who is applying on behalf of a child who is in the custody of the department.

(k) [See conditional effective date note]. A child who is unemancipated may apply for medical assistance coverage on the child's own behalf if the parent or legal guardian of the child consents to the application. The department may waive consent under this section if the child expresses a reasonable fear of the child's parent or legal guardian or the department has been unable to contact the parent or legal guardian after the department has made reasonable efforts to do so. If a waiver of consent is granted, the department shall document the reason for the waiver in the child's medical assistance record.

(l) [See conditional effective date note]. Notwithstanding the eligibility provisions under (a) and (b) of this section, a person may not receive medical assistance under this section unless the person first enrolls in the Medicare program under 42 U.S.C. 1395 to the extent that the person is eligible to receive benefits and services under the program.

(m) [See conditional effective date note]. Except as provided in (g) of this section, the department shall impose a penalty period of ineligibility for the transfer of an asset for less than fair market value by an applicant or an applicant's spouse consistent with 42 U.S.C. 1396p(c)(1).

(n) [See conditional effective date note]. Except as provided under 42 U.S.C. 1396p(f) and 42 U.S.C. 1396u-1, the department shall include as an asset for eligibility purposes the value of an applicant's home if the equity value in the home exceeds $500,000 at the time the application is completed. Nothing in this subsection prohibits an applicant from reducing the equity value in the applicant's home by selling the home or by taking out a loan that affects the equity.

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Policy Brief • April 2009

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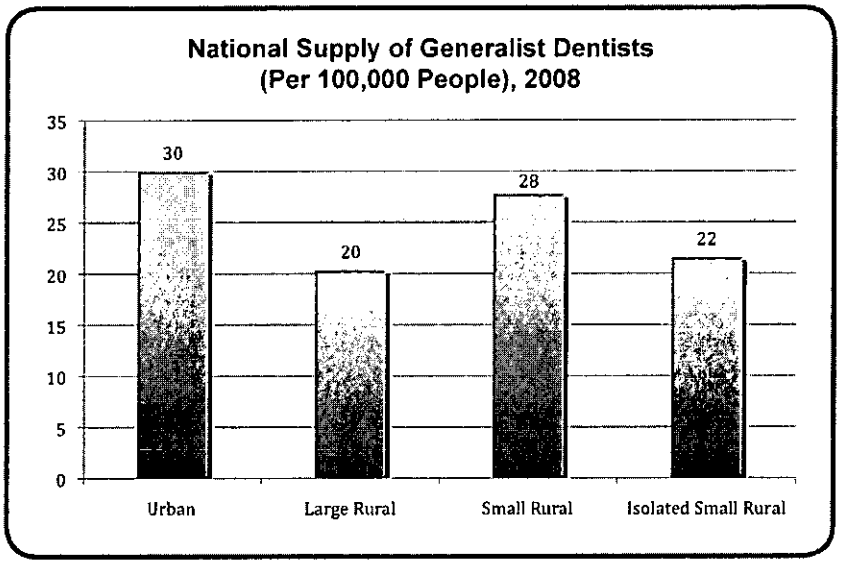
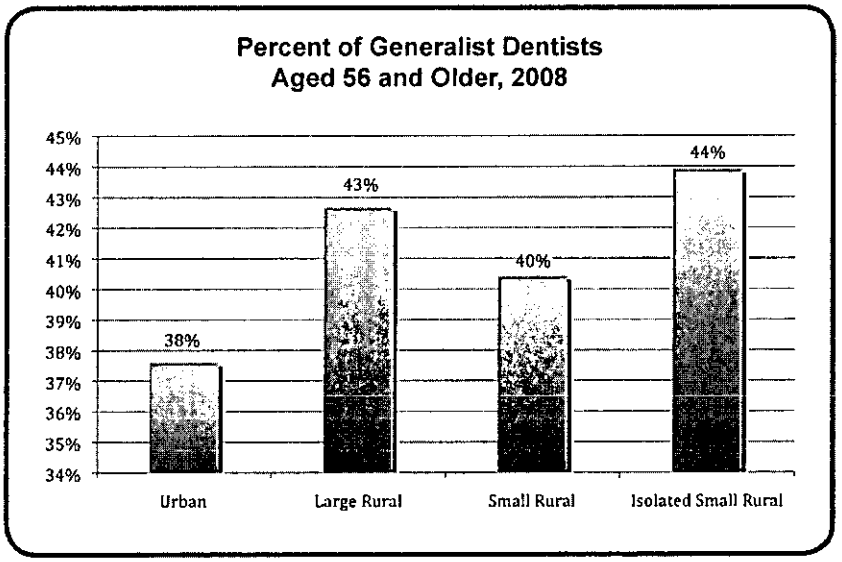
The Crisis in Rural Dentistry

Issues

Rural populations have fewer dentists, lower dental care utilization, and higher rates of dental caries and permanent tooth loss than urban populations.[1-5] Reports from the Surgeon General[4] and the Institute of Medicine[6] call for more dentists in rural locations. Federal and state programs have focused on expanding rural dentist supply to increase dental access and improve oral health, but efforts may need to intensify to meet the needs of rural communities.





Evidence

- Of the 2,050 U.S. rural counties, 1,221 (60%) are designated dental health professional shortage areas (HPSAs).[6]
- In 2008, there were 22 "generalist" (general practice, pediatric, or public health) dentists per 100,000 persons in rural areas compared with 30 in urban areas, nationally.[7]
- Nationally, rural areas had a higher percentage of generalist dentists aged 56 or older than urban areas (42% vs. 38%). This percentage was 44% in remote rural locations.[7]
- In 2004, dentists working at rural federally-qualified community health centers (CHCs) were in high demand and short supply. Almost half of rural CHCs had vacant dentist positions for over 7 months.[8]

Potential Solutions

The following strategies could be used to bolster the rural oral health care workforce:

- Admit dental students likely to choose rural careers, such as those from rural locations.
- Focus dental school expansion on the shortage of rural providers.
- Support rural programs and divisions within dental schools and their roles in teaching and mentoring students (e.g., training programs in rural general practice and pediatric dentistry).
- Provide rural experiences during dental education, such as rural training tracks.
- Increase opportunities for dental students and residents interested in rural careers to acquire the broad skill set needed for rural practice.
- Support loan repayment programs for dental students who enter rural practice.
- Enhance the ability of rural communities to recruit and retain dentists through locally-driven community, economic, and leadership development efforts.

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The WWAMI RHRC receives its core funding from the Health Resources and Services Administration's Office of Rural Health Policy.

References

1. Wall TP, Brown LJ. The urban and rural distribution of dentists, 2000. *J Am Dent Assoc.* 2007 Jul;138(7):1003-1011.

2. Vargas CM, Dye BA, Hayes KL. Oral health status of rural adults in the United States. *J Am Dent Assoc.* 2002 Dec;133(12):1672-1681.

3. Vargas CM, Dye BA, Hayes K. Oral health care utilization by US rural residents, National Health Interview Survey 1999. *J Public Health Dent.* 2003 Summer;63(3):150-157.

4. Department of Health and Human Services. *Oral health in America: a report of the Surgeon General.* Rockville, MD: U.S. Department of Health and Human Services, National Institute of Dental and Craniofacial Research, National Institutes of Health; 2000.

5. Eberhardt MS, Ingram DD, Makuc DM, et al. *Urban and rural health chartbook. Health, United States, 2001.* Hyattsville, MD: National Center for Health Statistics; 2001.

6. Committee on the Future of Rural Health Care, Board on Healthcare Services. *Quality through collaboration: the future of rural health.* Washington, DC: Institute of Medicine of the National Academies; 2004. Accessible at: http://www.iom.edu/?id=29734.

7. WWAMI Rural Health Research Center, University of Washington. In progress.

8. Rosenblatt RA, Andrilla CHA, Curtin T, Hart LG. Shortages of medical personnel at community health centers: implications for planned expansion. *JAMA.* 2006 Mar 1;295(9):1042-1049.

This study was supported through the WWAMI Rural Health Research Center with funding from the federal Office of Rural Health Policy, Health Resources and Services Administration, Public Health Service.

PROVISIONS FOR LOAN FORGIVENESS/SCHOLARSHIPS AND GRANTS

Information derived from state statutes, regulations and various reports about programs that provide loan benefits and scholarship assistance in return for serving defined low-access communities or populations

More than half of the states have some kind of loan forgiveness / scholarship assistance programs in place.

States vary on the delivery and amount of the incentives. Some states provide scholarships while other state incentive programs pay off the loan *after* graduation. Either way, it is the equivalent of students not having to pay for some or all of dental school with the agreement that they will practice for a set amount of time in a manner that is intended to reduce access problems.

Overview of States:
The framework of each state law is basically the same—a contract with a limited number of dentists to perform dental services in an area designated underserved for a period of time (2-5 years). The amounts allocated per provider range from about $20,000 total to $125,000. The laws are pretty broad with respect to practice location and patients served—but are consistent in that they require that underserved patients be the focus of care delivery.

For instance, **Arizona** requires the dentists to serve full-time providing primary care services at eligible service sites. Many states use the federal designation Dental Health Professional Shortage Area (i.e. **California**, **Indiana**, **Oklahoma** and **Washington D.C.**) to determine where a dentist must locate. **Minnesota** dentists must agree to deliver at least 25 percent of the annual patient encounters to state public program enrollees or patients receiving sliding fee schedule discounts through a formal sliding fee schedule.

Presented here is a state-by-state summary of their loan forgiveness / scholarship grant programs. While the information contained in this document is of general interest the information presented here is a snapshot at a particular point in time. One cannot rely solely on this document as being a comprehensive and up-to-date list of states that have such provisions. For specific details on a particular state please contact the state dental society.

Alabama
The Board of Dental Scholarship Awards was established to provide scholarships and scholarship loans for the education of qualified applicants for admission to dental schools in Alabama who agreed to practice in underserved areas. Repayment could be based on service alone, or on a combination of service and payments, depending on the location of the practice, rural verses urban, and the duration of time in that practice. The terms of various types of repayment are set out in the law. The law was amended in 2007

to create the "Rural Dental Health Scholars Program" to provide for loans and scholarships to both high school and dental students who are interested in practicing in rural areas of the state.

Arizona

Requires primary care provider to contract with the Department to provide full-time continuous services at a specific eligible service site for a minimum of 24 months. Requires: a signed contract for current or prospective employment at an eligible service site or a letter of intent of employment at an eligible service site; A contract with the Department to serve full-time providing primary care services at the eligible service site for a minimum of 24 months, with 12-or 24-month contract extensions available upon mutual agreement with the individual in the senior leadership position at the service site; Agreement to work at least 32 of the minimum 40 hours per week; provider to charge for services at the usual and customary rates in the primary care area, except that patients unable to pay are to be charged a reduced rate according to the service site's sliding-fee scale or not charged; Agreement not to discriminate on the basis of a patient's ability to pay for care or the payment source, including Medicare or AHCCCS, and; Agreement to accept assignment for payment under Medicare and to participate in AHCCCS.

Arkansas

The state provides a forgivable loan program to assist Arkansas dental students attending specified out-of-state health and medical professional schools. The loans may be forgiven at the rate of one (1) year's loan for one (1) year's practice in Arkansas.

California

Provides loan repayment to recent dental school graduates who practice for three years in a community clinic or office in an underserved area. A "Dentally underserved area" is eligible for designation via the federal shortage designation criteria defined Title 42, Chapter I, Part, Appendix B (Criteria for Designation of Areas Having Shortages of Dental Professionals) or an area where unmet needs exist as determined by the state. Loan repayments are limited to ($105,000) per individual. After completing one year of service, $25,000 is awarded. After two consecutive years, $35,000 is awarded, for a total loan repayment of up to $60,000. After three consecutive years, $45,000 is awarded, for a total loan repayment of up to $105,000. Program extended until July 1, 2012 in 2009 S 599.

Colorado

The state dental loan repayment program pays all or part of the principal, interest, and related expenses of the educational loans of each eligible dental professional who agrees to provide care to underserved populations for at least 2 years. Funding includes moneys credited to the tobacco litigation settlement fund to the extent available, appropriations from state general fund, as well as other public and private donations. Section 25-23-104 (1), C.R.S.

Connecticut

Connecticut pays for part or all of qualifying educational loans (principal, interest and related expenses for dentists and hygienists). $15,000 per year, for minimum of 2 years and up to four (4) years with an extension in Community Health Centers and other eligible primary care sites in the state, designated by the federal government as Medically Underserved Areas (MUA) and as Health Professional Shortage Areas HPSA). Work time requirements under the Connecticut SLRP program are for a minimum of 40 hours/wk, (max of 8 hrs may be practice-related administrative activities).

Delaware

The State Loan Repayment Program for Dentists and Physicians is designed to recruit physicians and dentists to underserved areas of the state by repaying a portion of their educational debt in exchange for their commitment to practice in underserved area. The dental component was launched in 2001.

Georgia

Provides loan assistance to dentists who agree to practice full time (minimum 40 hours / week) in rural areas of the state. The dentist must maintain a Georgia Medicaid number and actively treat Medicaid patients.

The contracts with the "Dentists for Rural Areas Assistance Program" will be for one

year, renewable up to three times for a total of 4 years. The amount of the award shall be determined by the State Medical Education Board (SMEB) annually.

If the dentist defaults the penalty shall be immediate liability for two times the original principal amount of the loan award.

Hawaii

A Hawaii law enacted in 2008 establishes the Hawaii Health Corps Program working group; provides for the development of a plan to establish a program for tuition loan repayments and stipends for physician and dentist participants serving in underserved areas; provides that priority placement in the program will be for graduates of the John A. Burns School of Medicine; requires participants to commit and serve as first responders in the event of a declared emergency.

Idaho

The Rural Health Care Access Fund provides grants to improve access to primary care medical services in areas designated as primary care health professional shortage areas and medically underserved areas. Individual grant awards are limited to $35,000, direct and indirect costs, per year. Applicants may propose projects for funding for up to three years. Title 39, Chapter 59, Idaho Code.

Illinois

Provides grants to Illinois students enrolled or accepted in Illinois dental schools, and who contract to practice dentistry in a designated shortage area in the State. Student must be certified by the school as being eligible to receive financial aid. Upon the Illinois licensure of the student to practice dentistry, the student shall serve as a general practice dentist in a designated shortage area in the State. The term of this service shall be as provided in the Dental Student Grant Act.

2007 S 387 was enacted. Creates the Loan Repayment Assistance for Dentists Act (110 ILCS 948). Requires the Department of Public Health to establish an educational loan repayment assistance program for dentists who practice in designated shortage areas in this State for 2 years. There law enumerates requirements of participation and the penalty is to repay the amount of the benefit received if the dentist does not fulfill the terms agreed upon. The law was amended in 2009 by adding eligibility of dental hygienists for loan repayment assistance and by adding up to two subsequent one-year grants for dentists. Dentists currently are eligible for a two year grant. 2009 S 275.

Indiana

The Indiana health care professional recruitment and retention fund provides loan repayment for student loans up to $40,000 ($20,000 per year) incurred by dentists agreeing to serve a two-year stint in federally designated shortage area or an area approved by the state as underserved.

In 2009 H 1573 was enacted:
The Indiana dental recruitment fund is established to provide grants to dentists and dental hygienists to encourage the full-time delivery of dental care in underserved areas and to increase the number of minority dentists and dental hygienists in Indiana. To qualify one must be licensed and have entered into an agreement with the recruitment committee to: (A) either: (i) commit to working five (5) years in a underserved area or as a minority dentist or dental hygienist in Indiana for a yearly grant of thirty-five thousand dollars ($35,000); or (ii) commit to working two (2) years in a underserved area or as a minority dentist or dental hygienist in Indiana for a yearly grant of thirty thousand dollars ($30,000) with the option by the dentist or dental hygienist to serve up to three (3) additional years for a yearly grant of thirty-five thousand dollars ($35,000); (B) provide an average of at least forty (40) hours of dentistry per week in underserved areas or as a minority dentist or dental hygienist in Indiana; (C) maintain a patient base that includes at least thirty percent (30%) as Medicaid patients; and (D) provide a sliding fee scale, as approved by the committee, for low income patients.
The agreement shall include a clause that if the dentist or dental hygienist does not comply with the requirements they will pay back to the committee seven thousand five hundred dollars ($7,500), plus interest, for each month that they do not serve or had left to serve under the terms of the agreement.

Maine

The Finance Authority of Maine awards up to 3 loans or loan repayment agreements annually up to an aggregate of 12. Under the program, loans may be awarded to Maine residents who have been accepted into dental school. If, upon completing dental education, the loan recipient elects to practice dentistry in an area determined to be underserved, the loan recipient may be forgiven a 25% portion of the loan per year after executing a loan repayment agreement.

Maryland

Maryland's new law provides up to $100,000 total loan assistance over a three-year period, during which a dentist accepts 30% of his/her caseload from the Medicaid-eligible population. Assistance is limited to 5 dentists per year for a total of 15 dentists over the three-year program.

Massachusetts

The Massachusetts Dental Society reports that as of 2009, there are two state programs that offer loan repayment or tuition reimbursement. However, that there is not enough funding in these programs to make a difference to many students. In fact, with one of these programs, dentists are forced to compete with physicians for limited financial resources.

The Massachusetts State Loan Repayment Program (MSLRP) offers loan repayment for dentists and hygienists who agree to practice in a community health center or a public licensed clinic for two years. The Commonwealth's $250,000 is matched by the federal government, resulting in a $500,000 program. The program is administered by the Massachusetts Department of Public Health (DPH) and is available to health professionals—including, but not limited to, dentists and hygienists—who work in designated Health Professional Shortage Areas (HPSAs).

The MDS reports that dental professionals are under-represented in the program because there are fewer community health centers in these shortage areas in Massachusetts, and rules that accompany federal matching funds preclude the DPH from structuring the program in a manner that would attract more dental professionals to more health centers.

Additionally, the state provides $1 million, administered by the University of Massachusetts, with 50 percent earmarked for loan repayment and tuition reimbursement. Of this amount, $120,000 funds a scholarship at each of the state's three dental schools for students agreeing to work in a community health center for two years, $380,000 goes to loan repayment for dentists already working in community health centers, and $500,000 is designated for community health center infrastructure.

Minnesota

Students accepted into the program serve at least three years during which at least 25 percent of the patient encounters are state public program enrollees or patients receiving sliding fee schedule discounts. The state pays $10,000 per year up to four years, not to exceed the lesser of $40,000 or the balance of the qualifying loans.

Missouri

Dentists and dental school students enrolled in their final year of course study may participate in the Health Professional Student Loan Repayment Program. The maximum amount of repayment assistance is not to exceed the maximum allowed under the National Health Services Corps Repayment Program. Program participants must agree to see all patients regardless of their ability to pay. Students breaching contracts will be responsible for damages incurred by the Department of Health and legal costs incurred in the collection of damages.

Nebraska

Pays educational expenses and repay loans for dental students who agree to practice in a designated health profession shortage area, within 3 months of graduation. The amount of financial assistance is limited $80,000 over the course of schooling. Each loan repayment recipient agrees to provide services for at least 3 years and accept Medicaid patients. Failure to complete the 3-year commitment, without good cause, results in repaying outstanding amount plus 25% of the amount of financial assistance received.

Nevada

Under the Western Regional Higher Education Compact (agreement among 13 western states & NV), a dentist receives a support fee,

25% of which is a loan to be repaid by the dental graduate. Practicing in a medically underserved area of this state for at least 2 years results in a forgiveness of the loan balance (25% of the support fee). If a person returns to this state under the compact, but does not practice in a medically underserved area of this state for at least 2 years, the state assesses a default charge and interest. (Chapter 397 of NRS)

New Jersey

N.J.S.18A:71C-33 Primary care practitioner (includes dentists) loan redemption program. To be eligible a dentist must serve at least an initial two-year period at an approved site in full-time clinical practice in designated underserved areas and allow a patient who is unable to pay the usual and customary charge to pay at a reduced rate or receive care at no charge. Part-time practice maybe allowed based on special circumstances after the initial two years. The qualifying dentist shall be permitted a total redemption of eligible qualifying loan expenses for four years of service up to, but not to exceed, $120,000, or the maximum amount authorized by the federal government, whichever is greater, in State funds. A program participant who has previously entered into a contract for service and loan redemption may nullify the agreement by notifying the authority in writing and reassuming full responsibility for the remaining outstanding balance of the loan debt. A program participant seeking to nullify the contract before completing a second full year of service shall be required to pay 50% of the redeemed portion of indebtedness in not more than one year following nullification of the agreement. Enacted Nov. 20, 2009, SB 1220.

New Mexico (2 programs)

The HEALTH PROFESSIONALS LOAN REPAYMENT PROGRAM requires a two year service commitment in a health professional shortage area. Primary Care Physicians; Physician Assistants; Advanced Practice Nurses; **Dentists**, Podiatrists, Optometrists & Allied Health Care Providers may receive up to $35,000 annually.

Eligibility for the NEW MEXICO HEALTH SERVICE CORPS: a New Mexico resident enrolled or accepted by an accredited or approved educational program of study or be engaged in a residency training program or preceptorship that is within 24 months of completion of the program of study and becoming eligible to apply for a license or certificate in the profession of study. Primary Care Physicians, Family Nurse Practitioners, Physician Assistants, **Dentists**, Dental Hygienists, Emergency Medical Technician-Paramedics may earn up to a $40,000 stipend (2 awards of $20,000, less for non-physician). Requires a two year service commitment (1600 hours a year) in a designated health professional shortage area.

Western Interstate Commission on Higher Education (WICHE). Average $21,300 per year up to 4 years and must return to New Mexico.

North Carolina

Loan repayment assistance is provided for General Dentists and Dental Hygienists who accept positions in approved public health/safety net dental clinics. The state Loan Repayment Program offers 2-4 year repayment schedules for general dentists and dental hygienists in exchange for working full time at approved safety net dental sites. Principle plus interest maximums for dentists are $70,000 in exchange for a four year commitment; $30,000 for dental hygienists in exchange for a 3 year commitment. In addition, a 39% tax stipend is added to help offset the provider's increased tax liability.

North Dakota

The state annually selects up to three dentists who enter a four-year nonrenewable contract where education loans are repaid in exchange for the dentist(s) agreeing to practice in underserved communities identified by the state health council. The council establishes a priority ranking for participation in the program for the selected communities. Dentists are eligible to receive funds for the repayment of their education loans, which may not exceed eighty thousand dollars per applicant over a four-year period.

2007 S 2152 was enacted. Enacts provisions for a dentist to receive school loan repayments as an incentive to practice: the practice cannot be within a 15 mile radius of Bismarck, Fargo or Grand Forks (the largest cities in ND), the

dentist must receive medical assistant reimbursement for dental care of at least $20,000 or must practice at least 2 days a week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.

Ohio

The dentist loan repayment program provides loan repayment assistance in amounts of up to $25,000 for each of the first two years of service and up to $35,000 per year for the third and fourth years of service for new dentists who agree to practice at least 40 hours per week in a designated dental health professional shortage area and treat patients regardless of their ability to pay. The program will be funded with a $20 increase in dentists' licensing fees, government funding and private contributions.

Oklahoma

In 2006, the Oklahoma Legislature passed the Oklahoma Dental Loan Repayment Act (S.B. 1737), authorizing an additional $125,000 each year for five years to fund the Oklahoma Dental Loan Repayment Program. This program provides $25,000 per year, per dentist, for four dentists to practice in counties determined by the Oklahoma State Department of Health to be dental health professional shortage areas and one dentist to practice and teach at the OU College of Dentistry. The state currently has 42 counties designated as shortage areas through 2009. As part of their agreement, participating dentists must treat a minimum of 30% Medicaid patients. All participating dentists also must commit to practice in a shortage area for two years, with an option to renew for up to five years total.

Pennsylvania

A physician or dentist who agrees to treat patients eligible for medical assistance and Medicare in a designated medically underserved area as a primary health care practitioner for not less than three years is eligible to receive up to $64,000 in loan exonerations based on the following schedule: (i) Year one, 15%, (ii) Year two, 20%, (iii) Year three, 30%, (iv) Year four, 35%. Failure to begin or complete the obligations contracted for shall pay to the agency three times the amount of assistance received.

Rhode Island

Provides educational loan repayment for healthcare professionals committed to working in primary care health professional shortage areas or dental health professional shortage areas. Requires a two year commitment to provide full-time services at a site that has been approved for funding. Must charge for professional services at the usual and customary rates prevailing in the areas in which such services are provided. If a person is unable to pay such charge, they'll be charged a reduced rate or no fee. The professional also must serve full time (40 hours per week), with no more than 20% of the time devoted to administrative work and agree not to discriminate on the basis of the ability of the individual to pay for such care or on the basis that payment for such care will be made through Medicare or Medicaid. The professional must enter into an appropriate agreement with the State agency that administers Medicaid.

South Carolina

Each loan or scholarship lasts for a period of one year only. However, recipients who successfully complete the related year of study have first priority on unobligated funds for renewal of the loan or scholarship for the succeeding year. Each loan or scholarship has two parts: (1) Payment of tuition and other school related expenses up to a total of $5000 per year, and (2) an allowance of $100 per month for living expenses. Requires practice in a county with a dentist ratio of not more than one dentist for each four thousand people. For each year an applicant benefits from a loan or scholarship s/he is required to practice in the underserved county.

Applicants who receive a scholarship or loan for four years are only required to practice in a county for three years, at the end of which time the loan is considered paid in full.

South Dakota

Provides that up to 3 dentists are eligible to receive tuition reimbursement payments if the licensed to practice dentistry and (s)he agrees to practice general dentistry in an eligible community for a minimum period of three years. Section 1-16A-73.20

(C) American Dental Association

Texas

Texas makes annual repayment(s) within a time frame determined by the Board upon the dentist's completion of each twelve-month service period. Dentists must complete at least one year of dental practice in an area of the state that is underserved with respect to dental care. The commissioner of higher education may determine how much a dentist may receive in assistance grants for each of not more than five years. Amended in 2009.

Utah

Creates Utah Health Care Workforce offering loan repayment & scholarship grants for dentists, who locate or continue to practice in underserved areas. The Program will have an advisory committee one member of which will be a member of the Utah Dental Association.

Vermont

The loan repayment fund established under 18 V.S.A. Section 10a or for the Vermont student assistance corporation for loan forgiveness programs for health care providers through the dental hygienist incentive loan program and the dental student incentive loan program.

Virginia

The dental loan repayment program provides incentives to dental students agreeing to practice in underserved areas designated by the State Board of Health through criteria derived by comparing population data, dentist population and dental health professional shortage areas determined by the federal HHS department. Preference will be given to graduates of Virginia Commonwealth University's School of Dentistry. Scholarship recipients may receive a max of five scholarships. The award(s) equal one-year in-state tuition at Virginia Commonwealth University School of Dentistry for the year in which the loan was acquired.

Wisconsin

To benefit from loan assistance, the dentist must agree to provide dental services to at least 50 unduplicated medical assistance or badger care recipients, not to fall below a minimum of $8,000 in claims paid. In year two of the dentist's agreement, the dentist must see at least 70 unduplicated medical assistance or badger care recipients, not falling below $11,000 in claims paid. Year three, the dentist must provide dental services to at least 90 recipients, with a minimum claim amount of $15,000.

Wyoming

Will pay the cost of dental education for up to 10 dental students per year in exchange for their agreeing to practice for up to 3 years on patients eligible for medical assistance or the child and parent health insurance program. If the student fails to fulfill the terms of the agreement then the costs of education are repayable to the state of Wyoming.

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State Government Affairs
Created Sept. 17, 2004 & revised periodically
#49-Loan Forgiveness Incentives

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Department of State Government Affairs
Loan Forgiveness Incentives Statelist
December 9, 2009

Louie Flora

Subject: FW: Statistics on Pharmacist shortage- Alaska/HB235
Attachments: WICHE Tuition -pharmacy school.xls; WICHE- Pharmacy Workforce.pdf; HB235-statistics.doc

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From: Nancy Davis [mailto:akphrmcy@alaska.net]
Sent: Monday, January 25, 2010 12:34 PM
To: Rep. Bob Buch; Rep. Bryce Edgmon; Rep. Berta Gardner; Rep. Wes Keller; Kendra Kloster; Rep. Cathy Munoz; Rep. Paul Seaton; Rep. Peggy Wilson
Cc: David Logan, DDS; Jim Towle; Caren Robinson; Barry Christensen; Dirk White; Diane Barrans; Amber Briggs; Dermot Cole
Subject: RE: Statistics on Pharmacist shortage- Alaska/HB235

Attn: House Education Committee Members
Thank you for allowing those of us on the call last Friday to testify in support of HB235. I was asked to submit statistics supporting the shortage of pharmacists in Alaska, which are attached and a comparison of in-state vs out-of-state tuition for WICHE schools of pharmacy. I will add that Alaska is the only WICHE state without a School of Pharmacy.
Respectfully,
Nancy O Davis
Executive Director
Alaska Pharmacists Association (AkPhA)
203 W. 15th Ave. #100
Anchorage, AK 99501
Ph# (907) 563-8880
FAX (907) 563-7880
www.alaskapharmacy.org

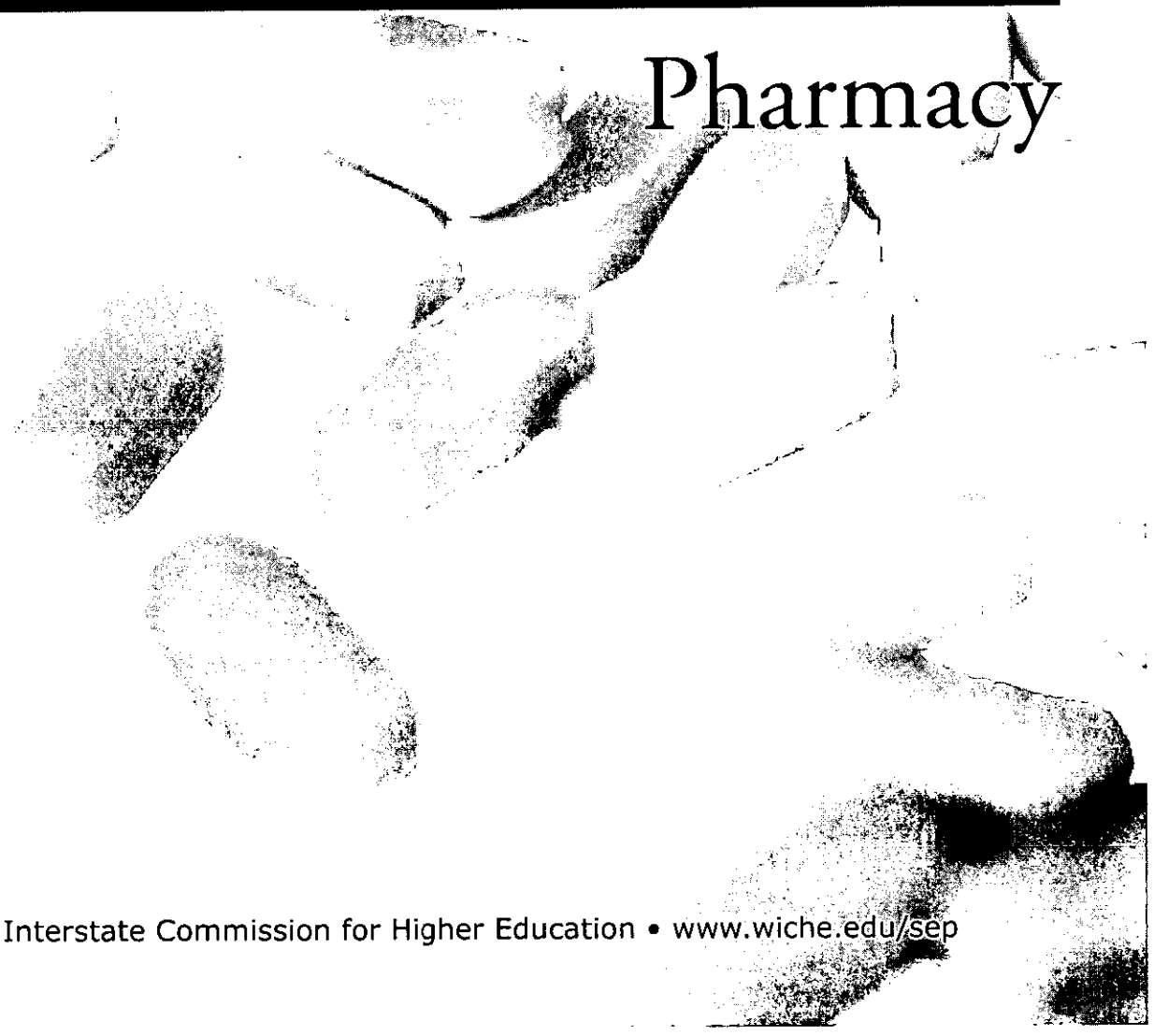
Pharm School	Tuition In-state	Out of State	Difference
University of Arizona	$ 15,944.00	$ 30,496.00	$ 14,552.00
U of California San Diego	$ 15,192.00	$ 23,356.00	$ 8,164.00
U of Calif. San Francisco	$ 26,060.00	$ 38,305.00	$ 12,245.00
U of Montana	$ 10,692.00	$ 24,024.00	$ 13,332.00
Oregon State U	$ 11,334.00	$ 17,341.00	$ 6,007.00
N. Dakota State U	$ 11,718.00	$ 28,618.00	$ 16,900.00
U of Washington	$ 14,754.00	$ 28,663.00	$ 13,909.00
Washington State U	$ 16,930.00	$ 32,148.00	$ 15,218.00
U of Wyoming	$ 11,316.00	$ 23,069.00	$ 11,753.00
Midwestern U Glendale	$ 36,004.00	private	
	WICHE	Average Difference	$ 12,453.33

2008 Tuition- includes 9 of the 17 WICHE schools of pharmacy

WICHE

A Closer Look at Healthcare Workforce Needs in the West

Pharmacy



Western Interstate Commission for Higher Education • www.wiche.edu/sep

Pharmacy Workforce Needs

National Trends

Pharmacy, with more than 230,000 practitioners today, is the third-largest health profession in the United States after nurses (2.4 million) and physicians (830,000).

Projected Shortages and Causes

Research on the national pharmacist workforce points to a continuing shortage of pharmacists, related to growth in medication use, the aging of the baby boomer generation, and the emergence of more clinical activities within pharmacies. Surveys that track shortage levels showed that there was a slow downward trend in the severity of shortages up until fall 2005, followed by higher shortage levels during the past year. Changes in shortage levels appear to parallel growth in prescription medication usage.

Expanding Career Options

Increasing numbers of pharmacists are working in nontraditional positions. For example, career options have emerged with medication-use programs within managed care organizations and health plans; Medicare's adoption of a prescription drug benefit; Medicaid programs' prescription-drug benefit; and any healthcare provision that includes a formulary for medications and outcomes analysis for medication use.

Within traditional pharmacy practice, clinical activities have expanded, with the universal adoption of the doctor of pharmacy (PharmD) degree as the entry-level educational requirement for pharmacy practice. The growth of postgraduate pharmacy residencies has also had an effect. The PharmD degree includes additional biomedical and clinical training that enables pharmacists to assume more clinical and management responsibilities. Younger pharmacists are trained in providing educational and monitoring services for chronic diseases, administering immunizations, and offering medication management services for Medicare patients.

In institutions pharmacists are being added to transplant units, critical-care units, emergency departments, oncology services, and other areas where intensive medication-therapy management is enhanced by pharmacy expertise. To fill these roles, pharmacists require advanced training, which is generally acquired through formal postgraduate professional education in pharmacy residencies.

The number of accredited pharmacy residencies nationally has expanded from about 1,000 annually 10 years ago to over 1,500 annually; and specialized residencies (a second year with a focus in a specific area, such as critical care) have increased concomitantly. The Board of Pharmaceutical Specialties (BPS) offers certification examinations in five practice areas, and board-certified pharmacists are increasing in each of these areas: pharmacotherapy (3,191), oncology (557), nutrition (348), psychiatric pharmacy (463), and nuclear pharmacy (495) (*www.bpsweb.org*).

Factors Driving Workforce Demand

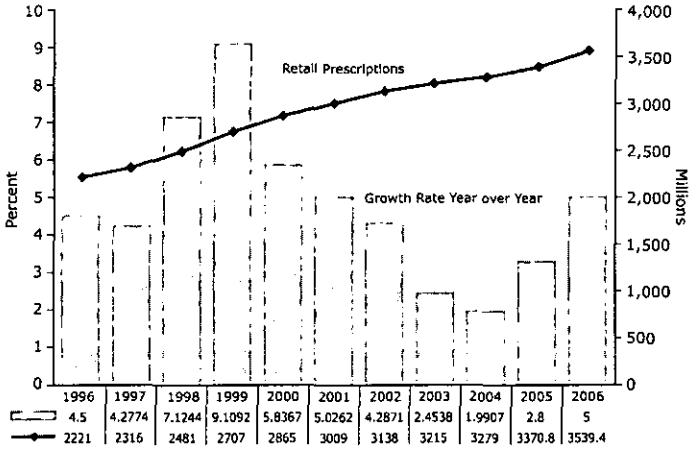
Growing Part-time and Female Workforce

The Bureau of Health Professions' pharmacist supply model estimates that 3,911 pharmacists will retire in 2007. This number will gradually increase to 4,562 in 2020. Recent studies have shown that since 2000, pharmacists are remaining in the workforce longer, and more are working part-time. Retiring pharmacists are predominantly male; this is significant because male pharmacists have traditionally worked more than female pharmacists.

The increasing female pharmacist workforce is an important supply issue because women pharmacists have consistently worked fewer hours than their male counterparts. Recent surveys show women pharmacists working 0.81 FTE on average, compared to male pharmacists at 0.91 FTE (*Mott et al., National Pharmacist Workforce Data, 2004*). The current pharmacy-student population is about two-thirds female. Supply models estimate that part-time participation will reduce the workforce "headcount" by about 15 percent (*Knapp and Cultice, 2007, in press*).

Recent Increases in Prescription Volume

The demand for pharmacists is closely tied to the number of retail prescriptions (*Walton et al., 2004*). Prescription volume continues to grow each year, but the growth rate has varied greatly in the last 10 years, as shown in the table below. The growth rate hit its highest level in 1999 and fell steadily to about two percent in 2004. Growth increased again in 2005 and 2006.



	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
	4.5	4.2774	7.1244	9.1092	5.8367	5.0262	4.2871	2.4538	1.9907	2.8	5
	2221	2316	2481	2707	2865	3009	3138	3215	3279	3370.8	3539.4

Source: Knapp and Cultice, "New Pharmacist Supply Projections: Lower Separation Rates and Increased Graduates Boost Supply Estimates," *Journal of the American Pharmacist Association*, 2007, in press.

Beyond Prescriptions

When we think of pharmacists, dispensing medications comes to mind. However, their expanded role now includes many other tasks, like managing medication therapy related to Medicare Part D. Many immunization programs are now administered through community pharmacies. Pharmacists are also active in chronic disease medication-management programs and elsewhere, as noted above.

Aging Baby Boomers

Counterbalancing the increased supply of pharmacists is the aging baby boomer generation, which will increase the

demand for pharmacy services. For example, people under 65 annually consume 10.1 prescriptions on average, while those 65 years and over consume 23.5 prescriptions on average *(Agency for Healthcare Research and Quality (AHRQ), derived from Medical Expenditure Panel Survey Data, 1997-2000)*. The oldest baby boomers have not yet reached 65 years, where medication consumption increases significantly.

Filling the Gaps: Technicians

There are approximately 250,000 certified pharmacist technicians in the United States. These allied health professionals play an important role in increasing productivity in pharmacies. A 2004 state-level study showed that technicians generally complement pharmacists rather than substitute for them; there are more technicians where there are more pharmacists.

Growth of the Biotech Industries

The number of pharmacists working in drug development is relatively small. Pharmacists sometimes play roles in clinical trials, but not often. The principal relationship between the biotech industry and the pharmacist workforce is that pharmacists are clinically involved in the use of expensive and potentially dangerous biotech drugs in hospitals and elsewhere. Oral dosage forms of biotech drugs, such as oral oncology medications and transplant maintenance medications, are now readily available. The biotech industry acknowledges the significant role that community pharmacies and pharmacists play in helping patients use these medications effectively.

Technology's Effects on Pharmacy Demand

Pharmacists play a significant role in medication error reduction. New technologies such as electronic prescription generation and transmission increase pharmacist productivity and reduce medication errors. Generally, where technology is introduced on a large scale — for example, in the Veterans Affairs system and in Kaiser Permanente — pharmacists have been redeployed to clinical roles in chronic disease clinics, where their activities have been shown to be cost effective.

Regional Occupational Outlook for Pharmacists in the WICHE States

Region	Population 2005	ADI* Feb. 2007
United States	**296,410,404**	**4.13**
WICHE States	**69,703,732**	**4.34**
Alaska	663,661	4.00
Arizona	5,939,292	4.17
California	36,132,147	4.60
Colorado	4,665,177	3.71
Hawaii	1,275,194	4.00
Idaho	1,429,096	4.40
Montana	935,670	4.00
Nevada	2,414,807	4.25
New Mexico	1,928,384	3.83
North Dakota	636,677	3.67
Oregon	3,641,056	4.29
South Dakota	775,933	4.00
Utah	2,469,585	4.50
Washington	6,287,759	4.00
Wyoming	509,294	3.33

*Aggregate Demand Index (ADI)

Demand for Pharmacists in the West

The preceding table presents Aggregate Demand Index (ADI) data for WICHE states as compared to national averages. The ADI is a monthly, national survey of the unmet demand for pharmacists by the Pharmacy Manpower Project Inc. The survey is conducted by having panelists, selected by their direct involvement in hiring pharmacists, submit monthly ratings for each state where they hire pharmacists, based on this five-point scale:

- **5** = High demand; difficult to fill open positions.
- **4** = Moderate demand; some difficulty filling open positions.
- **3** = Demand is in balance with supply.
- **2** = Demand is less than the pharmacist supply available.
- **1** = Demand is much less than the pharmacist supply available.

Ratings are aggregated, and a population-weighted average is determined for the month; they are also available at the regional, divisional, and state levels.

Demand data show that the Western region consistently has the highest level of unmet pharmacist demand. At the division level, the Pacific division has frequently had the highest ADI ratings, while the Mountain division has generally been closer to national averages. These findings are consistent across several national surveys and support attention to producing more pharmacists in the West just to meet current population demands.

For the future, baby boomers retiring in the next three decades are likely to move to Western states in disproportionate numbers. This trend will likely increase the population of many Western states beyond national averages for growth and will increase the need for pharmacists and other health care professionals. Most Western schools of pharmacy have high percentages of in-state students already (see the table on p. 4) so expansion and stimulating in-migration of pharmacists from other states are important options for increasing the workforce.

Expansion of Pharmacy Education

In the last decade new pharmacy programs, expansion of existing programs, and development of distance-learning campuses have increased the number of pharmacy seats across the nation. The Accreditation Council for Pharmacy Education reports that the expansion of existing programs is generating even more new pharmacists than new schools and colleges are *(Knapp and Cultice, 2007, paper in press)*.

Part of the educational expansion effort results from the recognition that pharmacists in rural areas will be retiring in the next 10 to 15 years without a significant prospect of their being replaced.

During the early 2000s, a plan to include pharmacy students in the National Health Service Corps to assist in loan repayment was introduced but not funded. A difficulty in implementing pharmacy programs for medically underserved areas is that there are no measures of pharmacist service levels, like those that exist for medicine and dentistry.

Schools in Western states that have large rural areas generally have very high percentages of in-state students who are more likely to remain in their home state to practice. Expansion of programs in these states and establishing new campuses in rural areas are strategies that several states have adopted to maintain pharmacy services in rural areas.

Five new pharmacy schools have opened in the West in just the last four years. Three of them graduated their first classes in 2006: the University of Southern Nevada, a private institution, now fully accredited; Loma Linda University School of Pharmacy; a private institution that is not yet fully accredited but holds candidate status; and the University of California, San Diego, a public institution that also holds candidate status.

Two new programs in the West are scheduled to receive full accreditation by fall 2009. Touro University's College of Pharmacy (California campus) admitted its first class in fall 2005 and is a traditional four-year program. Pacific University's School of Pharmacy (Oregon) admitted its first class in fall 2006 for its three-year intensive program.

Two pharmacy schools are in the planning phase: the University of Hawaii Hilo's College of Pharmacy plans to admit its first class in fall 2007. The University of Nevada Reno and the University of Nevada Las Vegas have planned a pharmacy school as part of Nevada's proposed health sciences center. Unfortunately, approval of state funding for the initiative has proved illusive over the past few legislative sessions.

There is a strong interest in the field of pharmacy, and there has been a steady increase in the number of applications over the past five years. According to the American Association of Colleges of Pharmacy, the applications to pharmacy schools increased 53.9 percent to 72,799 in 2003-04 from 47,306 in 2002-03. Nationally, schools of pharmacy reported receiving 7.4 applications per entering student in fall 2005, a slight increase from 7.0 from the previous year. Graduates are courted before they have their diplomas in hand, with starting salaries in the $80,000 range.

WICHE's Professional Student Exchange Program (PSEP) allows students from states that do not have a public school of pharmacy to pay reduced tuition to a cooperating institution in the West. Sending states determine the number of new students to be supported each year. In 2006-07, 40 students from Alaska, Hawaii, and Nevada attended 16 cooperating pharmacy schools.

For more information, visit *www.wiche.edu/sep/psep.*

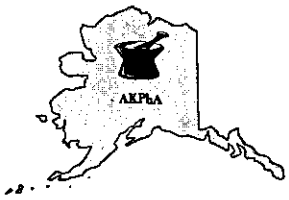
The chart below shows that an estimated 7,080 students will graduate with a PharmD in 2007; schools located in WICHE states will graduate 26 percent of the nation's PharmD students (1,817) in the same year. There are 92 schools of pharmacy in the U.S.; 23 of them are located in the Western states. The higher graduation numbers in 2007 are due to new schools and program expansion. The nation saw a 39 percent increase in the number of graduates from 1999 to 2007; during the same period, the WICHE states saw a 48 increase.

WICHE thanks Katherine K. Knapp, dean of Touro University – California's College of Pharmacy, for her assistance in writing this workforce brief.

Projected Increase in Pharmacy Graduates: 1999 and 2007

State	Population 2005	Pharmacy Graduates 1999	Estimated Pharmacy Graduates 2007	No. of Pharmacy Schools 2007	Annual Average No. of Graduates per 1,000,000: 1990-1999	Percent of Pharmacy Enrollment from In-State Applicants 1998
United States	**296,410,404**	**7,080**	**9,857**	**92**	**28**	**80**
WICHE States	**69,226,623**	**1,225**	**1,817**	**23**		
Alaska*	663,661	0	0	0	0	N/A
Arizona	5,939,292	53	211	2	11	64
California	36,132,147	480	674	7	14	96
Colorado	4,188,068	113	123	1	28	84
Hawaii*	1,275,194	0	0	1	0	N/A
Idaho	1,429,096	53	56	1	39	65
Montana	935,670	43	59	1	51	88
Nevada*	2,414,807	0	123	1	0	N/A
New Mexico	1,928,384	98	88	1	40	83
North Dakota	636,677	62	81	1	87	55
Oregon	3,641,056	98	80	2	32	93
South Dakota	775,933	47	56	1	69	69
Utah	2,469,585	44	45	1	23	96
Washington	6,287,759	134	175	2	21	78
Wyoming	509,294	0	46	1	67	61

Note: Alaska and Hawaii do not have schools of pharmacy. Hawaii plans to open a public school of pharmacy in fall 2007. A private school of pharmacy in Nevada just graduated its first class in 2006.
Source: American Association of Colleges of Pharmacy.



Alaska Pharmacists Association

January 25, 2010

RE: HB235
Loan Forgiveness – Professional Student Exchange Program

Dear Members of the House Education Committee:

"The Mission of the Alaska Pharmacists Association is to preserve, promote and lead the profession of pharmacy in Alaska."

With alarming and rising vacancy rates, Alaska is posed for a crisis without intervention. Alaska is one of only six states without a state-sponsored support-for-service program such as a loan repayment and incentive program and loan forgiveness for pharmacists and is losing ground. Alaska is also the only WICHE state without a School of Pharmacy. As a result, the competition for recruitment of pharmacists is very difficult. *National Trend: Pharmacy, with more than 230,000 practitioners today, is the third-largest health profession in the U.S. after nurses (2.4 million) and physicians (830,000).

Based on statistics provided by Laura Miller, PhD, Senior Economist with the National Association of Chain Drug Stores, the national average of community pharmacists per 10,000 people is 5.36. For Alaska, the figure is 3.35. To get to the national average, Alaska would need an additional 137 pharmacists. The average number of people per community retail pharmacy is about 5,300 nationally, and in Alaska it is 8,900. Even if you add in the 15 Indian Health Service (IHS) pharmacies, Alaska's pharmacies average about 7,500 people, much higher than the national average.

Respectfully,

Nancy O. Davis
Executive Director

*WICHE "A Closer Look at Healthcare Workforce Needs in the West: Pharmacy"
www.wiche.edu/sep
NOTE: Report attached for reference

E-mail: akphrmcy@alaska.net

203 W. 15th Ave., Suite 100 • Anchorage, Alaska 99501 • (907) 563-8880 • (907) 563-7880

Louie Flora

From: Rep. Paul Seaton
Sent: Thursday, January 28, 2010 8:28 AM
To: Louie Flora
Subject: FW: HB309

From: david logan [mailto:drdave@acsalaska.net]
Sent: Thursday, January 21, 2010 8:41 AM
To: Rep. Wes Keller; Rep. Bob Buch; Rep. Bryce Edgmon; Rep. Peggy Wilson; Rep. Berta Gardner; Rep. Cathy Munoz; Rep. Paul Seaton
Subject: HB309

The Alaska Dental Society urges the members of the House Education committee to pass HB235 out of committee on Friday, January 22nd.

HB235 will establish new funding and program guidelines for Alaska's participation in the Western Interstate Commission on Higher Education (WICHE). This bill provides funding under the WICHE program for a partial tuition incentive for Alaskan residents to attend health care education programs not offered in Alaska: dentistry, pharmacy, and optometry. The program would provide support in the form of a low interest loan that would be partially forgiven if the graduate returns to Alaska and an additional amount would be forgiven if the graduate practices in an underserved area or provides a percentage of care under the Medicaid system.

HB235 provides important benefits:

- Encourages Alaskan residents to pursue careers in health professions
- Provides an opportunity to attend health professional schools in fields not offered in the University of Alaska system
- Provides incentives to return to Alaska
- Provides additional incentives to practice in an underserved area or see Medicaid patients
- Will help alleviate shortage of health care professionals in Alaska
- Returning Alaskan practioners are likely to remain in Alaska for their practicing careers
- Participants who choose not to return to Alaska would repay the program with interest

Alaska has long faced a shortage of health care providers in rural areas. A rapidly graying workforce and lack of providers to replace retiring practioners is quickly leading to a shortage in non-rural areas. The problem has become especially acute in Southeast. Petersburg has lost one of its two dentists, Wrangell has lost both of its private dentists and Ketchikan has lost one of its five private dentists. All sought replacement dentists for several years but ultimately were forced to retire without a dentist to take over their practices. This problem is not isolated to Southeast, however, it is merely riding the crest of the wave.

The cost to attend professional school has rapidly escalated resulting in heavy loan repayment burdens for graduating professionals. This forces new graduates to choose practice location based economic choices. 44 states have one or more incentive programs for health professionals – Alaska is one of 6 states without a program. Encouraging Alaskan residents to seek careers in health care fields will pay several dividends. Returning Alaskan residents are more likely to remain in Alaska for their practicing careers providing a stable source of health care providers. In a troubled economy health care fields provide stable, well paying jobs and health care providers will employ additional people providing an economic boost for communities. Smaller

communities without adequate health care professionals will continue to see population drift to larger communities and out of the state due to real and perceived inadequacies.

David Logan
Legislative Chair, Alaska Dental Society
723-2884

To Members of the House Education Committee regarding HB 235: During the 70's I was on the Dental Board and the WICHE program was in place for Students in Dental School. It was later discontinued for students seeking higher education in the Dental field. Alaska students will currently pay $400,000 to $500,000 dollars for their education to finish Dental School. This higher cost for education due to non-residency tuitions will cause many students to seek residency elsewhere and perhaps not return to Alaska. The WICHE program is a good deal for the State of Alaska and will ensure we have enough dentists practicing in Alaska in the future, especially with it's for forgiveness clause for part of the loans if they practice for five years after graduating. Sincerely, Don E. Burk DMD

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AS 14.43.510. Repayment Condition For Medical Education Program Participants.

(a) Except as provided under (b) and (c) of this section, as a condition of participating in a medical education program under AS 14.42.030 (d), a program participant shall agree to either return to the state and actively engage in professional medical practice or repay financial support provided by the state on behalf of the program participant. The financial support to be repaid is equal 50 percent of the amount paid for each program participant by the state to the contracting postsecondary institution, plus interest. The rate of interest is equal to the 12th Federal Reserve District discount rate in effect on March 1 of the year in which the financial support is provided plus two percentage points. Interest imposed under this subsection begins to accrue when the person terminates studies under the medical education program. Accrued interest shall be added to the principal balance of the repayment obligation at the time the borrower is obligated to commence repayment and at the end of a deferment period.

(b) If a program participant under (a) of this section has graduated from the medical education program for which the financial support was received and is employed in the state in the field for which the person received the financial support, including employment in the state in a medical residency program, the repayment obligation shall be forgiven and considered a grant in an amount equal to the following percentages plus accrued interest:

(1) for employment in rural areas of the state,

(A) one year employment, 33 1/3 percent;

(B) two years employment, an additional 33 1/3 percent;

(C) three years employment, an additional 33 1/3 percent;

(2) for employment in areas of the state that are not rural,

(A) one year employment, 20 percent;

(B) two years employment, an additional 20 percent;

(C) three years employment, an additional 20 percent;

(D) four years employment, an additional 20 percent;

(E) five years employment, an additional 20 percent.

(c) Repayment under (a) of this section is required to begin not later than six months after the person terminates studies under the medical education program except that repayment shall be deferred for a person who (1) qualifies for forgiveness under (b) of this section for as long as the person remains qualified for forgiveness under (b) of this section; (2) is employed in a medical residency program for as long as the person remains in the medical residency program; or (3) is performing a service obligation imposed by the National Health

Service Corps, the Indian Health Service, or the Uniformed Service Scholarship Program for as long as the person is performing the service. Forgiveness under (b) of this section only applies to that portion of the repayment obligation that has not been repaid to the state.

(d) If a person meets the qualifying conditions under this section for forgiveness after beginning repayment, the repayment requirement is deferred in the month following qualification for forgiveness. Repayment shall be deferred as long as the person remains qualified or until the balance of the repayment obligation has been fully forgiven. If the person is delinquent or in default on the person's regular repayment schedule, repayment shall continue until the person is current in payments. A period of time during which the person is making past due payments may not be considered as a qualifying period for the purpose of calculating forgiveness benefits.

(e) For purposes of qualifying for forgiveness under this section, a person must be a full-time employee for a period of at least six months in order to qualify for a prorated forgiveness benefit. In this subsection, "full-time employee" does not include seasonal or temporary employment.

(f) A person's obligation to repay under this section ends if the person dies and is deferred during any period in which a physician certifies that the person is totally disabled.

(g) This section does not apply to loans received by a person under AS 14.43.010 - 14.43.160 or 14.43.710 - 14.43.750.

(h) The commission may adopt regulations to implement this section. Except as provided in this section, regulations adopted under this subsection may not exempt or defer a repayment required under this section.

(i) In this section, "rural" means a community with a population of 7,500 or less that is not connected by road or rail to Anchorage or Fairbanks or with a population of 3,500 or less that is connected by road or rail to Anchorage or Fairbanks.

Article 10. TEACHER EDUCATION LOAN PROGRAM

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Note to HTML Version:

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this can not be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, Alaska State Legislature If any errors are found, please e-mail Touch N' Go systems at E-mail. We hope you find this information useful.

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26-LS0913\R
Mischel
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CS FOR HOUSE BILL NO. 235( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE MUÑOZ

A BILL

FOR AN ACT ENTITLED

"An Act relating to professional student exchange program availability and conditions for loan forgiveness."

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

*** Section 1.** AS 14.44.025 is amended by adding a new subsection to read:

(b) Notwithstanding the funding priorities established under (a) of this section, the Alaska Commission on Postsecondary Education shall provide adequate funding for not fewer than five students to attend four-year programs in each of the following fields:

(1) dentistry;

(2) optometry; and

(3) pharmacy.

*** Sec. 2.** AS 14.44.035 is amended to read:

Sec. 14.44.035. Administration. The Alaska Commission on Postsecondary Education shall administer the state's participation in the Western Regional Higher

Education Compact. The Alaska Commission on Postsecondary Education may adopt regulations to implement **AS 14.44.010 - 14.44.041** [AS 14.44.010 - 14.44.040].

*** Sec. 3.** AS 14.44.040(a) is amended to read:

(a) As a condition of eligibility for receiving financial support from the state under the Professional Student Exchange Program of the Western Interstate Commission **for** [ON] Higher Education, a program participant shall agree to repay to the state the support provided by the state on behalf of that person**. Except as otherwise provided in this chapter, the terms of loan repayment must be consistent with the terms provided under AS 14.43.510** [, PLUS INTEREST].

*** Sec. 4.** AS 14.44 is amended by adding a new section to article 1 to read:

Sec. 14.44.041. Loan forgiveness for program participants. (a) The Alaska Commission on Postsecondary Education shall annually, for not more than five years, forgive five percent of the outstanding principal on a loan made under the Professional Student Exchange Program of the Western Interstate Commission for Higher Education if the participant

(1) is a resident of the state;

(2) practices in the state in a field of study listed in AS 14.44.025(b) for not less than 750 hours during the year; and

(3) maintains the participant's license in good standing in the state.

(b) In addition to other loan forgiveness benefits available to a participant, the Alaska Commission on Postsecondary Education shall annually, for not more than five years, forgive 10 percent of the outstanding principal on a loan made under the Professional Student Exchange Program of the Western Interstate Commission for Higher Education if the participant

(1) is a resident of the state;

(2) is in a practice that serves an underserved population

(A) in a geographical area the commissioner of health and social services has designated as underserved; or

(B) by serving patients who are covered under the medical assistance program in the state, if billings for services provided to those patients are not less than five percent of the participant's average gross billings

for the year; and

(3) maintains the participant's professional license in good standing in the state.

(c) A participant may receive aggregate loan forgiveness benefits in an amount that is not more than 50 percent of the original principal on a loan made under the Professional Student Exchange Program of the Western Interstate Commission for Higher Education.

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STATE OF ALASKA

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Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 12, 2010

SUBJECT: WICHE loan forgiveness (CSHB 235( ))
(Work Order No. 26-LS0913\R)

TO: Representative Cathy Muñoz
Attn: Kendra Kloster

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Adds a subsection that requires the Alaska Commission on Postsecondary Education to provide funding for no fewer than five students in each of three areas of a four year program in dentistry, optometry, and pharmacy under the existing Professional Student Exchange Program of the Western Interstate Commission on Higher Education (WICHE) loan program.

Section 2. Adds a cross-reference to section 4 (sec. 3 in the A version) of the bill for loan forgiveness in the existing administration section for WICHE loans.

Section 3. Amends repayment provision for WICHE loans by cross-referencing current law that provides for repayment terms and conditions for medical school loans provided by the state. This is a modification of version A that established an annual five percent interest rate and limiting accrual of interest to program completion period.

Section 4. Adds two types of loan forgiveness for WICHE loans: (1) a five year five percent loan forgiveness option for state residents who practice here in the areas of dentistry, optometry, and pharmacy; and (2) a five year ten percent loan forgiveness option for professionals practicing in geographically underserved areas or by providing a minimum amount in gross billings under medical assistance coverage in the state. The percentage for type (2) forgiveness was doubled from five to 10 percent from version A. In addition, version R adds a cumulative maximum of fifty percent forgiveness of the original loan principal.

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10-011.ljw

LEGAL SERVICES

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Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 13, 2010

SUBJECT: WICHE loan forgiveness (HB 235)
(Work Order No. 26-LS0913\A)

TO: Representative Cathy Muñoz
Attn: Kendra Kloster

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Adds a subsection that requires the Alaska Commission on Postsecondary Education to provide funding for no fewer than five students in each of three areas of a four year program in dentistry, optometry, and pharmacy under the existing Professional Student Exchange Program of the Western Interstate Commission on Higher Education (WICHE) loan program.

Section 2. Amends repayment provision for WICHE loans by establishing an annual five percent interest rate and limiting accrual of interest to program completion period.

Section 3. Adds two types of loan forgiveness for WICHE loans: (1) a five year five percent loan forgiveness option for state residents who practice here in the areas of dentistry, optometry, and pharmacy; and (2) a five year five percent loan forgiveness option for professionals practicing in geographically underserved areas or by providing a minimum amount in gross billings under medical assistance coverage in the state.

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Alaska Pharmacists Association

January 11, 2010

RE: Support of SB174/HB235- Professional Student Exchange Program

Pharmacists improve patient care. Chronic diseases cost the health care system about 75 cents on every health care dollar spent. Inappropriate use of medications leads to adverse events, costing the health care system $177 billion each year. Trained clinically, with expertise in medication use, pharmacists can and do ensure patients properly utilize their medications, improving health care outcomes, reducing overall health care costs. Every person has a right to have access to pharmacists and pharmacist provided care.

Because the health care workforce shortage in Alaska is reducing health care access for our state's residents, putting Alaskans in jeopardy, the Alaska Pharmacists Association strongly supports the concept of a state-sponsored loan repayment and incentive program to allow Alaska to compete with the lower 48 in recruitment of pharmacists from a limited and shrinking national pool.

The shortage will continue with the aging of the population and the increase in medication use needed as more state residents decide to retire in Alaska. Alaska is the only state currently without a School of Pharmacy and one of 5 states without loan repayment program. These are all factors contributing to the difficulty in recruiting and retaining pharmacists, including our own residents to relocate to Alaska.

The Alaska Pharmacists Association (AkPhA) supports SB174 and its companion HB235 that would provide funding for loan forgiveness in professional programs currently not offered at the University of Alaska. Alaska students wishing to pursue a post graduate program in dentistry, optometry and pharmacy must attend an out of state school incurring higher tuition and loan debt. SB174 would provide incentives for Alaska residents to return to Alaska upon completion of the above post graduate programs with a service commitment in the state. Alaska continues to have a cycle of a shortage of pharmacists with a 25% vacancy rate in 2007.

Amber L. Briggs, Pharm.D., President

E-mail: akphrmcy@alaska.net

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Alaska Dental Society, Inc.
9170 Jewel Lake Road, Suite 203
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The Honorable Paul Seaton, Chairman
House Education Committee
State Capitol Rm. 102
Juneau, AK 99801

Dear Rep. Seaton and Committee Members:

On behalf of the members of the Alaska Dental Society I'm writing to urge passage of HB235 by your committee.

HB235 and its companion bill SB 174 will establish new funding and program guidelines for Alaska's participation in the Western Interstate Commission on Higher Education (WICHE). This bill will provide funding under the WICHE program for a partial tuition incentive for Alaskan residents to attend healthcare education programs not offered in Alaska: dentistry, pharmacy and optometry. The program would provide support in the form of a low interest loan that would be partially forgiven if the graduate returns to Alaska and an additional amount would be forgiven if the graduate practices in an underserved area or provides a percentage of care under the Medicaid system.

Alaska has long faced a shortage of healthcare providers in rural areas. A rapidly graying workforce and lack of providers to replace retiring practioners is quickly leading to a shortage in non-rural areas. The problem has become especially acute in Southeast. Petersburg has lost one of its two dentists, Wrangell has lost both of its private dentists and Ketchikan has lost one of its five private dentists. All sought replacement dentists for several years but ultimately were forced to retire without a dentist to take over their practices. This problem is not isolated to Southeast, however, it is merely riding the crest of the wave.

The cost to attend professional school has rapidly escalated resulting in heavy loan repayment burdens for graduating professionals. This forces new graduates to choose practice location based economic choices. In 44-four states there are one or more incentive programs for health professionals – Alaska is one of 6 states without a program. Encouraging Alaskan residents to seek careers in healthcare fields will pay several dividends. Returning Alaskan residents are more likely to remain in Alaska for their practicing careers providing a stable source of healthcare providers. In a troubled economy healthcare fields provide stable, well paying jobs and healthcare providers will employ additional people providing an economic boost for communities. Smaller communities without adequate healthcare professionals will continue to see population drift to larger communities and out of the state due to real and perceived inadequacies.

Respectfully yours

Gary A. Moeller, DDS
President, Alaska Dental Society

Alaska State House of Representatives

Interim:

Phone: (907)
Fax: (907)

Session:
State Capitol, Room 409
Juneau, AK 99801-1182
Phone: (907) 465-3744
Fax: (907) 465-2273

Sponsor Statement from:

Representative Cathy Munoz

R - District 4

RELEASED: January 19, 2010 **CONTACT**: Rep. Cathy Munoz 465-3744

HB235 - Prof Student Exchange Loan Forgiveness

"An Act relating to professional student exchange program availability and conditions for loan forgiveness."

Status: PREFILE RELEASED >> (H) EDC : 2009-04-16

Through the Western Interstate Commission for Higher Education (WICHE), Alaska residents will be able to attend professional health care programs in dentistry, optometry and pharmacy which are not offered in the State of Alaska. HB 235 establishes a student loan forgiveness program entitlement of 25 percent forgiveness for participants who meet the following criteria: Alaska residency with intent to practice and maintain their license in the State of Alaska. An additional 25 percent loan forgiveness will be offered to participants who, in addition to previous criteria, practice in an underserved area or serve patients who are covered under the medical assistance program.

The WICHE program will resemble the WWAMI (Washington, Wyoming, Alaska, Montana, and Idaho) program which has been successful as a collaborative partnership between the University of Washington School of Medicine and the five northwestern states. The purpose of WWAMI is to provide publicly supported medical education to residents of this five state region, and train physicians who will return to practice in their home states.

Alaska communities continually face a decreasing number of health care providers and are seeing an increased trend in the number of retirees in certain professions. This is becoming an increasing concern as the number of underserved areas continue to grow and residents in many communities have to travel out of their communities in order to receive care.

Enticing health care providers to Alaska has been an ongoing challenge. Although our university system is constantly improving and adding more educational opportunities, we still lack many needed medical programs. House Bill 235 creates an incentive for the health care professions of dentistry, optometry, and pharmacy by offering a loan forgiveness program for practicing in Alaska.

# # #

House Majority Press: http://housemajority.org/spon.php?id=26hb235-241

Plan to improve service oversight, quality and access. CMS and the department are now finalizing the plan, which could take months.

The division met another high-priority benchmark when it completed all overdue re-assessments possible by Oct. 15, 2009. In some special cases, evaluations are still pending.

Assessors have also completed more than a third of Personal Care Assistance new applicant assessments and current recipient re-assessments.

"Senior and Disabilities Services staff members worked long hours to make this happen, in cooperation with applicants, care coordinators and providers who met with employees early, late and on weekends," Health and Social Services Commissioner Bill Hogan said. "I congratulate and thank them for their efforts on behalf of the Alaskans we serve and their families."

For more information and a video interview with Senior and Disabilities Services Director Rebecca Hilgendorf on the CMS review, see *http://hss.state.ak.us/dsds/cmsreview.*

and Systems Development, a section of the Division of Health Care Services.

Background

In remote frontier areas of the nation, and of Alaska, weather and distance can prevent patients with severe injury

Road Medical Center in Glennallen, and the Inter-Island Medical Center in Friday Harbor, Wash.

Questions about the FESC should be directed to Patricia Carr at (907) 465-8618, or click on *http://www.hss.state.ak.us/dhcs/healthplanning/FESC/default.htm.*

New loan repayment program hopes to attract health-care professionals to Alaska

A new student-loan repayment grant program for health-care professionals who serve in Alaska was announced in September.

"The overall number of care providers in Alaska is slowly growing, but many Alaskans are still not getting the care they need," Health and Social Services Commissioner Bill Hogan said. "It's time we joined other states that offer providers this incentive to work and stay in communities where Alaskans face financial, cultural or geographic barriers to care." In 2006, the Physicians Supply Task Force identified loan repayment and direct incentive as two key recruitment tools, which Alaska lacked.

The federal program has been in existence since 1987, but Alaska has not been part of the program up till now due to organizational considerations and lack of non-federal matching funds.

Those eligible for the program include medical and osteopathic doctors who are family practitioners, internists, pediatricians or obstetrician-gynecologists; nurse practitioners; physician assistants; dentists; registered clinical dental hygienists; psychiatrists; clinical or counseling psychologists; clinical social workers; psychiatric nurse specialists; mental health counselors; licensed professional counselors; and marriage and family therapists.

The $1.2 million loan program — $600,000 from Alaska health-care organizations and $600,000 from the federal Health Resources and Services Administration — will pay up to $35,000 a year toward student loans for physicians and dentists and $20,000 per year for other eligible providers. They must work full time for at least two years for an organization federally recognized as serving an area or population with a health-care shortage.

DHSS partners and their contributions to the fund include the Alaska Mental Health Trust Authority ($400,000); Anchorage Neighborhood Health Center ($35,000); Interior Community Health Center ($55,000); and Kodiak Community Health Center ($110,000).

The department's Section of Health Planning and Systems Development will manage and oversee daily operations of the program.

DHSS will begin accepting applications in December 2009. The program will have an Interagency Advisory Council and plans to place 23 practitioners during 2010. For details on the Alaska State Loan Repayment Program, contact Robert Sewell, Program Director, at (907) 465 4065, *robert.sewell@alaska.gov*, or visit *http://hss.state.ak.us/dhCS/healthplanning/primarycare/loans/aslrp.htm.*

Munoz HB 235

STATE OF ALASKA

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

SEAN PARNELL, GOVERNOR

PO BOX 110505
JUNEAU, ALASKA 99811-0505
VOICE (800) 441-2982
In Juneau (907) 465-6740
TDD (907) 465-3143
FAX (907) 465-3293

February 4, 2010

The Honorable Paul Seaton
Chair, Education Committee
Alaska House of Representatives
State Capitol, Room 102
Juneau, Alaska 99801

Subject: CSHB 235 - An Act relating to the professional student exchange program...

Dear Representative Seaton:

At the February 1, 2010 committee meeting you posed two questions which required some additional analysis on my part to provide a response.

First you asked what, if any, impact would there be for borrowers of education loans if both CSHB 235 and CSHB 58(EDC) were to be enacted. As you know, CSHB 235 proposes to provide forgiveness benefits of up to a 50% discharge of the loan principal to certain borrowers in the Professional Student Exchange Program (PSEP).

CSHB 58(EDC) provides for repayment benefits to a much broader category of education loan borrowers, and is specifically described as an employee recruitment program. In that legislation, the Commissioners of Administration and Labor and Workforce Development are empowered to jointly identify professional fields and occupations for which there are worker shortages in Alaska. New employees in Alaska (subsequent to the date of enactment) serving in relevant positions and who have outstanding education loan debt could apply for repayment benefits in accordance with either of the two benefit schedules included in the bill. One schedule provides for full repayment of outstanding loans over four years in non-rural areas, and the other provides for full repayment over six years for employment in rural areas.

The bill does indicate that loans which are otherwise eligible for repayment benefits under another program are *not* eligible for benefits under CSHB 58(EDC). The net result, in my opinion, is that the PSEP borrowers would be eligible to apply for benefits under the other program only on *other* education loans they may have, or on their PSEP loan *after* they had exhausted their forgiveness benefits under the PSEP loan contract.

printed on recycled paper

The other issue you raised was whether, under the current bill language, ACPE would be unable to make non-forgivable loans to applicants in the three referenced fields in the event the Legislature failed to provide the funding for the loans. In fact, that would be problematic without some explicit provision to do so. Please find enclosed a copy of the advice I requested from the Department of Law on this matter.

I hope this information is responsive to your inquiry. Do not hesitate to contact me if there is other information I can provide.

Sincerely,

Diane Barrans
Executive Director

Enclosure

MEMORANDUM

State of Alaska
Department of Law

TO: Diane Barrans, Executive Director
Alaska Commission on
Postsecondary Education

DATE: February 2, 2010

FILE NO.: AN2009103894

FROM: Mary Ellen Beardsley MEB
Assistant Attorney General
Commercial/Fair Business Section
Anchorage AGO

TEL. NO.: 269-5213

SUBJECT: HB 235

You have asked me to look at HB 235 (and the draft CS for this bill) to determine what impact it will have on the Alaska Commission on Postsecondary Education (ACPE). I have reviewed the draft CS and the statutes being amended by this legislation.

AS 14.44.025 currently requires ACPE to establish funding priorities for the Professional Student Exchange Program (PSEP) that is administered by WICHE for certain fields of study. Participants in PSEP are required to repay the State the support provided to them under PSEP and the money repaid by the participants is placed in the education loan fund created under AS 14.42.210. There is currently no forgiveness provision in AS 14.44.040(a)

HB 235 proposes to establish a forgiveness provision in PSEP. HB 235 would require ACPE to forgive up to 50% of the total PSEP loan amount should the participant fulfill the requirements set out in AS 14.44.041. The language of HB 235 is mandatory and does not allow ACPE to issue PSEP loans without the loan forgiveness benefit. There is a funding concern as it relates to this mandatory language. There needs to be an ability on the part of ACPE to issue PSEP loans to participants without the loan forgiveness benefit in the event the legislature does not provide funding for loans containing the forgiveness benefit. Without this ability, ACPE might be required to exclude these fields from the PSEP in the years in which there is no funding since there would be no provision for offering PSEP loans that have no forgiveness benefit.

If I can be of further assistance please let me know.

MEB/

HB

285

Louie Flora

From: Rep. Paul Seaton
Sent: Friday, February 26, 2010 9:20 AM
To: Louie Flora
Subject: FW: Hearing Cancellation On HB 285

From: Rep. Les Gara
Sent: Thursday, February 25, 2010 6:01 PM
To: Rep. Paul Seaton; Rep. Chris Tuck; Rose Foley
Subject: Hearing Cancellation On HB 285

Hi Paul – Thanks for talking to me about HB 285, and for scheduling the hearing.

As we discussed, given the reality in the legislature this year – that new cost items are being looked upon pretty unfavorably – I don't think there would be much benefit to a hearing on HB 285 – so I'm confirming that we are withdrawing the hearing request. I just don't think the concept will be that well received at this point by the folks we'd need to convince.

We'll let you know if for some reason we think there's a benefit to a hearing later in the session and understand that if that's the case, you'd only hear the bill if there was available time.

Thanks. Les

Representative Les Gara
Alaska State Legislature
716 W. 4th Avenue, Suite 310
Anchorage, Alaska 99501
Phone: 907-269-0106
Fax: 907-269-0109
www.akdemocrats.org

ALASKA STATE LEGISLATURE

REPRESENTATIVE LES GARA

MEMORANDUM

DATE: January 19, 2010

TO: Rep. Paul Seaton, Chair
House Education Committee

FROM: Rep. Les Gara

RE: Hearing Request for HB 285, Parental Involvement

I respectfully request that House Bill 285, relating to parental involvement in public schools, be scheduled for a hearing in the House Education Committee. Please feel free to contact me, or my aide Rose Foley, with questions or thoughts at 465-2647.

Attached you will find a background packet for HB 285. This includes the current version of the bill, a sponsor's statement, sectional analysis, and backup materials.

Thank you for your consideration.

January-May: State Capitol • Juneau, AK 99801-1182 • (907) 465-2647 • Fax (907) 465-3518
June-December: 716 W. 4th Avenue • Anchorage, AK 99501• (907) 269-0106• Fax (907) 269-0109
Representative_Les_Gara@legis.state.ak.us

ALASKA STATE LEGISLATURE

REPRESENTATIVE LES GARA
REPRESENTATIVE CHRIS TUCK

HB 285: Parental Involvement

Sponsor Statement

Communication between parents and teachers is a critical link, especially for children who need additional help not always available in large classrooms. Evidence shows children are more successful in school when their parents are actively involved with their education.

One research report published in 2002 analyzed 51 studies across the nation that examined the impact of school, family, and community connections on student achievement. The report showed, "these studies found a positive and convincing relationship between family involvement and benefits for students, including improved academic achievement. This relationship holds across families of all economic, racial/ethnic, and educational backgrounds and for students at all ages."

HB 285 establishes parental involvement coordinators in public schools to help bridge the gap between parents and teachers. These coordinators would help teachers establish contact with parents and facilitate relationships and communication pathways to better assist the needs of the child. Each school district would have one coordinator for each 500 students in the district or one coordinator per school, whichever is greater. Two administrators would also be housed in the administrative office of the school district to help run the program.

This legislation recognizes a reality: that some children do poorly in school because they see little educational support or help at home. Evidence shows that when schools reach out to prompt involvement by these parents, the efforts often work.

There is firm local support for increased parental involvement in Alaska. According to Carol Comeau, Superintendent of the Anchorage School District, "The Anchorage School District applauds legislators for introducing this important legislation. Research clearly shows that when parents are involved in their child's education, in partnership with teachers and administrators, the student has stronger student success in school. We have seen the benefits of parent coordinators with our grant with SERRC where we have parent outreach liaisons with the Hmong, Yupik, Samoan, and Filipino communities. We must be vigilant about reaching out and engaging parents in their children's education in order to insure greater student achievement."

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June-December: 716 W. 4th Avenue • Anchorage, AK 99501• (907) 269-0106• Fax (907) 269-0109
Representative_Les_Gara@legis.state.ak.us

ALASKA STATE LEGISLATURE

REPRESENTATIVE LES GARA
REPRESENTATIVE CHRIS TUCK

HB 285: Parental Involvement

Sectional Analysis

Section 1: This section established the bill's short title as the Involved Parents and Successful Students Act.

Section 2: Amends AS 14.03 by adding a new section that would provide one Parental Involvement staff position for every 500 students enrolled in the district, or one position for each public school in the district, whichever is greater. This section would also require each school district to employ at least two people in the administrative office to serve as parental coordinators for the district. The section concludes that funding appropriated for parental involvement will be in addition to the base student allocation, and that the positions will not be required if funding is not appropriated.

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Representative_Les_Gara@legis.state.ak.us

LEGISLATIVE RESEARCH REPORT

MARCH 19, 2007

REPORT NUMBER 07.072

PARENTAL INVOLVEMENT COORDINATORS IN SELECTED SCHOOL DISTRICTS IN ALASKA

PREPARED FOR REPRESENTATIVE LES GARA

BY ROGER WITHINGTON, LEGISLATIVE ANALYST

PARENT INVOLVEMENT IN ALASKA 1

Table 1: Parent Involvement Coordinators in Selected Alaska School Districts 4

NO CHILD LEFT BEHIND ACT 7

You asked for information regarding parental involvement coordinators in selected school districts in Alaska. Specifically, you wished to know the number of full-time equivalent parental involvement coordinators employed by the Anchorage, Fairbanks North Star, Haines, Juneau, Kenai, Lower Kuskokwim, Mat-Su, Nome, and North Slope school districts.

PARENT INVOLVEMENT IN ALASKA

The Alaska State Board of Education and Early Development recognizes that parental involvement plays an important part in student success. The Bylaws of the Board state in the "Beliefs" section that "Effective parent and family involvement positively affects student achievement." The Board also states in its Bylaws that one of its goals is to "Promote parent and family involvement in student learning."[1]

[1] The URL for the Alaska Board of Education is *http://www.eed.state.ak.us/State_Board/.*

907-465-3991
907-465-3908 (fax)

Alaska Legislature
Legislative Research Services
w3.legis.state.ak.us/Research/research_home.htm

State Capitol
Juneau, AK 99801

In 2001, the Board voted to endorse parent and family involvement standards set by the National Parent Teacher Association (NPTA). The NPTA's standards address six areas that extensive research has identified as being critical to effective parent involvement programs. Those areas are as follows.[2]

1) Communicating—Communication between home and school is regular, two-way, and meaningful.

2) Parenting—Parenting skills are promoted and supported.

3) Student learning—Parents play an integral role in assisting student learning.

4) Volunteering—Parents are welcome in the school, and their support and assistance are sought.

5) School decision making and advocacy—Parents are full partners in the decisions that affect children and families.

6) Collaborating with community—Community resources are used to strengthen schools, families, and student learning.

The NPTA notes that effective parent involvement programs benefit students, parents and teachers. According to the NPTA, some of the benefits of parent involvement gained by students are

- Higher grades, test scores, and graduation rates;
- Better school attendance;
- Increased motivation, better self-esteem;
- Lower rates of suspension;
- Decreased use of drugs and alcohol;
- Fewer instances of violent behavior; and
- Greater enrollment in postsecondary education.

Teachers benefit from parent involvement by gaining

- Greater morale (and self-esteem),
- Teaching effectiveness (proficiency),
- Job satisfaction,

[2] The URL for the NPTA's National Standards for Parent/Family Involvement web site is *http://www.pta.org/archive_article_details_1118251710359.html.*

- Communication and relations with students, parents, families, and communities improves, and
- Community support of schools increases.

And, according to the NPTA, some of the benefits gained by parents due to parent involvement include

- Improved communication and relations with children and teachers,
- Increased self-esteem,
- Increased education and skill level,
- Stronger decision-making skills, and
- Improved attitude toward school and school personnel.

We include as Attachment A, a report entitled *A New Wave of Evidence - The Impact of School, Family, and Community Connections on Student Achievement* authored by the Southwest Educational Development Laboratory, which combines ten-years worth of parent involvement research. This study finds that, regardless of family income or background, students with involved parents are more likely to

- Earn higher grades and test scores, and enroll in higher-level programs;
- Be promoted, pass their classes, and earn credits;
- Attend school regularly;
- Have better social skills, show improved behavior, and adapt well to school; and
- Graduate and go on to postsecondary education.

According to Margaret MacKinnon, Education Administrator with the Alaska Department of Education and Early Development (DEED), all school districts in Alaska that receive Title I funds under the No Child Left Behind Act (NCLB) must have plans and policies in place that promote parental involvement.[3] The Department does not, however, maintain a summary of each districts' policy regarding parental involvement or the number of staff in each district who are responsible for coordinating the involvement activities.[4]

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[3] Title I is the part of No Child Left Behind that supports programs in schools and school districts to improve the learning of children from low-income families. The U.S. Department of Education provides Title I funds to states to distribute to school districts based on the number of children from low-income families in each district. Title I is a program that provides extra academic support and learning opportunities for children farthest from meeting state academic standards.

[4] Ms. MacKinnon can be contacted at 907-465-2970.

We informally surveyed Anchorage School District, the Fairbanks North Star Borough School District, the Haines Borough School District, the Juneau School District, the Kenai Peninsula Borough School District, the Lower Kuskokwim School District, the Matanuska-Susitna Borough School District, the Nome Public Schools, and North Slope Borough School District for the number of full-time equivalent parental involvement coordinators employed by each.[5] In Table 1, we summarize the responses we received; more detailed responses from each district follow Table 1.

Table 1: Parent Involvement Coordinators in Selected Alaska School Districts

District	Does the District Employ Parent Involvement Coordinators?
Anchorage School District-Elementary Schools [a]	Yes
Fairbanks North Star Borough School District [b]	Yes
Haines Borough School District [c]	No
Kenai Peninsula Borough School District [d]	Yes
Lower Kuskokwim School District [e]	Yes
Matanuska-Susitna Borough School District [f]	No
Nome Public Schools [g]	Yes
North Slope Borough School District [h]	Yes

Notes and Sources:
(a) Patricia McRae, Executive Director of Elementary Education, Anchorage School District, 907-742-4254.
(b) Lynda Sather, Community and Public Relations section, Fairbanks North Star Borough School District, 907-452-2000, ext. 403.
(c) Ashley Sage, District Secretary, Haines Borough School District, 907-766-2644.
(d) Donna Peterson, Ed.D, Superintendent of Schools, Kenai Peninsula Borough School District, 907-714-8881.
(e) Bill Ferguson, Superintendent of the Lower Kuskokwin School District, 907-543-4810.
(f) George Troxel, Assistant Superintendent, Department of Instruction for the Matanuska-Susitna Borough School District, 907-746-9212.
(g) Stan Lujan, Superintendent of Nome Public Schools, 907-443-2231.
(h) Trent Blankenship, Superintendent of the North Slope Borough School District, 907-852-5311.

According to Patricia McRae, Executive Director of Elementary Education for the Anchorage School District, there are 60 elementary schools in Anchorage, 22 of which are funded with Title I funds. The majority of the Title 1 schools have a staff person, known as a Family School Services Coordinator, whose major job duty is outreach to parents.[6]

Ms. McRea notes that Anchorage also has a program called PALS (parents as liaisons), the goal of which is to empower parents of diverse cultures to assist with parent involvement efforts. As an example, in a school with a Hmong population of students, Hmong speaking parents are encouraged to be liaisons with new Hmong parents, to help welcome the new families to the school, and help them learn about the school and the school system. Many of the Title I schools in Anchorage are using this type of program.

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[5] The Juneau School District did not respond to our requests for information.

[6] Patricia McRae, Executive Director of Elementary Education for the Anchorage School District, can be contacted at 907-742-4254.

According to Ms. McRae, many Anchorage schools have websites that allow parents ready access to school information. In addition, all elementary schools have "Family Night" events where parents and students come to the school for an evening of reading, writing, math, science, and other activities. Ms. McRae notes that these events are well attended, and have become part of the school culture in the majority of the Anchorage schools.

Additionally, the Anchorage School District publishes "Helping Your Child Learn," a booklet that demonstrates to parents of elementary school-aged children the academic standards the district is teaching and how the parent can reinforce those concepts at home.

According to Lynda Sather, with the Community and Public Relations section of the Fairbanks North Star Borough School District, the district does, to a limited degree, employ "Community Resource Coordinators."[7] These Coordinators not only promote communication between parents, teachers, and the school, they also identify and facilitate partnerships between the district and community resources. Ms. Sather notes that each school is allocated a part-time position, consisting of three to fifteen hours per week. She also notes that some schools find it difficult to find individuals willing to work so few hours per week; currently, about 20 of the 30 schools in the district employ a Community Resource Coordinator.

According to Ashley Sage, District Secretary for the Haines Borough School District, there are no staff in the district with the duty of promoting parent involvement in Haines.[8] Ms. Sage notes that other district staff will coordinate parent involvement activities related to Title 1 children and families when the need arises. She notes that there is no PTA for the Haines elementary school, and a very small PTA for the high school. Ms. Sage also notes, however, that parents often visit with the principal to discuss their educational concerns.

According to Donna Peterson, Ed.D, Superintendent of Schools for the Kenai Peninsula Borough School District, the district has just two Parent Liaisons, one each at the Soldotna Elementary School and at K Beach Elementary School. These positions are funded by federal Title I funds. At the other schools the Title I teachers serve as the parent liaisons. The liaisons communicate quarterly with parents and solicit ideas for better services for parents. Ms. Peterson notes that parent nights are very popular throughout the district.

In addition, Dr. Peterson notes that each school in the district has a site based advisory council, the makeup of which is addressed in district policy and includes parents.[9] She also notes that site councils have been effective in setting direction and goals for each school. Twice each year, the district updates each council member with information about the district, and encourages him or her to be involved in decision making at the site level. Dr. Peterson adds that most larger schools in the district have a Parent Teacher Student Association (PTSA), while middle and high schools have Booster Clubs that mainly support co-curricular activities. She notes that the number of parents involved in these outside organizations is substantial.

Additionally, Dr. Peterson notes that the district works in collaboration with Project GRAD Kenai and Kenai Peninsula College to provide parent nights at the seven Project GRAD schools in the

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[7] Lynda Sather, Community and Public Relations section, Fairbanks North Star Borough School District, 907-452-2000, ext. 403.

[8] Ashley Sage, District Secretary, Haines Borough School District, 907-766-2644.

[9] Donna Peterson, Ed.D, Superintendent of Schools, Kenai Peninsula Borough School District, 907-714-8881.

district.[10] These events occur quarterly and focus on assisting parents to better understand how to assist in the education of their children.

According to Dr. Peterson, each school in the district has developed a Building Parent Policy that identifies various actions the district can take to involve parents in the school.

According to Bill Ferguson, Superintendent of the Lower Kuskokwin School District, every school in the district has a "Home School Coordinator" whose duties are to bridge the gap between parents and the school.[11] In addition, he notes that all villages within the district have an advisory school board.

According to George Troxel, Assistant Superintendent, Department of Instruction for the Matanuska-Susitna Borough School District, the district does not have a "parent coordinator" or a similar position.[12] Mr. Troxel notes that the district has a section of its web page, entitled "Parents," that provides information about the school district and schools, as well as a FAQ section. He adds that each school in the district makes an effort to reach out to parents on a range of activities from volunteering in the classroom or playground, family nights on academic issues, parent socials, open houses, and informational meetings on a variety of topics.

According to Stan Lujan, Superintendent of Nome Public Schools, each school in the Nome district has an employee who routinely performs outreach to parents.[13] In the elementary school in Nome it is the school's Social Worker, while in the junior high and high school the Councilors perform the outreach functions. Mr. Lujan also notes that Nome has a very active PTSA that continually helps craft school and education policy in Nome.

According to Trent Blankenship, Superintendent of the North Slope Borough School District, there is a "Community Facilitator" in every school in the district.[14] The duty of the Community Facilitators is to promote communication among the parents, teachers, and the school. In addition, he notes that all villages within the district have a School Advisory Council.

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[10] Project GRAD is a K-16 school reform model that is currently being implemented in some districts across the U.S. The mission of the program is to ensure a quality public education for all children, increase high school graduation rates, and prepare graduates to be successful in college. The URL for Project GRAD Kenai is *http://www.projectgrad.org/site/pp.asp?c=jjJVJaMSIsE&b=783911*.

[11] Bill Ferguson, Superintendent of the Lower Kuskokwin School District, 907-543-4810.

[12] George Troxel, Assistant Superintendent, Department of Instruction for the Matanuska-Susitna Borough School District, 907-746-9212.

[13] Stan Lujan, Superintendent of Nome Public Schools, 907-443-2231.

[14] Trent Blankenship, Superintendent of the North Slope Borough School District, 907-852-5311.

NO CHILD LEFT BEHIND ACT

The federal No Child Left Behind Act requires schools to develop ways to get parents more involved in their child's education and in improving the school.[15] In summary, the NCLB requires that all schools do the following.[16]

- Tell parents of children whose first language is not English of their child's placement in a language program and of their right to opt out, and
- Make information on teachers' credentials available to parents.

The Act also requires schools that receive Title I money to

- Have a written parent involvement policy and publicize it,
- Articulate how the school and parents can work together,
- Give parents detailed and understandable information on their children's academic progress and explain the school's academic standards, and
- Use at least one percent of their money on parent involvement.

Additionally, the Act requires Title I schools, identified under the law as needing improvement, to do the following:

- Inform parents, in an understandable way, of the school's status and their options for transfer or tutoring,
- Explain how parents can be involved in addressing the schools' academic problems, and
- Write school-improvement plans that include strategies for parent involvement.

The Act requires districts and states to

- Distribute an annual report card on the performance of schools.
- Tell parents of children attending Title I schools if their child does not have a highly qualified teacher, and
- Spread information about effective parent involvement practices and help schools with lagging parent involvement programs.

---

[15] The U. S. Department of Education offers links to useful parental involvement information at *http://www.ed.gov/admins/comm/parents/edpicks.jhtml?src=ln*.

[16] Parent Leadership Associates, Education Trust (*http://www2.edtrust.org/edtrust*), and the Southwest Educational Development Laboratory (*http://www.sedl.org/*).

In 2004, the U.S. Department of Education published a "guidance" document to assist schools and school districts in administering the parental involvement provisions of Title I. We include this guidance as Attachment B.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

Attachment A

Anne T. Henderson and Karen L. Mapp, *A New Wave of Evidence The Impact of School, Family, and Community Connections on Student Achievement*, National Center for Family and Community Connections with Schools, Southwest Educational Development Laboratory, 2002, *http://www.sedl.org/*

Attachment B

"Parental Involvement: Title I, Part A, Non-Regulatory Guidance," U.S. Department of Education, April 23, 2004

The referenced attachments constitute over 300 pages. Please contact our office at 465-2647 if you would like a copy of the full report.

Anchorage School District

5530 E. Northern Lights Blvd.
Anchorage, Alaska 99504-3135
(907) 742-4000

SCHOOL BOARD

John Steiner
President

Tim Steele
Vice President

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Clerk

Jeff Friedman

Pat Higgins

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SUPERINTENDENT

Carol Comeau

January 19, 2010

Representative Les Gara
Alaska State Legislature
120 4th Street, State Capitol, Room 3
Juneau, AK 99801-1182

Dear Representative Gara:

I am writing this letter of support for HB 285, Parental Involvement in Schools. I commend you and Representative Tuck for recognizing the vital role of parents in the education of their children. We all know that parents, and other family members, are their children's first teachers. We also know that when parents are collaborating with educators, our students succeed at much higher levels. Our School Board does not have a position on this particular legislation, but has a strong commitment to supporting parental engagement in our schools.

We have had a very successful partnership with South East Regional Resource Center (SERRC) with our current Parent Liaison Program. We have Parent Liaisons from the Spanish, Hmong, Filipino, Yupik, and Samoan communities in our district. As the SERRC grant funding has declined, we have added one Parent Liaison position into our general fund budget. We see these positions as key to assisting our parents who come from different cultures, and many with language barriers, to becoming critical educational partners. As you know, our district is increasingly diverse; we now have students who speak 98 different languages in our district. Many of our families are recent arrivals from immigrant camps and countries with difficult conditions.

If I could, I would hire at least one Parent Liaison in every school in our district. Your proposed legislation would be a huge boost for districts in this state. If passed, it would be an excellent investment in our families and students. I realize that there would be a substantial fiscal impact, but I believe that the results would increase student achievement in this state.

Again, thank you for submitting this important legislation. I look forward to working with you on increasing parental involvement in our schools in Alaska.

Sincerely yours,

Carol Comeau
Superintendent

LEGISLATIVE RESEARCH SERVICES

Alaska State Legislature
Division of Legal and Research Services
State Capitol, Juneau, AK 99801

(907) 465-3991 phone
(907) 465-3908 fax
research@legis.state.ak.us

January 22, 2010

Memorandum
TO: Representative Les Gara
FROM: Susan Haymes, Legislative Analyst
RE: Parent Involvement Coordinators in Alaska Schools
LRS Report 10.115

You asked for information regarding parent involvement coordinators in Alaska schools. Specifically, with regard to the Anchorage, Kenai Peninsula Borough, and Lower Kuskokwim School Districts you wished to know: (1) if Title I funds used for parent involvement coordinators are useful; and (2) would more parent coordinator positions be useful. You also asked about the number of and funding for parent involvement coordinators in Anchorage and how parent coordinator positions are funded elsewhere in the state. Additionally, you requested an estimate of the number of parent involvement coordinators that would result from your draft bill, LS1244\R.

The Alaska State Board of Education and Early Development recognizes parental involvement plays an important part in student success. The Bylaws of the Board state in the "Beliefs" section that "Effective parent and family involvement positively affects student achievement." The Board also states in its Bylaws that one of its goals is to "Promote parent and family involvement in student learning."

As part of this effort to encourage parental involvement, many schools in the state employ parent involvement coordinators. According to Paul Prussing, deputy director, Teaching and Learning Support, Department of Education and Early Development, parent coordinators are funded from federal Title 1 funds, from the general funds of each school, and from grants through agencies such as Southeast Regional Resource Center (SERRC).[1]

Anchorage School District

Anchorage schools currently employ 18 family school services coordinators, the district's title for parent involvement coordinators. All of the positions are funded by federal Title 1 funds under the No Child Left Behind Act (NCLB).[2]

According to Linda Carlson, executive director of elementary education for the Anchorage School District, there are 60 elementary schools in Anchorage, 23 of which are funded with Title 1 funds. Of the 23 Title 1 schools, 18

[1] Paul Prussing, Teaching and Learning Support, DEED, can be reached at 907.465.8721.

[2] Title 1 is the part of the No Child Left Behind that supports programs in schools and school districts to improve the learning of children from low-income families. The U.S. Department of Education provides Title 1 funds to states to distribute to school districts based on the number of children from low-income families in each district. Title 1 is a program that provides extra academic support and learning opportunities for children farthest from meeting state academic standards.

employ a family school services coordinator.[3] However, not all of the coordinator positions are full-time. Each school decides how to allocate the available Title 1 funds at its respective school.

Ms. Carlson noted that more family school services coordinators would benefit Anchorage schools. For example, up to 19 different languages are spoken at many of the schools and a family coordinator on staff acting as a language liaison could be very beneficial.[4]

According to Carol Comeau, superintendent of the Anchorage School District, Title 1 funds are not only useful, but essential to the funding of family coordinators in the Anchorage School District, and more would be of tremendous benefit. Ms. Comeau noted that in a perfect world every single elementary school should have such a position, and depending on the size and need, every middle school and high school should have one or two such positions.[5]

Superintendent Comeau added that at the district level, Anchorage currently employs two parent coordinators: a preschool coordinator parent educator and a parent educator. The positions are funded out of the district's general fund; one is funded for full-time and the other part-time. Schools that do not have a parent coordinator can call the district coordinators for support and help.

Lower Kuskokwim School District

According to Carlton Kuhns, acting superintendent of the Lower Kuskokwim School District, approximately two-thirds of the schools in the district have a school community advocate. None of these positions are funded by federal Title 1 funds, but instead are funded from the budget of each school. Parental involvement has always been a priority in the district, so schools were funding such positions before Title 1.

However, because of limited funding most of the current positions are not full-time; some are funded for only a few hours a day. Mr. Kuhns noted that more positions would benefit the district, particularly more full-time positions.[6]

Kenai Peninsula Borough School District

According to Norma Holmgaard, director of Federal Programs for K-12 Schools, Kenai Peninsula Borough School District, the Kenai District currently has just one parent liaison. The position is funded with Title 1 funds. Ms. Holmgaard said the Title 1 funds used for parent liaisons are useful and more parent liaison positions would benefit the district. In particular, she recommended that the job description for the coordinator position be clear.[7]

---

[3] Anchorage does have one Title 1 middle school. However, according to Leslie Vandergaw, Director of Middle School Education for the Anchorage School District, the Title I funds at this school are all being used to support academic and instructional programs. Ms. Vandergaw can be reached at 907.742.4249.

[4] Linda Carlson, Anchorage School District, can be reached at 907.742.4254.

[5] Carol Comeau, superintendent, can be reached at 907.742.4312.

[6] Carlton Kuhns, acting superintendent, can be reached at 907.543.4810.

[7] Norma Holmgaard, Kenai Peninsula District, can be reached at 907.714.8888.

Parent Coordinators Under LS 1244\R

You asked for an estimate of the number of parent coordinators your bill, LS1244\R, would require. The bill, under subsection (a), requires each school district to employ two persons to serve as parent involvement coordinators for that district. In addition, the bill, under (b), requires each school district to employ one person for each 500 students enrolled in the district, or one person for each public school located in the district, whichever is greater.

Because current enrolment numbers will be unavailable until February 2010, we used Department of Education and Early Development's (DEED) school enrollment numbers reported for the 2008-2009 school year as of October 1, 2008.[8] We used the enrollment numbers for grades K-12, and we included all of the schools listed for each district, including the correspondence and long distance schools. Within these parameters, we calculated a **total of 620** parent coordinators, which represents the maximum number of parent coordinators required by the bill unless enrollment increases (Table 1).

We hope this is helpful. If you have questions or need additional information, please let us know.

[8] "Enrollment by School and Grade as of Oct. 1, 2008, FY2009," is available at the Department of Education and Early Development's website at *www.eed.state.ak.us/stats/DistrictEnrollment/2009DistrictEnrollment.pdf*.

Table 1: Parent Involvement Coordinators Under Draft Legislation (LS1244\R)				
Alaska School Districts	District Enrollment	Per District (A)	Per Student or School (B)	Total
Alaska Gateway Schools	460	2	8	10
Aleutian Region Schools	39	2	3	5
Aleutians East Borough Schools	247	2	6	8
Anchorage Schools	48,284	2	99	101
Annette Island Schools	269	2	3	5
Bering Strait Schools	1,661	2	15	17
Bristol Bay Borough Schools	145	2	2	4
Chatham Schools	157	2	5	7
Chugach Schools	231	2	4	6
Copper River Schools	507	2	7	9
Cordova City Schools	366	2	2	4
Craig City Schools	730	2	5	7
Delta Greely Schools	1,151	2	6	8
Denai Borough Schools	424	2	4	6
Dillingham City Schools	502	2	2	4
Fairbanks North Star Borough School	14,129	2	34	36
Galena City Schools	3,721	2	7	9
Haines Borough Schools	309	2	4	6
Hoonah City Schools	124	2	2	4
Hydaburg City Schools	67	2	1	3
Iditarod Area Schools	281	2	8	10
Juneau Borough Schools	4,930	2	14	16
Kake City Schools	92	2	1	3
Kashunamiut Schools	314	2	1	3
Kenai Peninsula Borough Schools	9,372	2	44	46
Ketchikan Gateway Borough	2,115	2	10	12
Klawock City Schools	125	2	1	3
Kodiak Island Borough Schools	2,595	2	14	16
Kuspuk Schools	339	2	10	12
Lake and Peninsula Borough Schools	371	2	14	16
Lower Kuskokwim Schools	3,977	2	28	30
Lower Yukon Schools	2,063	2	11	13
Mat-Su Borough Schools	16,303	2	42	44
Mount Edgecumbe High School	426	2	1	3
Nenana City Schools	1,099	2	2	4
Nome Public Schools	678	2	5	7
North Slope Borough Schools	1,580	2	11	13
Northwest Arctic Borough Schools	1,862	2	12	14
Pelican City Schools	15	2	1	3
Petersburg City Schools	520	2	3	5
Pribilof Schools	113	2	2	4
Saint Mary's Schools	177	2	1	3
Sitka Borough Schools	1,311	2	6	8
Skagway Schools	98	2	1	3
Southeast Island Schools	169	2	11	13
Southwest Region Schools	626	2	8	10

Table 1: Parent Involvement Coordinators Under Draft Legislation (LS1244\R)				
Alaska School Districts	District Enrollment	Per District (A)	Per Student or School (B)	Total
Tanana Schools	38	2	1	3
Unalaska City Schools	404	2	2	4
Valdez City Schools	687	2	3	5
Wrangell City Schools	321	2	3	5
Yakutat City Schools	121	2	1	3
Yukon Flats School	272	2	8	10
Yukon-Koyukuk Schools	1,398	2	10	12
Yupiit Schools	446	2	3	5
Total	128,761	108	512	620

Notes: The most current district enrollment numbers include grades K-12 for each school as of Oct. 2008. We included all of the schools listed for each district, including correpondence and long distance learning schools. Under (a) of this bill, each district employs two coordinators. Under (b), an additional number of coordinators is calculated for each district based on the greater of one per 500 enrolled students or one per school in the district.

Source: "Enrollment by School and Grade as of Oct. 8, 2009, FY2009," Department of Education and Early Childhood.

HB 295

26-GH2829\A.2
Bullock
2/6/10

AMENDMENT #1 Adopted

OFFERED IN THE HOUSE BY REPRESENTATIVE PEGGY WILSON

TO: HB 295

Page 9, line 22:

Delete "Parcel Number PA.1002, Mite Cove"

Insert "Parcel C18"

~~26-GH2829\A.1~~
~~Bullock~~
~~2/4/10~~

AMENDMENT

~~OFFERED IN THE HOUSE~~ BY REPRESENTATIVE PEGGY WILSON

~~TO: HB 295~~

Page 9, line 7:

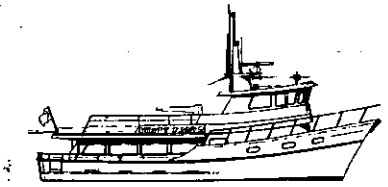
Delete "December 1, 2011"

Insert "January 1, 2013"

Page 9, line 9:

Delete "June 30, 2012"

Insert "June 30, 2013"



ALASKA COASTAL QUEST

2-11-10

Representative Paul Seaton
Alaska State Legislature
Juneau, Alaska

Dear Representative Seaton:

I understand that you recently held hearings on the University Lands bill, HB 295. I would like to encourage you to delete Hook Arm on Dall Island from this legislation. Almost all of the outer coast of Dall Island is wilderness. The U.S. Forest Service recognizes this by placing in a scenic recreation category. Allowing Hook Arm to be sold for development destroys the wilderness integrity of the outer coast of this magnificent island. As a charter boat operator specializing in ecotourism, I see this area as having tremendous economic potential for water oriented outdoor wilderness recreation.

Yours truly,

Dale Pihlman

P.O. Box 7814 ✦ Ketchikan, AK 99901 ✦ Ph (907) 225-3498 ✦ Fax (907) 247-3498 ✦ Cell (907) 617-2440
[illegible]@gci.com

ALASKA MINERS ASSOCIATION, INC.

3305 Arctic Blvd., #105, Anchorage, Alaska 99503 • (907) 563-9229 • FAX: (907) 563-9225 • www.alaskaminers.org

January 28, 2010

Honorable Paul Seaton, Chairman ✓
Honorable Cathy Munoz, V-Chairman
House Education Committee
Capitol Building
Juneau, AK 99801

RE: House Bill 295 University of Alaska Lands

Dear Representatives Seaton and Munoz,

The Alaska Miners Association supports House Bill 295 which would transfer a defined list of lands to the University of Alaska. This is precisely the approach for getting lands to the University that we have supported in past Legislatures and it is rewarding to see this bill with a clearly defined group of lands now finalized and ready for transfer to the University.

We have opposed various bills in the past that did not include a defined list of lands. We felt it was important for everyone to know which lands would be transferred and for the public to have the opportunity to see and comment on the list before the lands were actually transferred to the University. This is the approach taken by this bill.

In recent years the University of Alaska has proven that it can effectively manage its lands and this step to transfer more lands to the University is appropriate.

Thank you for the opportunity to comment on this important issue. We encourage you to move the bill as soon as possible so the actual transfer to the University of Alaska can be completed. This will allow the University to begin benefiting from the lands at the earliest time.

Sincerely,

Steven C. Borell, P.E.
Executive Director

cc: Education Committee Members
UA President Mark Hamilton

1-29-10 Testimony HB 295
Joan McBean PO Box 23 Tenakee Springs

I am concerned about the transfer of a parcel of land in Tenakee Springs to the U of A. This parcel is within the city limits and is used extensively by the residents & visitors to Tenakee It is a subsistence area & recreation area & used for commercial trapping My husband & I have hunted & hiked the area over the thirty years we've lived in Tenakee

We are concerned about the impact that the transfer of this parcel will have on our tiny community and our dependence on undisturbed, accessible land for our hunting, gathering and commercial use. We are also concerned about the financial burden placed upon Tenakee for education.

I request the removal of this Tenakee parcel from the University Land Grant

Thank you for this opportunity to testify

Joan McBean

T'INAA GEI TLINGIT NATION

A Sovereign Tribe

February 17, 2010

The Tenakee Traditional Council is, once again, serving notice to all entities claiming a present or future interest in uplands, submerged lands, and waters in the vicinity of Tenakee, Alaska, that it protests and gives notice of objection to any proposed conveyance of an interest in such lands, including proposed conveyances of ADL 107311 and ADL 107312 to the City of Tenakee Springs and/or to the University of Alaska.

These traditional lands, waters and resources have been occupied by, used by, and claimed by the Tenakee Tribe as original Tlingit inhabitants. These lands, waters and resources were not conveyed to any other entity by the Tenakee Tribe at any time, nor has it been abandoned. The Tenakee Tribe has consistently and strongly objected to any such conveyance. The Tenakee Tribe never agreed to any provisions of the Alaska Native Claims Settlement Act or any other statute purporting to divest it of its interest in those lands. Moreover, the Tlingit village of Tenakee Springs was not granted land selection rights under ANCSA or any compensation for any taking of its lands. We maintain our inherent and aboriginal rights to those lands, waters and resources and because the Tenakee Tribe has been a sovereign Tribe since before the arrival of the non-natives on our lands, we intend to exercise our right as a sovereign tribe to maintain our land so as to confirm the existing title of the Tenakee Tribe. Any conveyance of rights to these lands, waters and resources is done subject to the superior and prior claim of the Tenakee Tribe to such lands, waters or resources. Any trespass upon those lands, waters or resources is objected to and is without the permission, explicit or implicit, of the T'inaa Gei Tlingit Nation.

President Hoover, in 1930, signed the Tongass National Forest document that listed Tenakee as a village. This is documented proof of the village's existence. The area proclaimed for Tenakee was much larger than the 17 acres set aside by President Roosevelt in 1935.

President Roosevelt recognized the existence of the Tenakee Tribe in 1935 by issuing an Executive Order 7179 to ensure that the Tribe was not disturbed in perpetuity! The Tenakee land has never been owned by the federal government. BLM surveyed it for the

P.O. Box 20403
Juneau, Alaska 99802

Telephone: (907) 780-6195
Fax: (907) 780-6195

President of the United States so that our village people would not be bothered and to avoid controversies about ownership of the land. This land belongs to the Tenakee Tribe in perpetuity. The President referred to this Executive Order as a Skookum Paper. Now the state of Alaska has taken it upon themselves to change the content and the intent of the Executive Order. Our elders and Clan Leaders used to state that "everyone knows who this land belongs to." In a visit to Washington, D.C. Senator Ted Stevens stated that this claim has never been disputed.

There was a report done by the University of Alaska Fairbanks for the Southeast Alaska Landless Coalition referred to as the ISER Report. Tenakee is included in that report and gives a very clear description of the Tenakee Tribe's land and resource holdings.

The U.S. Solicitor's office expressed an opinion that went against the President's proclamation that the Tenakee land would belong to the blood descendants of the Tenakee land. The Solicitor stated "you can say anything you want to say to me, Congress can undo your opinion and make you like it."...which meant that Congress can take our land if it so wishes.

We have made several attempts to obtain relevant documents regarding the Tenakee Tribal lands to no avail. We have been informed by BIA that under the Freedom of Information Act, we have the right to file suit if our request is ignored. There is no stipulation as to how extensive the search has to be. We are aware that there is a deed. It was shown to us by a former BIA employee. Yet, we've been told that there are no documents. The same answer we received regarding the Executive Order, a copy of which is attached.

Tenakee is not listed under the Tlingit-Haida Court of Claims (Judgment Funds) nor is it a listed village under ANCSA.

As stated earlier, there are only three ways that trust land can be taken from the Indian Nation:

An act of abandonment
An act of conquest (war); or
A specific act of Congress WITH the consent of the owner Clan.

ANCSA also went against the Presidential proclamation of 1935 claiming that the ANCSA settlement included all Executive Orders in the bargaining with their treaties.

No one, aside from Tribal descendants, can just arbitrarily negotiate the Tenakee trust land. The Solicitor's opinion was that all Executive Order land was lost when ANCSA was initiated including the 7179 land. It was gone without any of the blood descendants knowing about that transaction. The Department of the Interior is mandated to include

the Realty Division on land transactions of this nature. Were they actually involved? If they were involved, did they look out for the best interests of the Tenakee Tribe?
Page Three

Executive Order 7179 land was never in the hands of the federal government. How can the State take the land from the federal government and arbitrarily give it up for sale when it never belonged to them in the first place. If our Congressional Delegation move from their homes in Alaska, does that give title to the State, thereby, allowing the land to be put up for sale? I think not! There is no difference except that this is Indian Trust Land.

We request that Tenakee land be withdrawn from the Governor's Lands Bill, HB 295 and SB 225. We are available to answer any questions that you may have.

John Martin, Sr.
Chairman
TENAKEE TRADITIONAL COUNCIL

Reference No. 475

EXECUTIVE ORDER No. 7179
Date Signed: 9/06/35

Executive Order

Excluding Certain Lands from Tongass National Forest

ALASKA

By virtue of and pursuant to the authority vested in me by the act of June 4, 1897 (30 Stat. 11, 36; 16 U. S. C. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the tract of land on the north shore of Tenakee Inlet, Chichagof Island, Alaska, lying within the following-described boundaries and occupied as an Indian settlement, be, and it is hereby, excluded from the Tongass National Forest:

Chs. Beginning at corner no. 1, meander corner, at the line of mean high tide on the north shore of Tenakee Inlet and approximated one-half mile east of the town of Tenakee. Corner not set on account of danger of destruction by tides and storms.

Thence N. 64° W.

0.92 to witness corner no. 1, meander corner, a hemlock stake 6 in. by 7 ft. marked "elimination Cor. 1 W. C. M. C."
Whence a 24-in. spruce tree, blazed and scribed "W. Cor. 1 W. C. M. C.", bears N. 53° W., 0.15 chs.

12.00 Tenakee Trail.

28.83 to corner no. 2, same being common with corner no. 3 of survey 2095.

Thence south

4.91 to witness corner no. 3, meander corner, same being common with witness corner no. 2 of survey 2095.

5.05 Tenakee Trail.

5.41 to corner no. 3, meander corner, not set on account of danger of destruction by tides.

Thence by meander at line of M. H. W. along shore of Tenakee Inlet

(1) S. 76° E., 3.30 chs.
(2) S. 66½° E., 5.00 chs.
(3) S. 44½° E., 7.60 chs.
(4) S. 29½° E., 7.00 chs.
(5) S. 80° E., 3.20 chs.
(6) N. 33° E., 7.50 chs.
(7) N. 53° E., 2.65 chs.

to corner no. 1, meander corner, the place of beginning, containing 16.71 acres, more or less.

FRANKLIN D ROOSEVELT

The White House,

September 6, 1935.

[No. 7179]

U. S. GOVERNMENT PRINTING OFFICE: 1936

My name is Mike Sallee I was born in and reside in Ketchikan

I have owned & operated a small sawmill across Moser Bay from one of the parcels to be transferred by this bill. For most of the last 3 decades I've provided rough sawn lumber for homes and other projects for nearly all those people who reside in the immediate area.

I'd hoped the sponsors of this bill would have heeded objections to inclusion of certain parcels before reintroducing the bill. It seems the sponsors don't have much respect for the efforts citizens have put into researching and commenting on State Area Plans & Coastal Zone Management plans among other venues for public input on local land use

Generally, I support the University of Alaska, I have a degree from that institution. I'm not opposed to granting UofA means to generate income.

However!

More specifically - the Moser Bay parcel ~~specifically~~ contains a great deal of steep, landslide-prone shoreline, not very suitable for homesites. Indeed, those slide-prone shores have yielded a small but sustainable source of firewood for local residents and the occasional saw log for my nearby mill.

The Moser Bay parcel contains a recreation trail to Wolf Lakes, important estuarine areas for fish & wildlife, access to uplands for local deer hunters & trappers, & relatively untouched landscapes & viewsheds for small commercial tour boats that ply the area in summer. I believe I understand some adjacent borough lands are encumbered as wetlands mitigation for local coast zone management.

It would be a travesty to clearcut the parcel as the University did on Slide Ridge near Whipple Creek & the Mountain Point area — both on Ketchikan's road system. A selective helicopter harvest is little better though less visually impacting. Helicopter harvest has trashed areas with limbs tops, & whole discarded trees that don't make the grade to justify the expense of helicopter removal. Evidence of helicopter harvest is quite abundant on Mental Health lands in Bear Valley, Minerva Mtn. Trail and the Tongass Narrows side of California Ridge on Gravina Id. Worse - much of the timber helicopter-logged was round-log exported bleeding future jobs from the local economy.

For such a miniscule return to the University's overall budget, transfer of these parcels in the Ketchikan area make little sense, and will place undue burden on local citizens.

January 29, 2010

HB 295
University of Alaska Land Grant
House Committee on Education

Chairman Seaton & Fellow Committee members:

My name is Norm Carson; I presently reside at Pelican, Alaska. While my wife and I have established our retirement home 3 miles south of Pelican I have volunteered my time to serve on committees dealing with Pelican's economy and I have been the President of our local Chamber of Commerce for the past six years.

Within HB295 there is a 320 acre parcel of land identified as "Mite Cove/Ewe Ledge". The nearest communities to this parcel are Elfin Cove, approximately 8 miles to the North across a portion of Cross Sound and Pelican, approximately 13 miles South on Lisianski Inlet and on the opposite shoreline.

The Mite Cove/Ewe Ledge parcel should be removed from HB 295 for the following reasons:

- There is no potential for hydro power on the parcel; any development will be totally dependent upon diesel generation for electricity. The nearest hydro power is at Pelican; it is not economically feasible to run a line to this location.

- Pelican is presently upgrading its hydro. By next August the new penstock will be in place and the Utility will need electricity users to help reduce the Kilowatt cost. Land offered adjacent to Pelican will have greater value and development would utilize the Utility and consequently lower the rates.

- The Mite Cove/Ewe Ledge area is continually utilized during the summer and shoulder season months in a passive manner by the local tourism

businesses, local residents, and out of town visitors. This use is in the form of anchoring, picnics, hiking, scenic photography, and hunting. As a person involved in tourism I would like to see development kept closer to the communities.

- The bight at Ewe Ledge has been utilized by a floating commercial fish buying operation for the past 25 years; between July and late September an average of 30 commercial fishing boats congregate in this area daily. The potential for conflict with new land users is significant.

- The isolation of the Mite Cove/Ewe Ledge parcel will make any development likely to be for seasonal use, this will not benefit the nearby communities with year round residents.

- The Mite Cove/Ewe Ledge parcel is located on a route utilized by commercial fishing and recreational boats as they travel up and down the coast. From my experience in law enforcement I foresee a great problem of theft and vandalism for any property owners that leave their buildings unattended.

For all the foregoing reasons this parcel is not a good deal for the University, potential investors, nor the closest communities to this site.

Sincerely:

Norm Carson
PO Box 98
Pelican, AK 99832

907-735-2460
907-321-1950 (c)

January 29,

Testimony of Stephen Lewis
City of Tenakee Springs, Ak
re House Bill 295 - University Land Grant

Tenakee Springs is a small isolated community in Southern SE Alaska. With a population of ≈ 100, it is not connected to any road system & is accessible only by ferry or boat or float plane.

With a relatively undeveloped infrastructure and small population, the impacts of developing the ~~two~~ one parcels of ≈ 17 and ≈ 3 acres would be huge for Tenakee, overwhelming in fact. This acreage would have relatively little impact on the overall acreage in the bill, nearly 200,000 acres, which are important for University purposes.

For this reason, we request that ~~the~~ two parcels in Tenakee Springs be removed from the bill, ~~which~~ the overall purpose we believe is important for our

Thank you very much.

ST 1003

Sincerely,

Stephen Lewis
City of Tenakee Springs

PS.
Access to areas [illegible] for

CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952

January 29, 2010

HB295 University of Alaska Lands bill
Testimony before the House Education Committee

Carol Rushmore
Economic Development Director
City and Borough of Wrangell

Thank you Chairman Seaton and Committee:

Wrangell participated in the 2005 legislative process on HB130. Our comments at that time were mostly concerned with 3 parcels of lands that the University had selected which were lands that we, as a potential borough, would also be interested in selecting under the entitlement program. Those parcels are Thoms Place, Olive Cove and Earl West Cove. We were also concerned whether portions of these University selections were in the best interest to the borough and residents for selection by the University.

As you know, Wrangell was successful in incorporating as a borough in May 2008.

In the previous bill, if we formed a borough before July 2009, we were given until January 1, 2013 to make our entitlement selections. That is the premise that we have been planning under since working to form a borough. In the current bill, HB295, that date has been moved up to Dec. 1, 2011.

We have been working diligently over the last year on our borough wide comprehensive plan and zoning ordinance. We are also tackling other planning and zoning efforts, developing relationships with residents in the outlying areas and developing our goals and policies for the future of the borough. We are working on our borough organization efforts, and respectfully request that the CBW is given until January 1, 2013 to make our selection regarding land within the parcels of Thoms Place, Olive Cove, and Earl West Cove.

We have a responsibility to our borough landowners and residents to make sure we can remain an economically sustainable borough. It is challenging to make the selections necessary to meet our goals and policies that are being developed during our comprehensive planning process. We have also introduced legislation HB273 requesting additional acreage than the amount DNR indicates is our entitlement, in order to provide for our future economic growth. The selection process is not a task we take lightly, and we want to make sure that we get it right for our residents -selecting lands that will help us address our resource development, public infrastructure development opportunities, cultural resources, valuable habitat areas, and additional settlement opportunity goals.

We also have some concerns regarding the University's selection for some portions of these three parcels, concerns of their development plans in these areas, potential impacts of the

University's use of these lands could have to habitats, cultural resources, recreation, public infrastructure development and the subsistence lifestyle of the residents. We are working on our comprehensive plan to try and address these concerns regardless of who selects the land.

Earl West Cove parcel is designated GU in the Central SE Area Plan, includes timber lands, LTF, recreational site, deep water access.
Thoms Place is designated HA, S, and GU
Olive Cove is designated GU and RU

Thank you for this opportunity to comment.

Sincerely,

Carol Rushmore
Economic Development Director

Louie Flora

From: Rep. Paul Seaton
Sent: Saturday, January 30, 2010 11:48 AM
To: Louie Flora
Subject: Fwd: HB295 University Land Grant

Sent from iPhone by Paul Seaton

Begin forwarded message:

From: Norm Carson <nlcarson@att.net>
Date: January 29, 2010 7:04:47 PM AKST
To: "Rep. Berta Gardner" <Representative_Berta_Gardner@legis.state.ak.us>, "Rep. Bob Buch" <Representative_Bob_Buch@legis.state.ak.us>, "Rep. Bryce Edgmon" <Representative_Bryce_Edgmon@legis.state.ak.us>, "Rep. Cathy Munoz" <Representative_Cathy_Munoz@legis.state.ak.us>, "Rep. Paul Seaton" <Representative_Paul_Seaton@legis.state.ak.us>, "Rep. Peggy Wilson" <Representative_Peggy_Wilson@legis.state.ak.us>, "Rep. Tammie Wilson" <Representative_Tammie_Wilson@legis.state.ak.us>, "Rep. Wes Keller" <Representative_Wes_Keller@legis.state.ak.us>
Cc: "Sen. Bert Stedman" <Senator_Bert_Stedman@legis.state.ak.us>
Subject: HB295 University Land Grant

Dear Chairman Seaton and Fellow Committee Members:

This morning I had the privilege of addressing the Committee and speaking of my concern reference the inclusion of the "Mite Cove/Ewe Ledge" AKA: Mite Cove parcel in this bill. I reside 3 miles south of Pelican, I am active in community affairs, and President of our Chamber of Commerce.

To refresh your mind, the Mite Cove parcel is approximately 13 miles northwest of Pelican at the mouth of Lisianski Inlet; this is where the Inlet meets Cross Sound. Pelican is the nearest ferry terminus to Mite Cove; an important item as this is the means to get building materials to Pelican. Pelican is the nearest source of hydro generated electricity, Mite Cove is too far away and on the opposite side of the Inlet to be economically viable as a recipient of Pelican's electricity.

I would like to address a couple of issues that were brought up today after I testified:

- Representative Gardner asked a great question, paraphrased it was "Why do the people in Tenakee not want DNR to select land that is right in their town and yet people in Pelican would prefer a parcel located closer to their city limits? "The answer is two part; 1. we are different communities in geographical ways and even in outlook towards development and 2. No one asked us in advance, as far as this bill or even HB130 in 2005, we were never asked by DNR as to what State lands should be given a priority for transfer to the University. DNR is presently preparing a parcel of land two miles south of Pelican for public auction; if this parcel were offered to HB295 in lieu of Mite Cove we would not make a peep.

- Representative Buch asked the gentleman from Tenakee about the frequency of ferry service to Tenakee and how that would impact building costs. Tenakee receives ferry service twice per week; Pelican receives a ferry twice per month May thru September and once a month October thru April. Building materials for Mite Cove would need to be off loaded in Pelican and then boated 13 miles down the Inlet and off loaded on the beach; it is safe to say that building costs would be extremely high.

Small remote communities such as Pelican scratch and claw for ways to stay economically viable; when the State has the opportunity to make a positive difference then that should be a priority. In this instance it is in the best interest of the University, potential investors, and the community of Pelican that the Mite Cove parcel be removed from HB295 and replaced by the "Inlet View Subdivision", two miles southeast of Pelican, DNR is preparing to offer this parcel for public auction sometime in 2010. This parcel was originally in HB130 and then removed; had we a voice in the matter we would have left it in and taken out Mite Cove.

Thank you for your diligence in this matter.

Norm Carson

PO Box 98

Pelican, AK 99832

907-321-1950

February 3, 2010

Comments on HB 295 –University Land Grant

Norm Carson
President
Pelican Chamber of Commerce
PO Box 98
Pelican, AK 99832
907-735-2460, 907-321-1950 (c)
nlcarson@att.net

To: Members of the House Education Committee

Rep. Seaton, Rep. Munoz, Rep. Edgmon, Rep. Keller, Rep. Wilson T., Rep. Buch, Rep. Gardner, and Rep. Wilson P.:

HB 295 calls for the transfer of a 320 acre parcel of land, "Mite Cove/Ewe Ledge", 13 miles northwest of Pelican on Lisianski Inlet. Unfortunately this selection is not the best one available and should be exchanged for another parcel, this is parcel "C18", page 3-293 of the Northern Southeast Area Plan, (NSEAP), October 2002, Department of Natural Resources. Parcel C18 is located approximately 2 miles southeast of Pelican.

HB 295 will be made better for the University, future land investors, the community of Pelican, and the general public if the Mite Cove/Ewe Ledge parcel is exchanged for parcel C 18 in the NSEAP for the following reasons:

- The Mite Cove/Ewe Ledge Parcel is designated RU, (recreational), in the NSEAP and not to be sold to individuals. C 18 is designated RU & Settlement which allows for construction of homes and development.
- The Mite Cove/Ewe Ledge parcel is located 13 miles northwest of Pelican, it is out of eye sight of the nearest inhabited dwelling, and on a route for fishing boats traveling to and from the "lower 48". Based upon 21 years of experience as a former Alaska State Trooper I can guarantee any dwellings or buildings left unattended will be subject to break in and theft.
- C 18 is positioned between the Phonograph Creek Subdivision and the community of Pelican; it is on the "dead end" portion of the inlet, boats have to pass Pelican to get to it. C 18 is visible from Pelican and by neighbors within a mile to the southeast. C 18 will benefit from "neighborhood watch" of the local inhabitants and investors of C 18 will provide a measure of security to them as well.
- The Mite Cove/Ewe Ledge parcel lacks the potential for hydro-electric power; all electricity will have to rely on fuel powered generators; this will make construction and occupancy expensive.

- C 18 because it is within two miles of Pelican is a potential customer of the hydroelectric powered utility. C 18 also has a stream on it with sufficient elevation to provide for a hydroelectric facility large enough to service several homes.
- The Mite Cove/Ewe Ledge parcel has a northerly exposure; consequently receiving less sunlight than one with a southern exposure. This is important when considering snow depth on buildings and photovoltaic potential. Every dwelling and building adjacent to the twenty two miles of Lisianski Inlet shoreline are built on the northern shore thus providing a southern exposure; this is a huge factor in the winter months.
- The community of Pelican will be in a position to gain from additional nearby dwellings; the potential for population growth and annexation are significant.
- While the Mite Cove/Ewe Ledge parcel might look attractive on the map, it is really less desirable for habitation than is C 18 for reasons stated previously. C 18 at approximately 235 acres is much more valuable for the University.
- The Mite/Cove Ewe Ledge parcel vicinity is utilized during the summer months by a floating fish buying operation that is permitted through a tidelands lease. This operation has been present for the last 25 years, during the height of the season there are easily 30 or more boats transiting the waters close to the shoreline. Any development within the Mite/Cove Ewe Ledge area will eventually have issues with the activity that is taking place; yet the local fishermen depend upon this buyer.
- The Mite Cove/Ewe Ledge was designated solely as recreational use land in the NSEAP, as the other lands in the Inlet are developed we will need this area for the intended use of public recreation. The passive use of this parcel for picnics, hunting, hiking, photography, etc. are not in conflict with the NSEAP, nor seasonal commercial fishing activity.

This proposed solution is a win for everyone, by adhering to the NSEAP the public is protected, public process is respected, transfer of C 18 will benefit Pelican, and it will provide the University with land that is more desirable and can quickly be developed by investors.

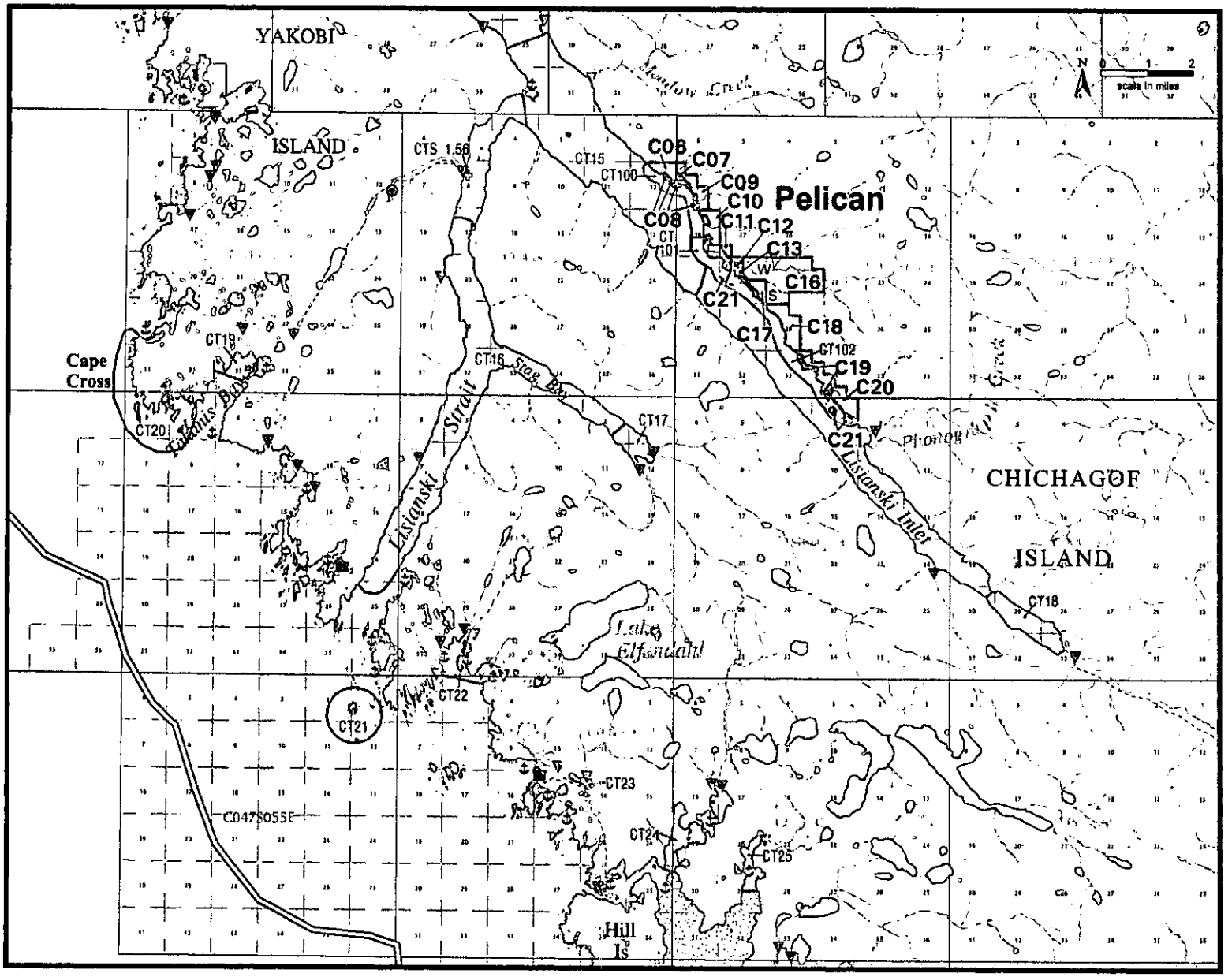
Thank you for taking an interest in and acting upon this issue,

Norm Carson
PO Box 98
Pelican, AK 99832

907-735-2460
907-321-1950 (c)

Email: nlcarson@att.net

Attach (1)



Chichagof Island Area, Pelican

Land Status (1)(2)

- Tongass National Forest
- Glacier Bay National Park
- State owned
- Native owned
- Blm or other government
- Private or University
- Mental Health
- Municipal or Borough
- State selected
- Native selected

Boundaries

- Upland Unit Boundary
- Upland Designation Boundary
- Tideland Unit Boundary
- Legislatively Designated Area
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- Haines State Forest
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- Logging road

Units (3)

- L01 Large Tract, Upland
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- LTSD1 Small Tract, Tideland

Tideland Uses/Facilities

- Boat launch
- Aquaculture, other
- Log transfer site
- Cabin
- Anchorage (small)
- Anchorage (large)
- USFS group location (1 visit per week)
- USFS enclave location (1 visit per day)
- Estuary
- Pacific herring spawning & over wintering
- Anadromous stream mouth

My name is Eric Lee.

I am from Petersburg and have been a fisherman and ~~hunter~~ subsistence hunter there all my life.

There are 5 parcels ~~under~~ ~~consideration~~ in the vacinity of Petersburg that are ~~of~~ worthy of concern ~~to me to me~~, but I ~~recognise the inevitability of this bill so I will~~ will ~~concentrate~~ will focus ~~this~~ this testimony on the two parcels that I feel would be most detrimental to our community were they to be transfered.

Those two parcels are Read Island and Whitney Island

~~I am~~ Having fished in the area for ~~about~~ 30 years and more, I am very familiar with the use of these areas by our citizens of Petersburg, the fishing fleet, the charter fleet, subsistence and sport fishermen, hunters, and recreational users.

I feel that the transfer of these parcels ~~could~~ would cause serious negative impacts to our community.

Both these parcels are in the same ~~area~~ general area, and are used by our community for the same reasons so I will ~~address them~~ not

individually, but together.
The concerns are the same for both.

Both these areas are vitally important to our charter fleet for fishing and sightseeing. They are located in an area ~~within~~ ~~sheltered~~ small boats to close enough for ~~charter~~ day trips, ~~to~~ which is a very important practical consideration for ~~charter~~ ~~boaters~~ & subsistence users and charter operators as well.

The anchorages ~~in~~ ~~Eden~~ next to both Whitney and Reed Islands are vitally important to all who use these areas. And they are

And they are not large anchorages. Even the presence of a few or a half a dozen vessels anchored in the best spots in these critical anchorages would ~~make them unsafe, or make them unusable~~ make them impractical and undependable for all manners from Petersburg.

I think those on this committee ~~will background~~ who have spent some time on the water can especially appreciate this concern.

Anchorages are indispensible for operating a vessel on the water.

~~Anchorages are absolutely~~

They are ~~essential~~ for day to day operations and as shelter from the weather when storms come up.

So the potential loss of ~~availability~~ these anchorages is of great concern to me.

~~Presently Both these anchorages~~ ~~have the most present~~

Our community heavily relies on these areas for our subsistence fishing as they are close enough to be accessed by small boat.

Salmon, halibut, crab and shrimp are all harvested in ~~these two~~ the vacinity of these two parcels.

That seafood is very important to the families who need it for subsistence, and it also plays an important part in our communities identity. We are a community that ~~but~~ lives close to the land and sea, and our subsistence use of these areas plays an important part in who we are.

I regret that I must cut my testimony short now due to the need to leave this meeting.

Thank you,

Eric Lee

February 3, 2010

Comments on HB 295 –University Land Grant

Norm Carson
President
Pelican Chamber of Commerce
PO Box 98
Pelican, AK 99832
907-735-2460, 907-321-1950 (c)
nlcarson@att.net

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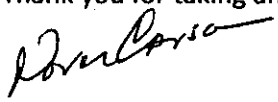

Norm Carson
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Pelican, AK 99832

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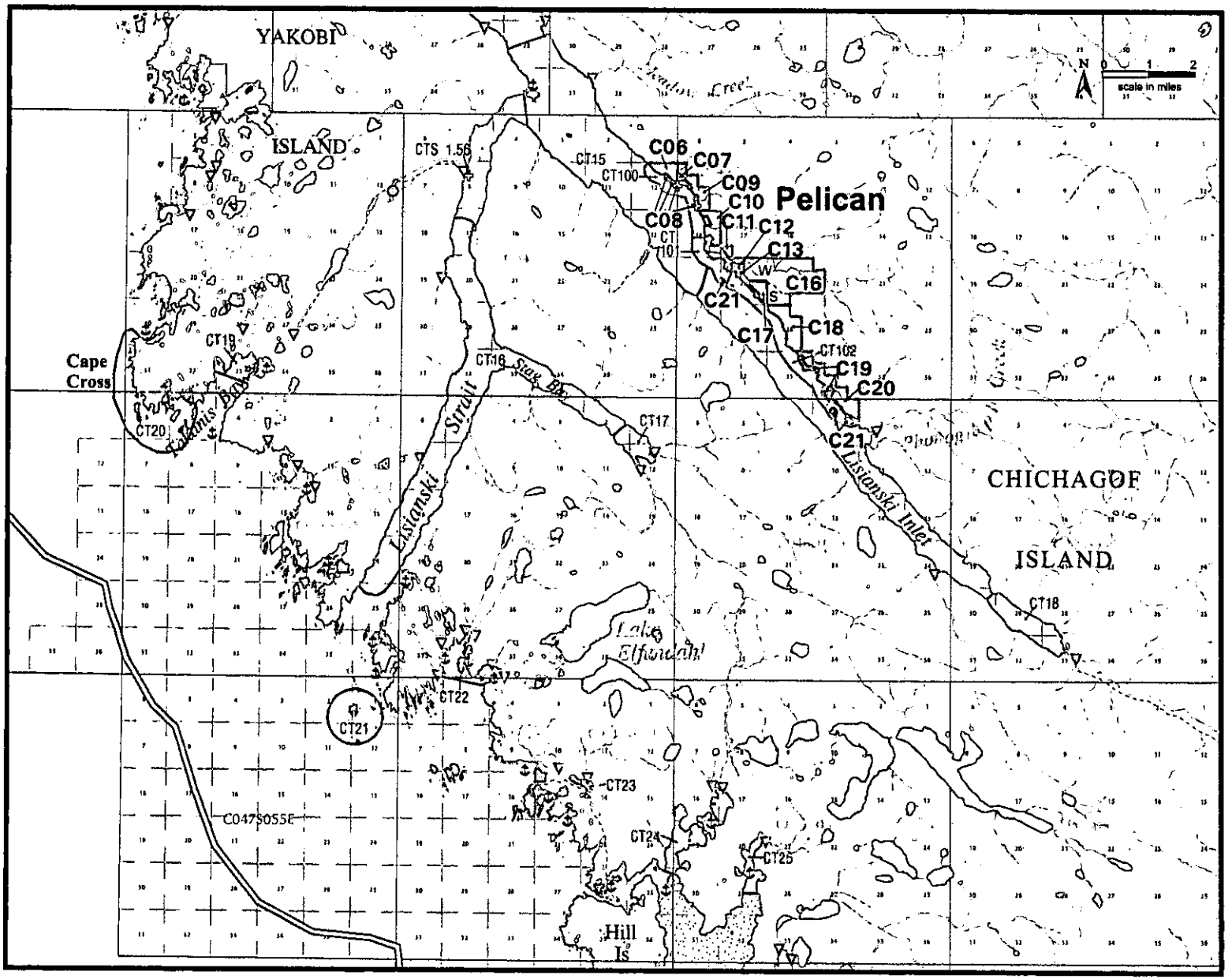
Email: nlcarson@att.net

Attach (1)

Chichagof Island Area, Pelican



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- Cabin
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- Anchorage (large)
- USFS group location (1 visit per week)
- USFS enclave location (1 visit per day)
- Estuary
- Pacific herring spawning & over wintering
- Anadromous stream mouth

Deb Spencer
PO Box 619
Pelican, Alaska 99832
907-735-2495
dspencerak@yahoo.com
Comments on HB 295 – University Land Grant

February 2, 2010

Members of the House Education Committee:

Thank you for taking public comment on HB 295 at your January 29, 2010 committee. I testified by phone and would like to offer some follow-up comments. I especially appreciated members' insightful questions regarding land-use designations in DNR's Northern Southeast Area Plan (NSEAP). I'd like to give members some more information about the plan and the land-use designations.

Citations are directly from the plan. I have, however, attempted to draw your attention to particular portions of the text by underlining parts of the plan.

Background

The NSEAP was adopted by DNR and signed by Commissioner Pat Pourchot on October 15, 2002. The plan was the culmination of several years of work and extensive public input:

> The Northern Southeast Area Plan is the product of over two years of work by state and federal agencies, other land owners, local governments, interest groups and the public. (NSEAP, Chapter 1 – Page 8)

The NSEAP clearly identifies appropriate and inappropriate uses of state land:

> **Uses of State Land.** The plan outlines management objectives for state land. This includes describing what resources and valid existing uses should be protected, and what uses are most suitable for development or protection on state land during the planning horizon. (NSEAP, Chapter 1 – Page 9)

Decisions about land use are guided by the Plan:

> **Decisions on Specific Applications.** While this plan provides general management intent for state lands, the plan does not make decisions about specific land-use authorizations. These decisions are made through the application

review process. Land-use authorizations must, however, be consistent with the plan, and existing laws and regulations. (NSEAP, Chapter 1 – Page 11)

The plan is implemented through administrative actions such as leases, permits, land conveyances, classification orders, and mineral orders. The plan serves as the final finding for land classifications and mineral orders. (NSEAP, Chapter 1 – Page 13)

It is intended for the plan to be the guiding document for land use for 20 years (the "planning horizon"):

This plan reflects land management decisions and allocations based on the best available information on the demand for use of state land and resources projected over the next 20 years. (NSEAP, Chapter 1 – Page 11)

Provisions are made for modifications to the Plan:

Specific modifications may be made whenever conditions warrant them, though a request for these changes must follow certain procedures. The plan may be amended after approval by the Commissioner of the DNR following public review and consultation with the appropriate agencies. (NSEAP, Chapter 1 – Page 13)

Specific Information Regarding Mite Cove:

The Parcel is designated in the NSEAP for public recreation and tourism (Ru) and is intended to remain public land:

Ru – Public Recreation and Tourism-Undeveloped. This designation applies to those areas that offer or have a high potential for dispersed recreation or tourism and where desirable recreation conditions are scattered or widespread rather than localized. Developed facilities are generally not necessary other than trails, trail signs, primitive campsites, and other minor improvements. Land in this designation may be conveyed to municipalities depending on the unit's management intent and the relative value of the recreation resources for which the unit was designated. These lands cannot be sold to individuals.

The Management Intent in the plan for the 180-acre Mite Cove parcel is as follows:

Parcel is to be managed for dispersed recreation purposes; use of the parcel for settlement or other non-public purposes is considered inappropriate. Any public use that is to be authorized in the uplands should take into consideration the

potential effects upon the anchorage capacity of Mite Cove and the wildlife movement corridor along the coast. Because of the importance of this anchorage to both commercial and recreation users, any significant degradation of its capacity is inappropriate and applications that significantly reduce this capacity should not be approved. (NSEAP, Chapter 3 – Page 321)

Actions Requested:

1. Please remove Mite Cove from transfer to the University in HB 295.

2. Continue your consideration of controversial parcels in the bill; please consider their consistency with corresponding DNR Area Plans.

3. I respectfully request that committee members request documentation from DNR of the public process that was used to select lands for transfer in HB 295 (Originally HB 130 in 2005). There was no public process in our area.

4. Consider substituting Representative Ramras' HB 234 in place of this bill entirely. This bill includes parcels that will provide sustaining and long-term returns for the University through leases and other income rather than one-time sales of controversial remote parcels.

5. Consider using the parcel identified by DNR as the Inlet View Subdivision (Parcel C-18 in the NSEAP) as a comparable substitute for the Mite Cove parcel. This 235-acre parcel near Pelican is identified for settlement, and its transfer to private use is consistent with the NSEAP. (Reid Harris in Representative Wilson's office has more information on this.)

Thank you kindly for your consideration.

Respectfully submitted,

Deb Spencer

Louie Flora

From: Deb Spencer [dspencerak@yahoo.com]
Sent: Tuesday, February 02, 2010 10:23 PM
To: Rep. Paul Seaton
Cc: Louie Flora
Subject: HB 295 - further comments from Pelican
Attachments: Comments on HB 295 to HEDU cmt.doc

Hello Representative Seaton,
Thank you for your willingness to discuss individual parcels in HB 295 at last week's Education Committee hearing. I was the first (nervous) witness on the teleconference; my testimony focused on the Mite Cove parcel.

I've tried to answer your questions in the attached letter re. land use designations. More specifically, you asked Director Mylius about water use for permitted users. Shoreline, Inc., our fish-buying scow, applies, pays for, and receives an annual permit to tie shorelines to the beach and run a water line. We have held a permit for this location for 25 years. This permit carries no "water rights" per se. DNR has a specific definition for "water rights" and they are much more extensive and are actually considered "rights." An annual permit carries no such weight.

A change to private ownership of the uplands would surely displace our business. Our little scow represents millions of dollars of commerce each season in the area and is a critical support to the troll fleet. In fact, in 2008, we bought about 10 percent of the troll kings and cohos landed by the entire summer fleet. Honestly, no private upland owners wants to hear fishermen delievering fish all hours of the day and night.

Please contact me for any further information. Thank you for your consideration.
Regards, Deb Spencer
735-2495

David Wieler
dba B & D Lab
11772 Whipple Spur
Ketchikan, AK 99901
Phone: (907) 247-2368
Fax: (907) 247-7797
Email: daveslab@kpunet.net

1/30/10

Representative Paul Seaton, Chair
House Education Committee
State Capitol, Rm 102
Juneau, AK 99801

Re: House Bill 295 – University Grant

Dear Representative Seaton:

I am a supporter of the University of Alaska. Use of the computer, spreadsheets, word processing, e mail and search were taught to me in the Ketchikan UAS. Some of the interns that assisted at the lab were taught at UAS KTN.

I am not a supporter of the logging practices implemented at Whipple Creek by the UAS. The area had been harvested by a Native corporation. We drove up roads and looked at maps. I took pictures and taped interviews with an administrator and a timber consultant. The project was begun. Culverts were used. The cut was designed partially for visual appearance.

But that was only the "first entry". Subsequent entries encroached upon the creek. Steep slopes were crossed, leading to erosion when the roots of the stripped away trees decayed. The trailer court drawing its water from Whipple Creek had increased problems with siltation in its pipes and infiltration gallery pond. The increased sediment and organic loads required increased water treatment resulting in increased disinfection byproducts.

Did the money from the ravaging appear in the budget of the Ketchikan UAS campus? How about all of Southeast Alasks? What percentage, if any, of logs were shipped overseas for processing? Was one of the roads used to haul fly ash away from the pulp mill and up high into the logged area and then covered with sawdust?

MOSER BAY SELECTION I am **opposed**.

Moser Bay is an area dear to local outdoor enthusiasts and summer visitors. It is only 5 or 7 miles from where skiffs can be rented from several resorts. There are lodges in Clover Pass on the way to Moser Bay. Tours are available. Map:CS MB 1001.

Where would one find out what criteria were used for the land selection in Moser Bay? What were presumed uses of this forest on the edge of bay?

Some possible uses:
Log it.
Hold onto it until a road is built.
Sell or lease for homes.
Trade it for another property.
Lease or sell for commercial recreation.
Use for aquaculture.

Some might think this lovely, SE wind protected, unspoiled bay, around the corner from the State Park at the end of the highway would be best left un-despoiled. But from where would the revenue for the University come?

MOSER BAY CREEKS
The selection takes in both major creeks. **Moser Creek** at the head of the bay has a fair run of pink and chum salmon. Big spruce trees are on the grassy banks. The tide goes a long way in and out, making it a delightful paddle at high tide. There may be a few crabs and cockles left at certain times of the year. Trails in the muskegs lead up the valley to the alpine ridges. The mud flats (and grassy banks) at low tide end when covered with the bay water attracted halibut and other bottom feeders. At one time logs were stored by the pulp mill in the cove west of the creek and at the edge of the flats. The Borough has selected the immediate estuary as a mitigation area to offset the airport road.

Wolf Creek is slightly larger. To the N and E of the mudflats at the head of Moser Bay, this creek also has a good to fair run of salmon. There we had a tiny research salmon hatchery in the late 70's, experimenting with methods of chum egg fungus reduction using plant extracts to substitute for the malachite green dye, with was at that time in disfavor due to carcinogenicity and was suspected of possibly affecting the adults. We also applied for an oyster farm permit, but were rejected. The hatchery permit was also rejected, although our contribution was used as ammunition in the US Canada salmon treaty negotiations. Wolf Creek, at extreme low water one October mid '70's, would fill a 5 gallon bucket in 1 second. This we judged inadequate for a production salmon hatchery.
Large old trees line the sides of the creek. The canyon is steep. On top where it levels off, would be a possible road route, were a road ever to be extended that far. A timber cruiser in the 70's gave his evaluation that if there were to be a road, it would probably be on the ridge along the E bank (within the selection), passing by The Ponds, and at the head of the Wolf Creek canyon. The c. 12 acres of land on either side of the creek mouth, when I lasted checked, was owned by Sealaska Corp. Before that it was claimed by salmon canning interests: Alaska Packers, or perhaps Del Monte.

I am **opposed** to including Moser Bay in the selection list in HB 295. unless
UofA was planning on keeping it the way it is, where everyone can use it.
David Wieler

Louie Flora

From: Mylius, Richard H (DNR) [dick.mylius@alaska.gov]
Sent: Thursday, February 04, 2010 11:24 AM
To: Louie Flora
Cc: Brakes, Heather K (DNR)
Subject: Final Corrected list

Here are the parcels that UA has deeds (ignore the shading) for:

Auke Weir
Cleveland Peninsula
Dalton Hwy MP 345-347
Deception Creek
Edna Bay
El Capitan South
Fairbanks Parking Garage
Jennie M Creek
Key Bank Site
Leask Cove
Lynn Canal
McCarthy - Nizina
Moira Sound/ Nowiskay Cove
Naukati Sound
Noyes Slough
Poker Flat Lease
Port Conclusion
Port Dolores
Rowan Bay
Silver Fox Mine
Sitka Campus
Sumdum
Summit Lake
Tok Research Forest
Ward Cove
West Twin Lake
Wien Lake
William Henry Bay
Willow Creek Road
Count 29

Mary Irvine 326 Sixth Street Juneau, Alaska 99801 (907) 586-1480

Good morning members of the Committee. As a 20-some year resident of the State of Alaska, I want to thank you for the opportunity to speak to you this morning about this important piece of legislation.

I would like to be very clear. I am a strong supporter the University of Alaska. Although I received both my undergraduate and graduate degrees Outside at private institutions, I have taken many rigorous classes at UAS, several fun classes at UAS, and I served the University for several years as an instructor for ED593, a continuing education course. I truly wish OUR university system had more financial stability and support in many ways. I find it regrettable that OUR university professors - especially adjunct professors - are underpaid.

However, I am here this morning to respectfully request that you please consider exempting a small 5-acre parcel from this funding bill. In the alternative, I'm requesting that you ask DNR to provide you with a different, alternative 5-acre choice parcel for inclusion in this bill, instead of the 5-acre parcel named ... Sumdum.

The 5-acre parcel known as Sumdum is a parcel of land about 40 miles south of where we are right now, and it contains the mouth of an extremely productive salmon stream, AND a historic cultural site important to many Tlingit people and many mining history scholars as well. The parcel is on the site of the old fish camp just across the inlet to Endicott Arm, from where The Soundon People lived in 6 large clanhouses. Several of the clanhouses in this area have been specifically documented - they were Black Bear House, the Glacier House, and others, the people of which, drew fish from this stream for thousands of years.

The parcel is also the direct site of the old 1879 – 1903 townsite of Sumdum. On record at the University of Alaska itself is a PhD thesis on what makes this area so historically compelling as to be reserved as an intriguing and culturally diverse site! The thesis documents some of the cultural exchange that makes this area such an interesting one, historically and culturally, to study. Although it was used for thousands of years by Tlingit "people of the sparkling green water" as a fish camp, ...later in history, during the early gold mining days, one of the first towns in "American Alaska" – consisting of several hundred souls - sprang up - some Tlingits but also new gold miner immigrants to Alaska as well. Cabins went up, a huge bunkhouse for the miners, a laundry, cookhouse and "American Alaska's" first brewery, to serve the booming area. A corduroy road and tram system with horses and ore carts were put in place, and tunnels - to blast the hard rock out of the earth - penetrated deep into the hills. The Presbyterian missionary Samuel Hall Young stopped here, another time, officers with the US Geographic Survey stopped here in the 1890's, and throughout the years of it's heyday, there was a

United States Post Office staffed here.

Members of the Committee,
How do we value a salmon stream? How do you put a price on still-WILD runs of natural salmon that have nourished people in this area for thousands of years? Can we? Should we?

Moreover, how do we value the PUBLIC history of a diversity of people - Tlingit and later Alaskans alike, interacting together, getting used to each other, experiencing each other and learning to live and work together in a certain place, in a certain time? Can we value this? Should we value this?

I believe we should value such things – maybe even put fiscal values on them – since we will be taking these out of the PUBLIC domain which benefits all Alaskans, and PRIVATIZING them for the benefit of those individuals able to avail themselves of our excellent university system.

I believe the Department of Natural Resources is the correct agency to manage this 5-acre parcel. Sumdum should remain rightly placed within DNR, and not be transferred to the real estate agents of the Lands Office for "disposal" to the highest bidder. This 5-acre parcel is a priceless Alaskan treasure that I'm not sure the real estate agents in the Lands Office at the University have any clear idea as to how to place a value on it, let alone manage it, as effectively as DNR has done over the past many years.

Perhaps I'm wrong - perhaps the fishing industry from Washington and Oregon would pay a darn fair price for one of our salmon streams. Or perhaps the Tourism industry would be happy to pay a fair price for a 5-acre parcel in order to put another zipline over the mouth of this salmon stream or one more tee shirt shop in place, en route to wherever it is they are going in such a big hurry on their vacations to Alaska.

I submit that Alaskans would appreciate at least your at least attaching a fiscal note value to a bill that removes a salmon stream OUT of the PUBLIC DOMAIN and gives it over to the realtors in the fundraising business.

I also submit that our summer visitors are coming to learn about just such history as the PUBLIC history that the little 5-acre parcel named Sumdum can offer to us Alaskans, and that we in turn can value and offer to them.

Would you please consider looking further into EXEMPTING the small 5-acre parcel called Sumdum from this bill?

Thank you for your time, and I'd be happy to try to answer any questions.

Parcel Name	Parcel Number -- 2010 Land Use List	DNR Land Use Plan	Land Designation in Plan	Notes
Earl West Cove[1]	PT.1004	CSEAP	General Use	Management intent indicates parcel to be used for multiple uses, including settlement and future timber sales.
Mite Cove[2]	MF.1001	NSEAP	Dispersed Recreation	Management intent indicates that the parcel is to be used for public purposes; not appropriate for settlement.
Moser Bay	CS.MB.1001	CSEAP	Settlement, General Use	Management intent indicates western part of parcel to be managed for settlement; remainder is General use. Note: anadromous stream is Habitat.
Olive Cove[3]	CS.OV.1001	CSEAP	General Use, Dispersed Rec.	Adjoins state subdivision. Management intent indicates that portions of parcel may be appropriate for settlement.
Sumdum	SD.1001	NSEAP	Dispersed Recreation	Management intent indicates that only development related to recreation uses would be appropriate.
Tenakee Springs	ST.1003	NSEAP	Public Facilities, Settlement/ Commercial	Management intent indicates that development appropriate near harbor and, in some inland locations, for commercial, industrial, and road right-of-way purposes. Areas not used for this purpose should remain undeveloped.
Thoms Place[4]	SD.1001	NSEAP	Settlement, General Use	Management intent indicates that settlement should occur along coast. Timber harvest in General Use areas not appropriate except as related to land development. Adjoins state subdivision to south.

CSEAP – Central Southeast Area Plan

NSEAP – Northern Southeast Area Plan

[1] Affected by legislative provision allowing land to be conveyed to a borough under certain conditions.
[2] See footnote 1.
[3] See footnote 1.
[4] See footnote 1.

Identification of Parcels – 2005 Land List

Parcels were identified according to the needs of the University and the restrictions of state area plans. DNR also established some sideboards of properties that would not be considered, such as producing oil and gas properties (including the entire North Slope), areas where DNR had already started work on land sales, timber parcels critical to the DNR Forestry sales program and sustained yield calculations, parcels selected by municipalities, etc. (this is not a complete list). Three types of properties were identified as needed by the University.[5]

Investment Properties (73,865 acres). DNR and the University initially reviewed all available land throughout the state and all applicable area plans. Generally, both parties agreed that it would be preferable, except in cases related to educational development and research and oil and gas utilization, to exclude parcels that were designated in area plans as generally inappropriate for development or could not be conveyed to individuals or municipalities based on plan or statutory restrictions. Designations that included Water Resources, Habitat, and Forestry were avoided; these designations cannot, for example, be conveyed to municipalities under the Municipal Entitlement Act. Designations that provided for development of some type or are acceptable for municipal conveyance were used as the basis for initial selection. Our review therefore focused on state land designated Agriculture, Settlement, General Use (a multiple use designation) and, to a lesser extent, Public Recreation where some type of recreation development was envisaged. The management intent associated with these parcels (which sometimes constrains use and development) as well as specific parcel knowledge were then used to reduce the inventory of parcels to that contained in the 2005 Land List. In all cases DNR required that the entirety of state land in an area of selection be included; this avoided the selection of just the best areas (high-grading), leaving the state with areas of limited worth.

Educational Properties (35,973 acres). Parcels that augmented the holdings of current educational facilities (Sitka, Juneau, and Fairbanks) were included. Also included were parcels important to water and water quality research and forest research and management. The former included large areas near Fairbanks as well as portions of the Tanana Valley State Forest. The latter was conveyed as a University Research Forest under the previous legislation.

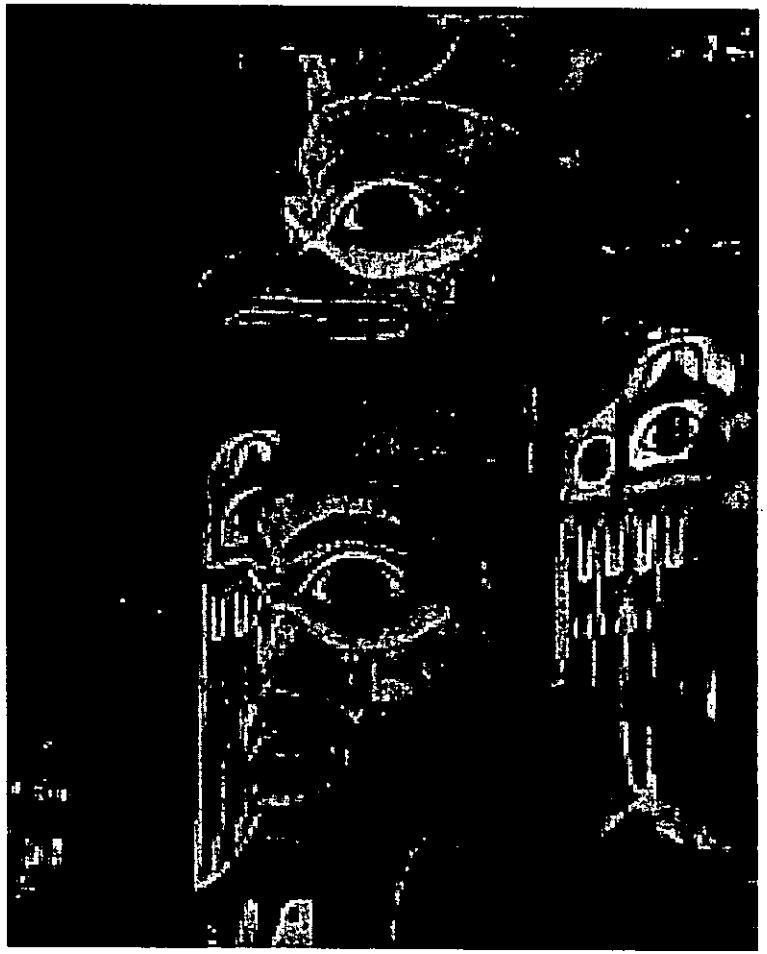
Oil and Gas Properties (90,000 acres). A large area near Nenana was included on the basis that this area has oil and gas potential and may be able to generate revenue.

[5] The acreage estimates given reflect the proposals of the 2005 Land List. Some parcels have been conveyed to the University. Especially significant is the University Research Forest (51,820 acres).

Alaska Historic Preservation Act

- *Alaska Statutes 41.35*
- Implemented in 1971
- Deals with
  - Alaska Historic Commission
  - Designation of historic monuments and parks
  - Unlawful acts such as vandalizing cultural sites
  - Threats to cultural resources by state projects

Totem Bight State Historical Park



Alaska Historic Preservation Act

- 41.35.010. Declaration of Policy. It is the policy of the state to preserve and protect the historic, prehistoric, and archaeological resources of Alaska from loss, desecration, and destruction so that the scientific, historic, and cultural heritage embodied in these resources may pass undiminished to future generations. To this end, the legislature finds and declares that the historic, prehistoric and archaeological resources of the state are properly the subject of concerted and coordinated efforts exercised on behalf of the general welfare of the public in order that these resources may be located, preserved, studied, exhibited, and evaluated.

Preservation of historic, prehistoric & archaeological resources threatened by public construction *(AS 41.35.070)*

- "Public construction" includes any projects involving:
  - State land
  - State funding
  - State permits

Flotsam cleanup project near prehistoric site on State land, Gore Point

AS 41.35.070(a)

- The department shall locate, identify, and preserve in suitable records information regarding historic & prehistoric sites.

- Alaska Heritage Resources Survey (AHRS)
  - Statewide inventory of all reported prehistoric & historic sites
  - Hard copy & electronic versions
  - Restricted (confidential) information

AS 41.35.070(b)

- Department may archaeologically survey affected area before public construction occurs to determine if the area contains historic or prehistoric values.

Archaeological survey, Kodiak
Note eroding shell midden

  - Allows OHA to review State projects & provide recommendations regarding surveys

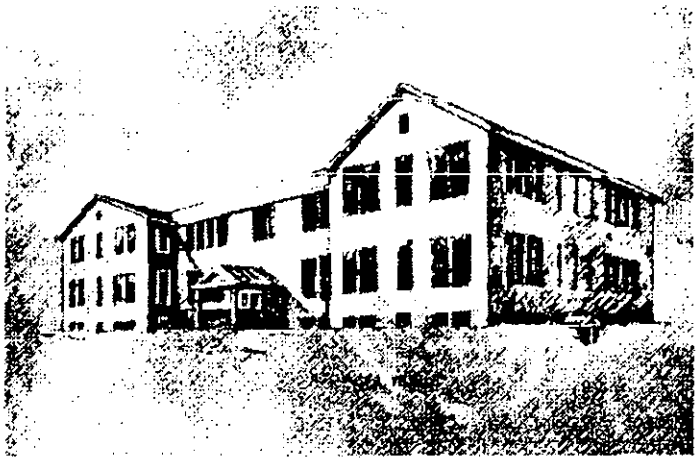
AS 41.35.070 (c)

- If the department determines that historic, prehistoric, or archaeological sites will be adversely affected by public construction, the project may not commence until the department has performed the necessary investigation, recording and salvage of the site.

Data recovery at the Unalaska Bridge Site

A Land Grant College Without the Land:

A History of the University of Alaska's Federal Land Grant



A Report to the University of Alaska
Statewide Office of Land Management

by Terrence M. Cole, Ph.D.

Chair, Department of History
University of Alaska Fairbanks

November 1993

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I. EXECUTIVE SUMMARY

The University of Alaska is a land- grant college without the land. In 1915, Congress reserved for Alaska's land-grant institution potentially more than a quarter-of-a-million acres in the Tanana Valley, proceeds from the sale and development of which would help finance the operation of the school. Under the terms of the measure, written by Delegate James Wickersham, the college was to receive every surveyed and unclaimed Section 33 in an area of about 14,000 square miles between Fairbanks in the north and the foothills of the Alaska Range in the south, in addition to the main campus of about 2,250 acres four miles from Fairbanks.

However, this large Tanana Valley land-grant never materialized. For decades, almost all of the land in the Tanana Valley (like the rest of Alaska) remained unsurveyed and therefore unavailable. As late as the 1950s, only 0.6 percent of Alaska had been properly surveyed under the standard rectangular system, and a territorial report concluded that at the speed Alaska was being surveyed, it could take as long as 43,510 years to complete the job. (Chipperfield 1954: 4) Due primarily to this incredibly slow pace of federal land surveys, Alaska's landgrant institution received only a fraction of the land Congress reserved for it in 1915; in addition to its 2,250 acre campus, the University of Alaska received less than 9,000 acres out of a reservation created for it totalling approximately 268,800 acres.

To partially remedy the situation, Congress granted an additional 100,000 acres to Alaska's land-grant college in 1929, but even with this additional grant, the total was less than half of the original acreage authorized in 1915.

Further efforts to increase the size of Alaska's higher education federal land- grant were made from the 1930s through the 1950s. Several bills were submitted to Congress that would have reserved up to 10 million acres for Alaska's land-grant college, but strong opposition, primarily from the Department of Interior, doomed the effort.

With the passage of the Alaska statehood bill in 1958, the university's legal rights to further land under the 1915 reservation were extinguished. The statehood act repealed the 1915 reservation because Congress apparently believed the enormous statehood entitlement of more than 103 million acres—far larger than that of any other state in American history—would provide sufficient resources so that the 49th state could adequately support its university. Alaska Delegate E.L. "Bob" Bartlett agreed with the majority of Congress that by not targeting specific amounts of land for specific purposes, such as had traditionally been done for the support of higher education elsewhere, the new state would have greater flexibility and more control of its own affairs.

Bartlett claimed in 1958 that in exchange for giving up the "in-place" grants—such as the Tanana Valley Section 33 reservation-the state of Alaska had received not only a far greater percentage of the public domain than other western states, but also greater freedom to choose land wherever it wished "without any reference at all to the traditional section-by-section formula." This freedom, as Bartlett predicted, helped the state immeasurably, for instance, when the state selected land at Prudhoe Bay, which turned out to be the richest oil field in North American history. But the cost of this greater freedom in land choice was a vastly smaller educational land grant for Alaska.

Traditionally, the size of land grants were most often determined by a state's population not by its area. Nevertheless, some of the last western states were given generous grants despite their sparse populations. For instance, Oklahoma and New Mexico each received about one million acres to support higher education. But, Alaskan higher education never shared in this federal bounty. Alaska received less land specifically dedicated for the support of higher education than any other western public land state, and less educational land or script than all but one of the contiguous states. Among the 48 states which had received federal land or land scrip to establish land-grant colleges, mining schools, teachers' colleges, and state

universities, only Delaware received fewer acres than Alaska. Thus, after statehood, Alaska in 1959 was in an anomalous position. While the state had received more land and a greater percentage of land from the federal government than any other western state, it ranked next to the bottom of the list in the amount of federal land it had received for higher education.

Since the statehood act had invalidated the university's 1915 Tanana Valley reservation, many Alaskans supported efforts to specifically designate a portion of the 103 million acre statehood entitlement for the support of the University of Alaska. In the spring of 1959, the first state legislature passed a measure authorizing the state to reserve to the UA one million acres "for the purpose of replacing grants of certain Sections 33 in the Tanana Valley previously allowed under federal law and now superseded" by the statehood act.

To the dismay of the University of Alaska and its supporters, Governor William A. Egan vetoed the one million acre university on the grounds that it would complicate the enormous task of the Division of Lands in selecting the statehood entitlement, and would furthermore violate the Alaska constitution's prohibition against dedicated funds. University of Alaska President Ernest Patty, shocked at Egan's veto, believed that the governor did not understand the century-long tradition of American land-grant colleges. President Patty did not share Egan's view that increasing the size of the university's land grant would violate the state constitution.

William R. Wood, Patty's successor as UA President, remembers that both state and federal officials agreed that the university had been short-changed in the statehood act, but that state officials believed additional lands should come from authorities in Washington, D.C., while federal officials told the university to look to Juneau for redress. Governor Egan's steadfast opposition to granting or reserving state land to the university essentially killed any chance of addressing the issue on the state level until Walter J. Hickel became governor in 1966. But shortly after Hickel's election, he was greeted by Secretary of Interior Stewart Udall's land freeze halting all transfers of federal lands until the issue of Alaska Native land claims could be settled.

Over the next 15 years, controversies regarding Alaska land matters continued to boil, as the public domain in Alaska was carved up for the first time. In 1971, Congress passed the Alaska Native Claims Settlement Act, reserving 44 million acres for Alaska Natives and opening the way for the construction of the Trans-Alaska Pipeline. The pipeline marked the start of a national conservation battle in the 1970s over the future of Alaska's lands, which culminated in 1980 with the passage of the Alaska National Interest Lands Conservation Act, a measure which added 104 million acres to the state's conservation systems.

Now, with many of the major Alaska land issues of the 1970s and 1980s settled, supporters of the University of Alaska have encouraged the state to re-examine the question of the university's land grant and consider granting the school additional lands in order for it to "achieve parity" with higher educational systems in other states.

This report is a brief historical review of the land-grant issue as it pertains to the University of Alaska, a land-grant college without the land.

II. ACRES FOR EDUCATION: THE TRADITION OF FEDERAL LAND GRANTS

The U.S. government helped finance America's educational system, from kindergarten to college, not with money, but with land. The practice of trading acres for education is one of the oldest traditions in American history, even pre-dating the United States Constitution. Dedicating land from the public domain to finance schools in the various states and territories was born of necessity, since the national government had a shortage of dollars and a surplus of acres. According to a 1939 Department of Interior tabulation, the total educational land grants to Alaska and the 48 states amounted to more than 200 million acres, an area bigger than the state of Texas.

The Ordinance of 1785 established the rectangular survey of New England as the basis on which all land west of the Ohio would be subdivided; land was surveyed into townships composed of 36 sections of 640 acres or one square mile each. The 1785 law also established the principle of federal land endowments for education by reserving Section 16 of every township "for the maintenance of public schools, within the said township." (Taylor 1969: 131) After the admission of Ohio in 1803, Section 16 of every township in every new territory or state was typically reserved for schools; any Section 16 which had somehow been preempted was replaced by another section "in lieu thereof." (Hibbard 1939: 310) Over the 19th century, as the need for the expansion of education grew, so did the size of the federal land endowment for schools. With the admission of Oregon in 1848, the usual common school section grant doubled from one section to two (Sections 16 and 36). Utah, New Mexico, and Arizona, three of the last four states admitted before Alaska, each received four sections for school lands (Sections 2, 16, 32 and 36).

Common school grants were by far the largest in terms of acreage; however, higher education also received varying amounts of land. Different states received federal land grants for seminaries, teachers' colleges, mining schools, military schools and universities totaling millions of acres. Most notable among the land grants for higher education were the land-grant agricultural colleges created by the Morrill Act of 1862.

MORRILL ACT OF 1862

The Morrill Act, which has been called "perhaps the most important single act for education ever passed by Congress," revolutionized higher education in America. (Taylor 1969 111) Previously attending a college or university had been the privilege of an elite upper class, but supplied with government land grants totalling more than 11 million acres, the nation created new kinds of colleges in every state and territory that would stress the teaching of "agriculture and the mechanic arts" to the "industrial classes." Thanks to the creation of the system of land-grant colleges and universities, which eventually spread to all 50 states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands, the doors of higher education swung open for the first time to millions of working class men and women. "Democracy's College" is the apt title of the classic history of the land-grant college movement.

INEQUITIES OF THE LAND GRANTS

Despite the laudable goals of the Morrill Act, serious problems with the legislation emerged. The acreage of each state's land grant was based on population as measured by the size of its congressional delegation; for each senator and representative a state sent to Congress, it received 30,000 acres. Therefore, the law favored the heavily populated, industrialized eastern states over the more sparsely settled and primarily agricultural western states. For instance, Rhode Island, the smallest state in the union, received 120,000 acres in scrip, a larger land grant than that of either Oregon, Nebraska, Kansas, Nevada, or Colorado, all of which received the minimum of 90,000 acres. Similarly, Connecticut (180,000 acres) received more than California (150,000 acres), and New Jersey (210,000 acres) more than Montana (140,000 acres).

Besides the glaring inequities between eastern and western states, except in a few instances, the land grants never created the financial endowments for the agricultural colleges which Congress had intended. As one historian has noted, the disposal record of the various states' agricultural college land grants "is clouded by scandal, fraud, and poor management. Many states realized less than one dollar an acre for their land, and some were even swindled out of the proceeds of the sales altogether." (Madsen 1976: 34) The poorest performance was that of Brown University in Rhode Island, which received only 42 cents an acre for its land.

One of the few states to earn a significant income from its land grant was New York, which received the largest grant of nearly one million acres (in scrip). Ezra Cornell, founder of New York's land-grant college, Cornell University, invested the scrip in 500,000 acres of the pinelands of northern Wisconsin to amass a nest egg of

$5 million for the school. Historian Paul Wallace Gates noted in his 1943 study of Cornell's land grant that the university's investment in Wisconsin was "one of the largest and ultimately most successful land speculations in American history." (Gates 1943: 49) But Cornell University was the exception. "None of the states received, through the Agricultural-College Act, sufficient funds to place their agricultural colleges on a sound financial basis at the outset," Gates wrote, "and with the exception of New York, no state east of the Mississippi River ever obtained from land or scrip what might be regarded as an adequate endowment." (Gates 1943: 245)

III. ALASKA' EDUCATIONAL LAND GRANTS

The man who ensured that the federal government would provide land for the support of schools and colleges in Alaska, as it did elsewhere, was Alaska Delegate James Wickersham. In 1915, Wickersham pushed a measure through Congress which reserved lands for both a common school system throughout the Territory and an agricultural land-grant college in the Tanana Valley near his hometown of Fairbanks.

Wickersham's 1915 school lands' bill appeared to be the first giant step in the disposition of the public domain in Alaska, reserving potentially about 20 million acres for education in the Territory. Despite earmarking this large reservation of federal land specifically for education, however, federal officials did little to ensure that schools and colleges in Alaska would actually receive any of the land which had been reserved for them. The high cost and slow speed of Alaskan development, due in part to bureaucratic inertia and the lack of federal land surveys, invalidated the generous terms of the 1915 act, so that Alaska ultimately received only a tiny fraction of the approximately 20 million acres of land Congress reserved for education in the Territory in 1915.

Tanana Valley Agricultural College Reserve

Delegate Wickersham's 1915 school lands' bill followed the precedents in other states and territories by reserving specific sections of federal land for the purposes of education. His legislation reserved every surveyed Section 16 and 36 throughout the territory for the support of the "common schools" of Alaska. This total reservation—of potentially more than 20 million acres—was the largest public school grant (on paper at least) in American history.

Besides the enormous common school grant, Wickersham's bill also set aside potentially more than a quarter-of-a-million acres in the Tanana Valley for the support of an agricultural college and school of mines. Four sections around the Fairbanks Agricultural Experiment Station outside of Fairbanks were designated as the campus, while every Section 33 in the Tanana Valley between 64 and 65 degrees north (approximately from the foothills of the Alaska Range to Fairbanks) and 145 and 152 degrees west (from near modern-day Delta Junction in the east to the mouth of the Tanana River in the west) were reserved to provide an endowment for the support of the college. Wickersham's bill also followed the established procedure set in other states and territories by promising the territory "in lieu of" lands, if any of the reserved sections would be preempted before survey by homesteaders or otherwise disposed of by Congress.

Absence of Surveys Negate 1915 Grant

In 1917, the Alaska Territorial Legislature formally incorporated the Alaska Agricultural College and School of Mines (renamed the University of Alaska in 1935) as Alaska's land-grant institution. However, the land which Congress had reserved in 1915 to provide an endowment for the school was never transferred from federal ownership due to the same problem that effectively negated nearly every Congressional land measure in Alaska: the absence of surveys.

At the time Wickersham introduced his measure in 1915 to reserve lands for a land-grant college, no one in Congress was even certain about how much Tanana Valley revenue land they were actually reserving for the agricultural college. For instance, before the bill's passage, the report from the Committee on Public Lands stated that the agricultural college reserve in the Tanana Valley was "a very small one" of 134,400

acres, "which is a smaller number of acres than is usually given an agricultural college or school of mines." (U.S. House 1915: 5) Wickersham himself said on the floor of the House that the Alaska Agricultural College would receive only a total of 80 sections (51,200 acres). Another congressmen claimed the reserve would be about 180,000 acres, while another claimed "it would be even more than that." (Congressional Record, 24 February 1915: 4544-4545) Still later the Dept. of Interior estimated that the Section 33 grant totaled 336,000 acres. (U.S. Dept. of Interior, 1939: 3)

Confusion stemmed mostly from the fact that virtually none of the land under consideration had yet been surveyed, so no one could have known exactly how many sections were potentially included in the reserve. (According to calculations made years later by University of Alaska administrators, the total Section 33 land reserved for Alaska's land-grant college under the 1915 measure comprised 420 sections or 268,800 acres. (Patty to Egan, 8 February 1960, Pres. Papers, 60/61, Box 14, File 204)

The lack of surveys not only caused confusion about the size of the Alaska Agricultural College's reservation, it also effectively cancelled the value of the reservation itself. The land set aside in 1915 was clearly predicated on surveys; obviously, the specific sections reserved for education could not be reserved until after they had been delineated. The first line in the 1915 law stated in part that the educational lands could be reserved only "when the public lands of the Territory of Alaska are surveyed, under direction of the Government of the United States..." Considering the pace at which the federal government was completing the rectangular survey of Alaska, the college could have literally waited until the next ice age, or longer, to receive all of its land. In 1915, the General Land Office had hardly even begun the task of surveying the Territory. Even four decades later, in 1952, only about 0.6 percent of Alaska's estimated area of 375 million acres had been surveyed. One politician predicted in the early 1950s that at the going rate of land surveys, it would take between 12,000 and 17,000 years to finish the job, while a less optimistic report from the Territorial Division of Lands estimated it might take as long 43,510 years! (U.S. House, Statehood For Alaska, 1957: 321; Chipperfield 1954: 4) Not until after statehood in the 1960s did the U.S. government finally begin to survey sizeable portions of the public domain in Alaska. (Ducker 1992)

Without surveys, the 1915 congressional school land reservations in Alaska for both public schools and the land-grant college remained empty promises. Out of the estimated 20 million acres that the 1915 grant reserved for the public schools of Alaska, the Territory of Alaska ultimately received only about 106,000 acres, or 0.5 percent of the original reservation. (Chipperfield 1954: 2; Stein 1987: 7)

The land-grant college's expected Tanana Valley land grant never materialized either. In 1958, the university reported that only 19 Section 33s—out of a possible total of 420 Section 33s in the Tanana Valley—had been surveyed. "At present rate of survey," the university's land manager reported in 1958, "one might expect completion of survey in from 200 to 1,000 years." (Land Manager Report, 20 May 1958, Pres. Papers, 1958/59, Box 6, File 88) According to figures from the State Division of Lands, out of the 1915 reservation, Alaska's land-grant institution ultimately received only 11,211 acres, of which about 2,250 acres were the campus site reserved for educational purposes, leaving only 8,961 acres for revenue purposes. Thus, the University of Alaska was granted less than 3.3 percent of the 268,800 acre Tanana Valley reservation Congress created for its financial support in 1915. (Stein 1987: 167)

Lack of Land Income

The lack of land was clearly seen in the university's balance sheet. During the University of Alaska's first three decades, from 1917 to 1946, the total revenue to its permanent fund from land sales, rentals, and leases was only $227.50. During that time, the university's land income never amounted to more than $30 a year. Other years were even worse. From 1926-1928, Alaska's alleged land-grant college earned only 75 cents from its land grant. Nearly every third year, until the late 1940s, the UA

earned absolutely no income from its land whatsoever. (UA Permanent Fund Statement, 1917-1971, Pres Papers, 1971/72, Box "Higher Ed...", File, Land—July-Dec)

1929 Land Grant

Congress recognized the inadequacies of the 1915 Tanana Valley agricultural college reservation when it passed a measure 14 years later to grant an additional 100,000 acres for the "exclusive use and benefit" of the Alaska Agricultural College and School of Mines. Under the 1915 act, the educational lands were merely reserved, with title vested in the Federal government, but the 1929 act was an outright grant of 100,000 acres to the Territory for the support of the college.

The 1929 law required the granted land to be surveyed before selection. However, unlike the 1915 in-place reservation which specified particular sections, the 1929 legislation was an actual quantity grant; under its provisions, the Territory of Alaska could select 100,000 acres of "vacant, nonmineral, surveyed, unreserved public lands" anywhere in Alaska for the financial support of the college. (U.S. Senate 1929)

The 1929 quantity grant became the major land grant of the University of Alaska. By the 1960s, virtually all 100,000 acres had been selected and patented, forming the bulk of UA's total land-grant trust of approximately 111,000 acres.

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10 Million Acres More

Charles E. Bunnell, the first president of the University of Alaska, and Delegate Anthony J. Dimond never ceased their efforts to increase the size of the UA's land grant and reserve. During the seven years from 1936 to 1943, Dimond introduced at least five nearly identical bills in the 74th, 75th, 76th, 77th and 78th Congresses, to extend the 1915 Section 33 reservation in the Tanana Valley to the entire territory. Dimond's legislation proposed amending the 1915 act, stating:

> *...Section 33 in each township in said Territory shall be, and the same is hereby, reserved from sale or settlement for the support of the University of Alaska...*

Reserving each Section 33 throughout the entire Territory of Alaska, not simply those in the Tanana Valley, would have increased the university land reserve to approximately 10 million acres. This would have been, by far, the largest higher education land grant in history, nearly equal by itself to all of the land and script given to all of the land-grant colleges and universities in the United States.

Dimond saw this 10 million acre land bank as the university's endowment for the future. He explained in a 1937 telegram that the land he proposed reserving was at present "of little if any value but eventually by increased value may be of substantial aid in maintaining university." (Dimond to Shattuck, 14 July 1937)

Opposition to the 10 million acre university reserve came principally from the Department of Interior. Year-after-year, the Secretary of Interior recommended against expansion of the Section 33 reserve on the grounds that the university already had more land than it needed. As evidence, Interior officials pointed out that the UA had taken no steps to select any of the 100,000 acres made available to it by Congress in 1929. "It appears," Acting Secretary of the Interior Charles West wrote in 1937, "that no selections have yet been made by the Territory of Alaska under said grant." (West to DeRouen, 3 April 1937)

No matter how it looked in Washington, D.C., the failure to file any selections was more a factor of Bunnell's short-handed administration than a lack of interest in acquiring additional land. Struggling to survive from one fiscal year to the next, the UA lacked the staff in the 1930s and 1940s to tackle the massive job of land selection that the 1929 act required. Officially, Bunnell was both president and comptroller, and any issue of substance that concerned the university crossed his desk, from buying library books to selecting land.

Dimond asked Bunnell to explain in writing why the University genuinely needed the reservation of additional lands. However, Dimond realized Bunnell's

difficult position. The university had numerous dealings with Interior Department officials and Bunnell could not afford to alienate them. "If you are disinclined to write a letter that I can use before the Committee," Dimond wrote Bunnell, "will you not at least with your superior knowledge of the entire subject, write me a memorandum which I may adopt in whole or part as my own without bringing your name into the controversy." (Dimond to Bunnell, 6 April 1937) If Bunnell ever wrote the memo which Dimond requested, it has not yet come to light.

In 1938, the university selected 1,927 acres near Fairbanks for its first quantity grant under the 1929 law. (Stein 1987: 7) Nevertheless, the Interior Department continued to thwart Dimond's and Bunnell's efforts to reserve additional land for the university. "The Department of the Interior is still vigorously opposed to having set aside for the University of Alaska any more of the public lands in the Territory...," Dimond wrote to Bunnell in February 1941. (Dimond to Bunnell, 11 February 1941)

A month later Dimond further explained: "The Department's argument against the bill seems to be based upon the theory that plenty of land has already been reserved for the University of Alaska and no more is needed. Specific reference was made to the fact that the grant of 100,000 acres made to the Territory of Alaska for the benefit of the University...has not yet been selected except for approximately 2000 acres..." (Dimond to Bunnell, 12 March 1941)

By the time Dimond introduced his 10 million acre bill for the fifth and last time in 1943, he had apparently resigned himself to the Interior Department's unwavering opposition. As Dimond expected, the Interior Department responded once again with a negative recommendation. Acting Secretary Abe Fortas wrote in July 1943 that Delegate Dimond's proposed 10 million acre reserve, added to the more than 20 million acres previously reserved in 1915 for common schools and higher education in Alaska, would create a gigantic educational reserve of more than 30 million acres which Alaska did not need.

"Such an amount would be greatly in excess of the grants of public land made to any of the States," Fortas wrote, "and, considering the comparatively small population of the Territory of Alaska, approximately 60,000, an additional reservation of the amount proposed for educational purposes, would seem unwarranted and greatly out of proportion to the present or contemplated need of the Territory." (Fortas to Peterson, 19 July 1943)

In 1944, E. L. "Bob" Bartlett replaced Dimond as Alaska's Delegate to Congress. Bartlett told Bunnell he would resubmit Dimond's 10 million acre reservation proposal, but claimed it would be futile as the Interior Department would continue to thwart the measure. "I have no doubt that if I introduce a bill seeking the same objective a similar report will be made," Bartlett wrote, "but I am perfectly willing to do so in any event if such is your desire." (Bartlett to Bunnell, 30 December 1944)

Apparently Bartlett did not reintroduce Dimond's university land measure, as by that time a new force had arisen which would drastically alter Alaska's political landscape and the land question: the Alaska statehood movement.

IV. THE STATEHOOD MOVEMENT

In 1916, one year after Congress reserved more than a quarter of a million acres in the Tanana Valley to finance a land-grant college in Fairbanks, James Wickersham submitted the first bill requesting statehood for Alaska. Wickersham introduced his statehood bill, a symbolic gesture with no real hope of passage, on the 49th anniversary of the signing of the Alaska Purchase Treaty. He patterned his measure after the statehood act of Oklahoma, supposing the generous grants of money and land for education would find favor with Democrats, traditional supporters of state's rights, who at the time controlled both Congress and the White House. (Atwood 1979: 306)

First Statehood Act proposes 11.3 Million Acres for Higher Education in Alaska

Wickersham's 1916 bill called for Congress to grant Alaska approximately 11.3 million acres specifically for the support of higher education and approximately 20 million acres for public schools. If enacted, the proposals would have been the most generous public education and higher education grants in the history of the United States. Among its other provisions, Wickersham's measure-anticipating Delegate Anthony Dimond's campaign in the 1930s and 1940s to increase the University of Alaska's land grant—proposed granting one section in each township throughout the territory for higher education. Delegate Wickersham recommended granting every Section 13 (about 10 million acres) for the equal benefit of Alaska's future universities, teachers' colleges, agricultural colleges, and schools of mines. Furthermore, instead of certain traditional land grants for internal improvements, and other swamp land grants which were not applicable to Alaska, the bill would have granted an additional 1.3 million acres for higher education dedicated as follows:

400,000 acres for universities
400,000 acres for agricultural colleges and schools of mines
300,000 acres for teachers' colleges
200,000 acres for schools of forestry
(Daily Alaska Dispatch, 31 March 1916; Naske 1972: 3)

The 1940s Revival of the Statehood Campaign

Delegate Wickersham's 1916 statehood bill died without receiving a hearing, and it was not until more than a quarter of a century later that the question of Alaska statehood again surfaced in Congress. In 1943, bills were introduced in both houses calling for the admission of Alaska as a state, requesting extraordinarily generous land provisions. The bills would have given Alaska all of the unappropriated public land in the Territory, except for those lands actively used by the federal government. Furthermore, Delegate Anthony Dimond's bill in the House also included his long standing proposal to grant the University of Alaska an additional 10 million acres by reserving for it every Section 33 in the Territory. (Naske 1972: 3)

When Congress seriously began to address the Alaska statehood issue following World War II, debate centered on the amount of land the proposed 49th state would receive. Initially, most Alaskans assumed that the new state of Alaska would be given all the public land in the territory. Delegate Bob Bartlett's 1947 statehood bill, like his predecessor Anthony Dimond's bill four years earlier, recommended that the United States government convey to the state of Alaska all of the vacant public domain; and, in addition, reserve 20 million acres or two sections in each township (Sections 16 and 36) for public schools, and 10 million acres or one section in each township (Section 33) for the support of the University of Alaska. (U.S. House 1947: 2)

The Interior Department supported the concept of Alaska statehood, but fiercely opposed granting the future state government all of Alaska's public domain. Acting Secretary Warner Gardner wrote the department's official report on April 14, 1947 claiming most of Alaska should be held in trust for all of the people of the United States.

The custom has been for the federal government to grant to the new states lands for schools and for internal improvements, but to retain the bulk of the public lands under federal ownership. I strongly recommend that there be no change in this practice in the case of Alaska.

Gardner suggested several changes in Bartlett's bill, which the secretary claimed would permit

Alaska to enter into the Union on a basis similar to that on which the western continental States were admitted. While retaining the greater part of the public lands for national management, the federal government has made grants to the new states for school purposes and internal improvements. Similar grants should be made in the case of Alaska. (U.S. House 1947: 12)

In particular, Gardner's suggested amendments would reduce the state's land entitlement to about 20 million acres for public schools (every Section 16 and 36),

500,000 acres for miscellaneous internal improvements, and approximately 438,000 acres for the support of the University of Alaska. (Under Gardner's proposal, the university's total acreage would consist of the 2,250 acre campus, the 1915 Tanana Valley Section 33 reservation—erroneously calculated by Interior to be about 336,000 acres—and the 1929 land grant of 100,000 acres.) (U.S. House 1947: 14)

In the spring of 1948, Delegate Bartlett and the Interior Department compromised on the size of the statehood land-grant proposal; both agreed to support a grant of four sections in each township (Sections 2, 16, 32 and 36) totaling about 40 million acres, and to reassert the University of Alaska's rights to the entire 1915 Tanana Valley Section 33 grant, i.e. about 268,000 acres, and the 1929 grant of 100,000 acres. (U.S. House 1949: 2) Bartlett and other strong statehood supporters admitted that they would have preferred to ask for more land, but that political reality at the time dictated that four sections per township, plus Section 33 in the Tanana Valley, was the best deal Alaska could hope to receive. As retired Delegate Dimond told a Senate committee in 1950, "...we have to take this or we do not get anything." (U.S. Senate 1950: 75)

Nevertheless, others still maintained that unless Alaska received more land, it could never become economically viable as a state. Two statehood bills introduced in 1949 again repeated the original Dimond-Bartlett position: all public land not needed by the federal government, in addition to about 20 million acres for public schools (every Section 16 and 36) and about 10 million acres for the support of the University of Alaska (every Section 33). (H.R. 25 and H.R. 2300, 81st Congress, 1st Session)

From In-Place To Quantity Grants

Congress moved towards a revolutionary solution to the Alaska state land question in 1950, when it rejected traditional in-place grants of specific sections, and endorsed the concept of quantity grants of larger blocks of open acreage. Ironically, the most eloquent case for changing the manner in which Alaska's land would be granted, and for also granting Alaska additional land, probably originated with statehood's most vocal opponent, Winton C. Arnold, chief lobbyist and publicist for the Alaskan canned salmon industry. (Naske 1972)

At numerous congressional state-hood hearings, Arnold showed charts and graphs illustrating that at the rate the rectangular survey was being extended to Alaska, it would literally take thousands of years to complete the task. (As noted previously, estimates in the 1950s were that it might take anywhere from 12,000 to 43,510 years to survey all of Alaska.) For instance, Arnold tabulated the history of land surveys in the last ten states admitted into the union, from North Dakota (1889) to Arizona (1912). On the date of admission, the percentage of surveyed land in the new states ranged from a minimum of 20 percent in Idaho, to a maximum of 100 percent in Oklahoma. By contrast, Arnold noted that only 0.672 percent of Alaska had been surveyed by 1950. (U.S. Senate 1950: 414) Since Alaska could not receive title to a specific section of land until it had been surveyed, the state would virtually have to wait forever to receive all of its land, and Arnold maintained that therefore statehood was not a practical option for Alaska.

Instead of ruling out statehood, however, the slow pace of surveys merely convinced the Senate Committee on Interior and Insular Affairs, as Bob Bartlett wrote, to adopt a "bold and precedent shattering way in determining how land should be transferred to the new state." (Naske 1972: 8) In 1957, the year before Congress finally voted to admit Alaska into the Union, Bob Bartlett recalled that during its deliberations in 1950, the Senate committee

> *evolved an entirely new principle in respect to land grants. Its decision was that the historic manner of passing on to the new state numbered sections after the survey should be discarded. Substituted, therefore, was the provision which has remained in every statehood bill since, namely the extraordinarily liberal and, I believe for Alaska, advantageous principle that the state should be allowed to select what land it desired from the*

public domain not already appropriated or reserved. Recognizing the fact that surveys were so far behind, the Senate Committee inserted language which would permit the state to select this land 25 years after admission. Transfer was to have been made after the exterior boundaries were surveyed by the Secretary of the Interior. This is intended to speed up the whole process of land selection so that title may pass swiftly to the state instead of the state having to wait for years and years—perhaps as many as 15,000!-before receiving its land patrimony. (Bartlett to Franklin, 19 January 1957, RG 223, Box 132, HR 50)

The committee abandoned the practice of in-place grants and substituted quantity grants of blocks of land ranging in size from slightly more than 5,000 to as much as 50,000 acres, surveyed on exterior lines only. Giving the state selection rights would enable it to choose the most valuable tracts of land and avoid the traditional checkerboard pattern of land ownership which would only further increase the cost and retard the pace of Alaskan economic development. Carefully selecting land, the new state could theoretically create a consistent strategy of land planning and resource development.

103 Million Acres

Besides replacing in-place grants with quantity grants, in the early 1950s Congress also broke with historical precedent by recommending Alaska receive far more acreage than any state in the history of the United States. This was necessary, a Senate report stated in 1954, because the laws for the disposal of the public domain in Alaska "have been and are vitiated to a large degree by the Federal policies of the last half century..." To alter Alaska's "distorted landownership pattern"—99 percent of the land was still under federal control—the Senate recommended in 1953 that the new state be given 103 million acres or nearly 30 percent of the area of Alaska, almost three times the percentage of land given to any other western state. (Later proposals would run as high as 182 million acres or about 50 percent of Alaska, though the final figure approved by Congress in 1958 was a total of 103,350,000 acres.) Even with such an enormous statehood entitlement, however, more than two-thirds of Alaska would continue to be federal land. "From one point of view, therefore," the Senate reported in 1954, "a grant of 103,350,000 acres may be unprecedented. From the other point of view, a grant of any smaller amount would still leave the federal government in a position of overwhelming dominance over the land and resources of the new state and its people." (U.S. Senate 1954: 2)

Internal Improvement Land Specified for Higher Education

Most of the statehood bills submitted in the 1950s continued to recognize that higher education in general, and the University of Alaska in particular, should be given a specific amount of acreage. The basic formula for the 103,350,000 acre proposal, repeated in numerous bills submitted between 1953 and 1957, divided the state's total acreage into three categories: an unrestricted general-use grant, community development grants, and internal improvement grants. (See Table No. 1 on page 11)

The bulk of the land consisted of an unrestricted "general open grant" of 100 million acres; revenues from the disposition of this land could be "used for the running expenses and the development of the new State, as its people, through their elected representatives, may direct." (U.S. Senate 1954: 30) A second category of land was the community development grant of 800,000 acres, half of which would be selected from the public domain and half from the national forests. These lands were designated for "the development and expansion of communities." (Stein 1987: 13)

The third and final category of land, comprising the remaining 2,550,000 acres, was for specific internal improvements, including penitentiaries, reform schools, public buildings, pioneers' homes, teachers' colleges, and the University of Alaska. Virtually every piece of statehood legislation Congress considered until 1957 specified that higher education would directly receive at least one million acres of the

103,350,000 acre proposed statehood entitlement, consisting of 500,000 acres for the University of Alaska and 500,000 acres for the support of teachers' colleges or normal schools. (See Table No. 1)

TABLE NO. 1

Typical Calculation of Acreage in proposed Alaska Statehood Bills, 1953-1957

1. 100 million acres—General open grant, no restrictions.
2. 800,000 acres—Community Develop-ment Grants—to be used for expansion of communities. Half of acreage would come from the public domain, half from national forest land.
3. 2,550,000 acres—for various specified state functions and internal improvements enumerated as follows:
   - 500,000 acres-University of Alaska
   - 500,000 acres—teachers' colleges
   - 500,000 acres—public buildings
   - 200,000—schools and asylums for the deaf, dumb and blind
   - 200,000 acres—penitentiaries
   - 200,000 acres—mental institutions
   - 200,000 acres—charitable, penal and reformatory institutions
   - 250,000 acres—pioneer homes

(U.S. House 1953: 17)

PROPOSED ELIMINATION OF 1915 RESERVE

By the early 1950s, it seemed likely that if and when Alaska achieved statehood, the University of Alaska would receive its long-delayed increase in the size of its land grant. Invariably, all of the statehood bills before Congress addressed the need to give the university additional land. But impending statehood also raised fears in the Territory of cancellation of the 1915 public school and university land reservation. Given that Congress had rejected the concept of in-place grants in favor of quantity grants, it seemed reasonable to many lawmakers, including Delegate Bob Bartlett, that Congress should revoke the 1915 reservations and substitute a larger quantity grant.

The Territorial Department of Land warned in a December 1954 report that Alaska was in danger of potentially losing the millions of acres which the United States had reserved for Alaska education almost three decades earlier. The statehood bill then under consideration (See Table No. 1) would repeal the 1915 school land reservation, and though it would provide up to one million acres specifically for the support of higher education (500,000 acres for the University of Alaska and 500,000 acres for teachers' colleges), it would not provide specific acreage to support the school system, traditionally the prime justification for granting land to states. The report recommended that some means be found to guarantee that land be granted to support Alaska schools, just as was being done for higher education with internal improvement land under the proposed statehood bill.

> *There may be no objection to the repeal of the school reservation act providing some other provision is made to grant the school system 20,101,488 acres, an amount equal to the amount it would have received under that act. The original and chief purpose of making grants of land to states was for benefiting the public schools. The proposed legislation... provides grants for many other state institutions and purposes for which grants are generally made but the most important grant for the public schools is not provided for. In fact, the school system would lose the reservations that have been previously granted. (Chipperfield 1954: 13-14)*

In March 1955, Territorial Land Commissioner W.A. Chipperfield drafted a bill which he believed would protect the land rights of Alaska's schools and the University of Alaska, by immediately granting to the Territory all surveyed reserved school and university sections, with funds from the sale or other use of such lands earmarked for the schools and the University of Alaska. (Chipperfield to Heintzleman, 7 March 1955, E.L. Bartlett Collection, Legislative Bill File, Box 2, Folder 19)

In response to the concerns of Commissioner Chipperfield and others, Delegate Bartlett argued that dedicated school lands were not in Alaska's best interest. Bartlett claimed Chipperfield's proposal seemed to run "directly counter to the existing concept which has been expressed in the various statehood bills for the last few years, namely, that Alaska shall have the privilege of choosing its lands rather than having to accept them by reason of established sections..." (Bartlett to Heintzleman, 26 March 1955, Bartlett Collection, Legislative Bill File, Box 2, Folder 19)

Alaska's Commissioner of Education Don Dafoe voiced similar concerns about the lack of "specific land grants for schools." Dafoe wrote Bartlett that receipts from school lands should be added to the "permanent school fund with a view toward building it up to where it would be a good endowment in 50 to 100 years from now..." (Dafoe to Bartlett, 16 April 1957) Dafoe argued that the long-term interests of Alaskan education required careful management of the school lands.

> *Whether or not Alaska has a good solid permanent school fund 50 years from now will depend upon how carefully school land matters are handled at this time. There is a school of thought which believes in giving away these lands for little or nothing and which believes that the monies received should be subject to immediate use in total, rather than going into the permanent school fund. (Dafoe to Bartlett, 5 April 1957, Bartlett Collection, Legislative Bill File, Box 2, Folder 20)*

Bartlett responded that he was philosophically opposed to dedicating lands or funds for specific purposes.

> *...personally I have a very strong feeling that some of the fiscal woes of our government in all of its subdivision today are brought about by income segregations for stated purposes. Such income may be too much or too little for the objectives sought. All money for government use must come from the taxpayers, and I, for one, feel that the legislative bodies should not be shackled in appropriating according to the needs of the times. (Bartlett to Dafoe, 19 April 1957, Bartlett Collection, Legislative Bill File, Box 3, Folder 28)*

DIRECT GRANTS OF SCHOOL AND UNIV. LAND

Despite Bartlett's opposition to dedicated lands and funds, he did introduce a measure in May 1955 calling for the U.S. government to grant all reserved (i.e. surveyed) public school and University of Alaska lands to the Territory of Alaska. Under Bartlett's bill, the Territorial Legislature would have the authority to dispose of the lands as they wished, however, all "proceeds or income are to be expended solely for the exclusive use and benefit of the public schools of Alaska and of the University of Alaska..." (H.R. 6242, 84th Congress, 1st Session)

The Interior Department supported Bartlett's proposal. Since the only reserved school lands were those which had been surveyed, the total acreage to be granted would have been relatively small (one estimate was about 160,000 acres). The bill provided, however, that as more sections were surveyed and therefore reserved each year, more acreage would be granted. "In all respects, the school sections should be treated as if statehood had already been conferred on Alaska," Assistant Secretary Fred Aandahl wrote. However, the Secretary wished Congress to consider both the public school land and the university land as one whole, rather than two separate pots of money. As Aandahl wrote,

> *At the present time, Sections 16 and 36 throughout the Territory are set aside for the support of the common schools, while the sections numbered 33 in part of the Tanana Valley are set aside for the support of the University. We*

would prefer that no distinction be made by the terms of the statute, but that, instead, the proceeds from all the granted sections be set aside for the common support of the schools and the University and that the Territorial government be given discretion in the distribution of proceeds between these two educational purposes.(Aandahl to Rep. Engle, U.S. House, National Archives, RG 233, Box 113, H.R. 6242)

The bill to grant school and university sections directly to the Territory failed, as did another measure introduced by Bartlett in 1955 which would have granted millions of acres directly to the Territory of Alaska without waiting for statehood. This bill would have repealed the 1915 school and university reservation, and simultaneously granted the Territory the right to select up to 20 million acres from the public domain, approximately the amount of land that could have been reserved under the 1915 act.

The Interior Department agreed with the spirit of Bartlett's bill, which called for in-place grants to be replaced with a quantity grant.

A grant of school sections in place is a grant of lands widely dispersed on a geographical basis. Such a grant gives the recipient, within limits, a fair proportion of the various classes of lands within its boundaries, the good as well as the bad. Since the grantee's holdings are distributed over a wide area, large-scale exchange programs are required, as we have learned by experience, to bring the holdings together into manageable and economical units...

A very large proportion of the land in Alaska does not appear to promise, for the reasonably near future, any substantial economic return. A grant of school sections in place would, therefore, leave the Territory with a large body of widely dispersed holdings, needing management and protection and yielding little in the way of revenues. (Assistant Secy to Rep. Engle, RG 233, U.S. House, National Archives, Box 97A, H.R. 246)

Though the Interior Department favored quantity grants in principle, the department opposed revoking the 1915 school and university section reservation on the grounds that the Territory was not yet ready to manage 20 million acres. Rather, the Assistant Secretary of the Interior suggested granting three million acres immediately to the Territory as the first installment of a large quantity grant that would eventually replace the 1915 reservations. Furthermore, Interior Department officials suggested that the revenue from the three million acres be divided as follows:

20%—public schools
20%—University of Alaska
20%—University of Alaska Teacher Training
40%—discretion of the legislature
(Assistant Secy to Rep. Engle, 23 May 1956, RG 233, U.S. House, Box 97A, H.R. 246)

UA Campaign for Additional Grant Land

Charles Bunnell's successors as University of Alaska president, Terris Moore (1949-1953) and Ernest Patty (1953-1960), both recognized the necessity for the university to gain additional land if it was to be placed on a secure financial footing. President Patty noted in 1955 that the university had virtually no income at all from its small amount of surveyed Section 33 land in the Tanana Valley, which he claimed was predominantly "moose pasture" anyway. He estimated the UA's total income from the Tanana Valley land reservation was only about $20 a year. (Patty to Sen. Anderson, 21 July 1955, UA Pres Papers, 1955/56, Box 5, File 93)

President Patty made the acquisition of additional grant land and the repeal of the restrictions on existing university land—especially the prohibition against selecting mineral lands, and the ten-year leasing limit, which eliminated the possibility of any private investments on educational land—primary goals of his admin-

istration. Under Patty for the first time in its history, the University actually designated a land manager to look after its holdings.

Starting in 1954, Patty made numerous proposals to the Secretary of Interior for more land, including a request that the U.S. government grant the university part of Naval Petroleum Reserve No. 4 on Alaska's Arctic coast, so that the school could participate in any bounties from future oil leases. In order to stimulate Alaskan economic development, Patty suggested in July 1954 that the Territory be immediately granted one million acres, instead of waiting to receive several million acres that could come with eventual statehood. (Land Manager Report, 20 May 1958, Pres. Papers, 1958/59, Box 6, File 88)

Since all recognized that the lack of surveys had effectively negated any effective land grants in the past, the University of Alaska Board of Regents unanimously passed an official resolution in October 1955, requesting the right to select half-a-million acres-including mineral rights—of unsurveyed lands, to support the institution. The resolution stated:

> WHEREAS, the Board of Regents, recognizing their responsibilities in the furnishing of higher education in Alaska, and whereas (sic) must continually maintain an adequate source of funds for the conduct of a good university, and
>
> WHEREAS, it is an accepted and desirable procedure for a state university to look to the income from land under its jurisdiction as a source of funds for the university, and
>
> WHEREAS, valuable lands in Alaska are not being developed because they have not been surveyed, and
>
> WHEREAS, the University is being denied an important source of income because mineral rights are withheld for land under its jurisdiction;
>
> THEREFORE, BE IT RESOLVED that the Congress of the United States is urged to enact appropriate legislation to grant the University of Alaska the authority to select land up to 500,000 acres with full mineral rights and permission to select non-surveyed land...

(Minutes of UA Board of Regents, 24 October 1955). Congress failed to act on the Board of Regents' request.

Elimination of Dedicated Land Grants

Initially, university officials were not particularly alarmed at the prospect of losing the 1915 reservation with the coming of statehood. Most statehood bills would have given the university an additional one million acres—almost four times the amount of land that the institution would have lost with the abolition of the Tanana Valley educational reserve. In the final push towards statehood in 1957-1958, however, the internal improvement grants of 2,550,000 acres—including the 500,000 acres for the University and 500,000 acres for the University's teacher training programs—were consolidated into the 100 million acre general grant, leaving the disposition of all 102,550,500 acres at the discretion of the legislature.

Beyond eliminating the specific grant of one million acres for higher education, the final statehood bill also cancelled the 1915 education reserve (though it did confirm the university's rights to the few thousand acres of Section 33 land that were already reserved and surveyed). The congressional intent clearly was that the massive unrestricted quantity grant substituted for the 1915 reserve. As Assistant Secretary of the Interior Hatfield Chilson wrote in March 1957, "In view of the quantify grants contained in the bill, we agree that section 1 of the 1915 act should be repealed. As of the present time, only a small percentage of the Territory has been surveyed, and we suggest that, as to such lands, the sections which have been reserved for educational purposes should be granted to the State of Alaska to be used by it for the purposes for which they were reserved." (U.S. House 1957: 25)

Apparently, the elimination of the designated internal improvement grants from the statehood bill for the University of Alaska and other essential state services was done with the full support and backing of Alaska Delegate Bob Bartlett, who had long

opposed attempts to dedicate state land for specific purposes. Looking back on the issue in 1964, then Senator Bartlett explained his reasoning to Gov. William A. Egan. He had always opposed dedicated land grants, he said, because he did not want to see the chaotic inter-agency bickering which had plagued Alaska during Territorial days, the same fear which led Alaska's constitutional framers to create a powerful executive branch. Bartlett continued:

> *I have a particularly strong feeling on this because at many times during consideration of the statehood bill, efforts were made to set aside this amount of land or that amount of land for the common schools and for other educational uses. I always resisted these and, as it turned out, successfully. My conviction was—and is—that notwithstanding the possible need for such reservations in the early statehood bills, the reasons for such have long since evaporated. I suspect that in those days there was not the dedication or devotion to education which has since come into being and it was felt that an assured source of income must be provided for the schools. That is not so in these days... (I)f dedication is made for one institution or one purpose, what argument could be made against expanding? None, of course. The philosophy here is closely akin, as I believe, to board control of a state agency with the Governor serving only as a figurehead. If it is done for one department of government, then almost necessarily it must be done for all. Once we are there, we have the chaos of territorial days all over again. (Bartlett to Egan, 8 June 1964, UA Pres Papers, 1963/64, Box 14, Folder 212)*

V. THE LAND-GRANT COLLEGE WITHOUT THE LAND

Loss of a Quarter-million Acres Due to Statehood

The passage of the Statehood Act in 1958, without any provision for land specifically dedicated for the support of the University of Alaska, ended for the time being at least the possibility of getting additional land from the federal government. But even more critical from the point of view of the university was its loss of the balance of the Tanana Valley Section 33 reservation-more than a quarter million acres. The statehood act cancelled the 1915 reservation of educational lands, stopping any further lands under the act from being reserved once they were surveyed, though reaffirming the university's rights to any acreage already surveyed, selected, and reserved.

University attorney Ed Merdes wrote Secretary of the Interior Fred Seaton in early 1960 to clarify the status of the Section 33 lands. Merdes wrote that one interpretation of the statehood act, could be that all Section 33s were still in fact reserved, pending a survey. Merdes argued:

> *From a reasonable interpretation of the language of the Act, it appears that Section 33 continues to be reserved, subject only to being surveyed; and that upon the survey of these lands, title to the same immediately passes to the state for the University of Alaska. It is not clear whether such lands are included in or in addition to the grant of 102 (sic) million acres specified in Section 6(b) of the Statehood Act and although we would like to think it is "in addition to", we suspicion (sic) it is "included in" the 102 million acres. (Merdes to Seaton, 7 March 1960, Pres Papers, 1959/60, Box 6, File 90)*

The Secretary's answer has not been found in the files, however, it is clear from the historical record that the government maintained the Section 33 land could not be reserved until surveyed and selected. Therefore, any lands not surveyed prior to the statehood act, could in no way be still considered reserved.

The UA did make an effort to keep it rights to some of the disputed Section 33 land. During the week before President Eisenhower signed the statehood act on January 3, 1959, UA land manager Donald Eyinck filed 64,000 acres of indemnity selections chosen in lieu of surveyed Section 33 land in the Tanana Valley which had been denied to the university. Eyinck filed the applications, as attorney Merdes wrote, "to keep alive any possible rights the University might have to these lands," despite

the repeal of the 1915 reservation by the statehood act. Merdes said the filing was also done because he thought it might possibly "be the basis for either grandfather rights or legislation that would grant the University additional lands, seemingly lost by said repeal." (Merdes to Wood, 15 November 1960, Pres Papers, 1959/60, Box 6, File 85; Board of Regents Minutes, 20-22 October 1960)

The Bureau of Land Management rejected the university's 64,000 acre indemnity selections on the grounds that the selections were not timely. BLM argued that as of January 3, 1959, the official day Alaska became a state, the reservation was no longer in existence. Since, by that date, the lands had not yet been reserved, title could not be transferred. It is unclear from the record, however, precisely why applications filed prior to January 3 would have been automatically disallowed and not given some grandfather rights.

Merdes contacted now Senator Bartlett's legislative assistant, Joe Josephson, about the impact of the statehood act on university land selections in the Tanana Valley. Based on his research in unpublished Congressional hearings, and discussions with Senator Bartlett, Josephson replied unequivocally that Congressional intent in the statehood act had been for the new state government to address the issue of the size of the university's land grant. In a memo to Merdes, Josephson wrote:

> *The theory of the land-grant provisions in the statehood act was that they would replace inter alia [among other things] the reservations authorized in 48 U.S.C. 353 and that the state university would petition the state government to satisfy the needs of the University which previously to statehood were met in part by 48 U.S.C. 353. (Josephson to Merdes, 10 November 1959, Pres Papers, 1959/60, Box 6, File 85)*

Besides the legal issue, Josephson argued that it would be politically disastrous to ask Congress to reopen such a major clause of the statehood compact as the land grant.

> *Such a decision would encompass broad issues of tactics affecting all the legislation which relates to the welfare of Alaska. Unfortunately, there may still be members of Congress who look at the admission of Alaska with a disapproving eye and who would seize upon proposed legislation to make the terms of the Act of Admission more generous from the state's point of view to prove that their position against statehood was correct and, possibly, to justify rejection of other programs. (Josephson to Merdes, 10 November 1959, Pres Papers, 1959/60, Box 6, File 85)*

Merdes accepted Josephson's reasoning, and recommended the university drop the 64,000 acre claim against the federal government and concentrate on getting additional land from the state government. "For even if the lands were reserved," Merdes wrote in a memo to the university president, "let alone merely filed upon, there still would be no chance of success, since the intent of Congress was to repeal 48USCA 353, and thereby permit the University to obtain future lands from the State under the generous grant given to Alaska in the Statehood Act, rather than as an individual entity." (Merdes to Wood, 10 November 1960, Pres Papers, 1959/60, Box 6, File 85)

Legislative Approval of One Million Acres for UA

The university sought redress for its land deficiencies from the state of Alaska. Probably the clearest evidence that many Alaskans assumed that the new state would designate additional lands for the support of the university was the passage by the first state legislature in the spring of 1959 of a measure authorizing the state to reserve one-million acres for the UA.

The original version of the university land bill (House Bill No. 176) declared the legislature's ultimate intent was eventually to grant the university five million acres "for the purpose of replacing those grants previously allowed under federal law...which has been superseded...and for the further purpose of establishing a means by which the University may be properly maintained and operated and direct state support thereby reduced." The measure specifically called for the UA to "select, accept or

secure by July 7, 1983" one million acres "from those lands granted the state by the federal government." Sixteen legislators from across Alaska—or 40 percent of the entire body—joined in sponsoring H.B. 176. Among others, the list of sponsors of the UA's land restitution bill included future Alaska governor Jay S. Hammond of Naknek, House Speaker Warren Taylor, the entire Fairbanks delegation, and other members from Anchorage, Nome, McKinley Park, Cordova, McGrath, Seward, and Point Barrow.

A committee substitute scaled down the legislative intent language to one million acres. "This reservation of land," the substitute bill stated, "shall be for the purpose of replacing grants of certain Sections 33 in the Tanana Valley previously allowed under federal law and now superseded" by the statehood act. (Committee Substitute for H.B. 176)

After a heated debate, the committee substitute passed the House on March 24, 1959 by a vote of 26-10, with four absences. One legislative observer noted that opponents of the bill were either "anti-university" (no one from Southeastern Alaska supported the measure) or were "anti-dedicated fund votes as they considered the granting of land another form of earmarking funds..." (Butler to Patty, 24 March 1959, Pres Papers, 1958/59, Box 6, File 93) In the state senate, the one million acre appropriation passed unanimously 20-0, after Senators changed the terminology in the bill from "granting lands" to "reserving lands for the support of." (Alaska Senate Journal, 1st Legislature, 1st Session, 1959: 859-860)

Egan's Veto of One Million Acre UA Reserve

It came as a shock to President Patty and the Board of Regents when Governor William A. Egan vetoed the one million acre bill on May 4, 1959. Egan gave numerous justifications for his rejection of the legislature's bill, and his veto message detailed his strong philosophical objections to it. His veto read in part:

> *I am vetoing COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 176, a bill intended to reserve lands for the support of the University of Alaska, because I believe it wrong in principle, inconsistent with constitutional concepts and not in the public interest. In so saying, I may add that I would act similarly on any bill which sought, as this does, to make special disposition of the proceeds of public lands in aid of one public function to the exclusion of others. For more than a century and a half, the United States has granted to new states, on admission, lands for particular purposes. These so-called 'internal improvement grants' have been made for a variety of purposes, i.e., public schools, universities, normal schools, capital building, penal institutions, etc., and have comprised in all, a hodge-podge of grants for varied purposes, without assurance that in selection, income potential, or quality, lands so earmarked would be equitably apportioned among state functions.*

Governor Egan correctly stated that traditionally federal lands were specifically earmarked for internal improvements such as penitentiaries, mental institutions, etc.. But as this report has demonstrated, the vast majority of federal land grants to states were for the support of education. Egan then gave the legislature his version of why the land provisions in the Alaska statehood were unique.

> *Some years ago, a Senate Committee headed by Senator O'Mahoney of Wyoming, while considering Alaska's proposed admission to the union, developed an entirely new concept of federal land grants to newly admitted states. That new concept sought, instead of the earmarked 'internal improvement' grants, to grant to the new state a specified total acreage for the support of state functions, yet earmarked for none. In short, the proceeds of such lands would go to the state treasury for suitable allotment of income by the legislature to the various state functions as circumstances might from time-to-time require.*

That proposal, in terms of lands, is consistent with Alaska's constitutional and budget concepts regarding public monies and their earmarking, and allows desired flexibility in meeting changed conditions from year-to-year.

The governor then explained the heart of the matter as far as he was concerned. If the university received its internal improvement grant, how could the state refuse similar land grants for other state functions? According to Egan, the university was no different from any other agency of state government.

If we are to return to the 'internal improvement' concept of earmarking state lands, can we in good conscience limit the practice to the University? Why not similar provision for common schools, public buildings, hospitals, penal institutions, highways, airports, aid to dependent children, and so on throughout the entire list of important state functions? Certainly, this bill invites similar treatment for other state responsibilities. By this bill, the door would be opened to an unplanned disposition, or dissipation, of the resource without regard to relative need and without regard to the clear constitutional and congressional intent.

Besides Egan's philosophical opposition to the state granting additional land to the university, he claimed UA leaders were mistaken in believing that unsurveyed Section 33 lands were ever truly University of Alaska lands. The confusion arose from the difference between surveyed reserved lands (such as the 1915 in-place Section 33 reservation) and granted lands (such as the 1929 quantity grant of 100,000 acres).

Prior to the passage of the statehood bill, certain Sections 33 in the Tanana Valley were reserved, not granted, to the territory on the condition that their rental proceeds go to the University...To suggest that those other areas, which, on survey some time in the distant future, would have become numbered Sections 33 in the Tanana Valley, but which have never been surveyed and, therefore, have never been reserved nor productive of income for the University, have now been lost, is to say that the University has lost something it never had.

In conclusion, Egan rejected what had long been the basic financial concept behind the land grant institution. "I wish to make it perfectly clear that I have great interest in the University of Alaska," he wrote, "and that this veto is motivated by good administrative practices alone. The University's financing will be sounder and more certain by reliance on the appropriation and bonding processes." (Alaska Senate Journal, 1st Legislature, 1st Session, 1098-1100)

Reaction to Egan's Veto

President Patty and the regents assumed that Egan's veto was based on the fact that the governor had been hospitalized with a severe illness when the measure was under discussion, and that he misunderstood the unique role and history of land-grant colleges in America. Following the passage of the bill by the legislature, Patty had never even bothered to contact Egan, thinking the governor was sure to sign it into law. As Patty wrote one legislator on June 15, 1959:

We were completely caught off base by the Governor's veto of the land bill. I think he made a very serious mistake which was based largely on the fact that he did not understand that there is historical precedent in every state of land grants to their land-grant university. Also, I feel he was not advised of the fact that the University lost potentially (sic) millions of acres of land under the Statehood act. (Patty to Erwin, 15 June 1959, Pres Papers, 1959/60, Box 6, Folder 96)

C.W. Snedden's *Fairbanks Daily News-Miner*, a key player in the battle for statehood, explained that Egan's veto left the "University in the slightly unique position of being a land -grant university without any land to speak of." *The News-Miner* continued:

Governor Egan may have lost sight of the fact that with the coming of statehood to Alaska, the University of Alaska lost its right to acquire almost a million acres of Alaska land.

The University's rights to this land, as has been stated by Dr. Ernest Patty, president of the University, have been 'washed out' in the bill which granted more than a hundred million acres of land to the new state. We agree with Dr. Patty in the belief that the theory behind depriving the University of this land was that Congress felt the state would provide adequately for the University through special land grants.

The assumption was proved correct when the legislature acted to ensure that a land area equivalent to that lost to the University by passage of statehood was restored... We do not believe that Governor Egan's veto of this bill has or will ever have the support of the Alaskan public. We feel the veto reflects a lack of appreciation for the importance of providing an independent source of revenue for our University—an ever growing asset not subject to the whims of future legislatures. (News-Miner, 7 May 1959)

THE UA'S "STARVATION GRANT"

Patty wrote Egan in February 1960 to renew the campaign for the university's land bill. "The Regents and I felt that this was the most forward looking Bill for the University that had ever reached the Legislature," Patty wrote, "and we were all surprised when you vetoed it. This veto came shortly after you returned from the hospital and I blamed myself for not making a special trip to Juneau to explain the background of the bill." (Patty to Egan, 8 Feb 1960)

In his six-page letter, President Patty highlighted for the governor ten reasons why the legislation was essential:

1. The history and theory behind the Morrill Act setting up a Land-Grant University in each state is based on the theory that each Land-Grant University would be given a land grant for the partial support of the University...
2. The Statehood Act for Alaska took away from the University the major portion of its original Land Grant.
3. The University now has only a minimal grant of land; much of this is of no immediate value and compared, area wise, to the other states, it is one of the smallest and (sic) unpromising grants of any state university.
4. Most universities now have a subsidiary income from lands or other property. This is generally used for research and for projects that cannot be readily financed from legislative appropriations. The income from lands should be invested in an endowment fund and only the income from this fund should be disbursed. The idea the University might possibly secure an income beyond its reasonable need is a misconception beyond the realm of possibility.
5. There may come a time in the history of the state when some great financial crisis will develop. If the university had, by that time, developed an important endowment, then the income from this might be very helpful in tiding the university through the difficult period.
6. To avoid duplication, the land granted to the university would be handled by the state Division of lands and there would be limitations on the amount of land which the university could acquire in any one year.
7. The land-grant idea is workable and has 100 years of history behind it.
8. A broad financial base is important.
9. (A) Strong state university is vital to growth of state...
10. A subsidiary endowment income will help to make the difference between a moderately good university and an outstanding university.

Patty detailed the history of the university's land grant. He recounted how the statehood act had cost the university some 259,296 acres of the total 268,800 acre reservation created in the Tanana Valley in 1915 and called it a "pathetic situation." The university's total income from its 1915 Tanana Valley land was only $243 a year.

Even with the 100,000 acre grant of 1929, which the statehood act had not affected, Patty calculated that the university's total land grant amounted to only 109,504 acres. "This is a starvation grant for a land-grant university located in a state containing 365 million acres," Patty wrote. "Actually the requested addition of one million acres is very modest and is less than one percent of the land which the state will acquire."

The university president then blasted what he called the "trickle down theory" as completely counter to the theory behind land-grant institutions.

> *Obviously, some of the state income from land will trickle down to the university, but this violates the original concept of the Land-Grant Act which sought to provide a partial and separate form of income to supplement the work of the university, which cannot always be financed by annual appropriations.*
>
> *The Board of Regents plan to use its land income as an endowment fund and to draw off only the income from this endowment. It would probably be 10 years hence before this endowment would yield an important income. Who knows, if we could build up an endowment of several million dollars the income would be vital in keeping the university alive, if lean years should come. At the present time, the endowment fund of the university, in the hands of the state treasurer, totals only $15,300.*

Patty scoffed at the idea that the university might end up with too much money if it received additional land. "This is beyond even the most remote possibility," he wrote. "The chances are many times better that you or I might win the Nenana Ice Classic." At that time, even the oil-rich University of Texas received only 39 percent of their budget from their endowment. "What a wonderful thing it would be for all Alaska if a great oil bonanza should be developed on university land and we could accumulate an endowment of 50 million dollars and use the income from this in perpetuity."

In conclusion, Patty suggested to Egan that the legislation allow the University of Alaska to select up to one million acres over the next 20 years. He predicted it could be a decade or longer before the endowment grew to any significant size. "However, I would expect that our grandchildren would conclude that we had great foresight."

Initially, Patty believed in early 1960 he was making progress convincing Egan of the rightness of the university's cause. In a memorandum to the Board of Regents in late February, Patty noted: "When I talked to the Governor several weeks ago he told me that he had been reluctant to veto the Bill and even suggested that if we would wait two or three years he might be willing to change his mind."

But on his next visit with Egan, Patty found the governor's position against the million acre grant had hardened. "Governor has become most adamant against this," he informed the regents, "and indicated that if the Legislature again passed this Bill he would veto it. Several members of the Legislature are anxious and willing to promote the Bill, but I did not encourage them for there seems to be no chance to pass the measure over the Governor's veto." (Patty to Regents, 29 February 1960, Pres Papers 1963/64, Box 14, File 206)

Continuation of Efforts in 1960s to Acquire Land

Governor Egan's steadfast opposition to granting the university additional land doomed the effort on the state level. Nevertheless, bills to provide the UA additional land continued to find support in the legislature and were regularly introduced throughout the 1960s.

Patty's successor as UA President, Dr. William R. Wood, kept up the fight for a new land grant from either the state or the federal government, or both. According to Wood, state and federal authorities always agreed that the university should receive additional land and agreed that the other party should provide it.

Wood found the possibility of acquiring new land particularly appealing, because, for the first time in its history, the university finally started to earn a sizeable income from its land holdings in 1961 when it began selling oil leases on its Kenai Peninsula land. In its first 43 years, the university's cumulative income from land was only $16,256.03. But with the start of oil leasing in FY 60/61, the UA earned $604,470 in one year alone, or about 38 times what it had earned since 1917. No oil was ever struck on university land, however, and thereafter the amount netted from oil leasing steadily declined. (UA Permanent Fund Statement, 1917-1971, Pres Papers, 1971/72, Box "Higher Ed...", File, Land—July-Dec)

In April 1964, when Congress was grappling with relief efforts for the Good Friday Earthquake, President Wood wired Sen. Bartlett if it would be "presumptuous" to request amending the statehood act and give the university three million acres. "This could provide base for much-needed sustained support of the university now central to development of state's resources and nationally valuable as regional environmental research center." (Wood to Bartlett, 25 April 1964) Bartlett's administrative assistant Mary Lee Council dashed Wood's hopes. "Since any omnibus or other legislation will relate strictly to the disaster," she wrote, "I would doubt very much whether legislation of the kind you mention would be entertained." (Council to Wood, 28 April 1964, Pres Papers, 1963/64, Box 14, File 212)

President Wood Lobbies for North Slope Land

Continuing discussions with both state and federal officials, President Wood tried a new approach to acquire the three million acres he believed the university required for financial security. Wood proposed to Senator Bartlett that the university be given land from either "within the Arctic Wildlife Range, from Naval (Petroleum Reserve) No. 4, when and if the Reserve is eliminated or diminished in size, from the existing public domain, or from lands already acquired or to be acquired by the state." Before taking up Wood's suggestion with Secretary of Interior Stewart Udall, Bartlett conferred with Roscoe Bell, director of the state Division of Lands. "I am reminded that Governor Egan once vetoed a bill involving the university lands," Bartlett wrote, "but my memory on the subject is somewhat hazy..." (Bartlett to Bell, 14 May 1964)

Lands Director Bell informed Bartlett that the state would continue to oppose giving the university new lands from the public domain, simply because it would merely take away land from the State of Alaska. Already the Division of Lands faced a difficult challenge finding land that would in fact produce any revenue. "Any new authorizations for university land selection from open public domain would appear unacceptable," Bell wrote Bartlett, "because such would in effect, reduce other state land suitable for selection. (The acreage of land having apparent value seems far below the state's entitlement of 103,000,000 acres." Bell then reiterated Egan's long-standing objections. He wrote Senator Bartlett,

> *I am sure that you understand perfectly the state's past position in opposing a university land selection of several million acres of valuable land, which could result in a situation where the university has valuable lands producing more revenue than would be needed while other state functions were neglected because of lack of funds. (Bell to Bartlett, 27 May 1964)*

However, there was one idea for giving the University of Alaska land to which Bell and Governor Egan responded enthusiastically: taking it from a pre-existing federal reserve, such as the nine million acre Arctic Wildlife Range (now known as the Arctic National Wildlife Refuge or ANWR) created in 1960.

Bell complained that though the Arctic Wildlife Range was supposed to be "subject to multiple use management," such a hope was unrealistic. The U.S. Fish and Wildlife Service, he charged, "is of necessity more or less beholden to conservationists, some of whom are radical and articulate single-use wilderness proponents (sic)." However, he speculated, "Perhaps revocation of the withdrawal could be accomplished if it were to permit a university selection for conservation and

management as a 'great Arctic Wildland Management Laboratory.'" Bell explained his proposal in some detail, by which the Arctic Wildlife Range would be supplanted by a university laboratory.

> *The University and its motives in management could not be questioned. The University likewise has the potential for tapping foundation monies as well as entering into cooperative agreements with federal agencies under which it might be possible to develop a program of Arctic Wildlife Research and Resource Management without unbearable cost to the state of Alaska. As 'university land,' the land would be under the full management control of the university. At the same time, multiple-use management and revenue production would be a possibility without violation of the primary purpose of the 'laboratory.' Because it appears that the state would have little probability getting the land restored to the public domain to permit normal selection and management procedures, and since the land does offer some possibility of producing revenue ultimately to help support the university, such a program might possibly be supportable by the state. Enabling state legislation would be required to authorize such a university selection of several million acres. To be acceptable, such a selection would probably be limited to lands made available by revocation of the Arctic wildlife refuge.* (Bell to Bartlett, 27 May 1964)

Governor Egan supported Bell's proposal that the Arctic Wildlife Range be replaced in whole or in part by a University of Alaska Management Laboratory. Thus, the state of Alaska had no objection to the University of Alaska receiving millions of acres of additional land, if it came from a federal reserve closed to exploration and development, that would otherwise be unavailable for general state selection. There is no evidence in the record, however, that federal authorities ever showed any support for the plan.

After the Land Freeze

With the defeat of Governor Bill Egan by Walter Hickel in the 1966 election, Hickel promised a new era of Alaskan economic development. Yet the land freeze instituted by Secretary of Interior Udall in December 1966 virtually brought state land selections to a dead stop and extinguished the fading hope that the University of Alaska might be able to receive an additional land grant in the foreseeable future. Legally and politically the Alaska land picture grew more complex year-by-year. Within the next 15 years the open public domain in Alaska would essentially vanish, as the entire state was parceled off among development interests, environmental interests, and Native groups, with settlement of the Native Land Claims issue in 1971, construction of the Trans-Alaska Pipeline from 1974-1977, and passage of the Alaska National Interest Lands Conservation Act in 1980.

Now that Alaska's land issues have been somewhat resolved, university supporters have again proposed that additional lands be granted to the University of Alaska from either the state or the federal government, or both, to resolve the financial issue which continues to haunt the land-grant college without the land.

VI. Sources

1. BOOKS AND PERIODICALS

Atwood, Evangeline. 1979.
Frontier Politics: Alaska's James Wickersham. Portland: Binford and Mort.
Carstensen, Vernon., 1963.
The Public Lands: Studies in the History of the Public Domain. Madison: University of Wisconsin Press.
Daily Alaska Dispatch (Juneau).
Eddy, Edward D., 1957.
Colleges for Our Land and Time: The Land-Grant Idea in American Education. New York: Harper and Brothers.
Fairbanks Daily News-Miner.
Gates, Paul Wallace., 1943.
The Wisconsin Pine Lands of Cornell University. New York: Cornell University Press.
Gruening, Ernest H., 1954.
The State of Alaska. New York: Random House.
Hibbard, Benjamin H., 1939.
A History of the Public Land Policies. New York: Peter Smith.
Land Grant Fact Book: Centennial Edition., 1962. Washington: National Association of State University and LandGrant Colleges.
Madsen, David., 1976.
"The Land-Grant University: Myth and Reality," pp. 23-48, in G. Lester Anderson, ed., Land-Grant Universities and Their Continuing Challenge. Michigan State University Press, 1976.
Naske, Claus-M.,1972.
"103,350,000 Acres," Alaska Journal, Autumn 1972.
Naske, Claus-M.,1979.
Edward Lewis "Bob" Bartlett of Alaska: A Life in Politics. Fairbanks: University of Alaska Press.
Naske, Claus-M.,1985.
A History of Alaska Statehood. Maryland: University Press of America.
Peffer, E. Louise. The Closing of the Public Domain: Disposal and Reservation Policies 1900-50. Stanford: Stanford University Press.
Ross, Earle D., 1969.
Democracy's College: The Land-Grant Movement in the Formative State. New York: Arno Press and the New York Times.
Taylor, Howard Cromwell., 1969.
The Educational Significance of the Early Federal Land Ordinances. New York: Arno Press and the New York Times.

2. GOVERNMENT DOCUMENTS

Alaska Senate Journal., 1959.
Chipperfield, W.A., 1954.
Report: Alaska Territorial Department of Lands.
Congressional Record.
Ducker, James H., 1992.
BLM Alaska Historical Chronology (Draft). Anchorage: State Office of Bureau of Land Management.
Stein, Gary., 1987.
"Promised Land": A History of Alaska's Selection of its Congressional Land Grants. Anchorage: Alaska Dept. of Natural Resources.
U.S. Dept. of Interior., 1939.

School Lands: Land Grants to States and Territories For Educational and Other Purposes. Information Bulletin, 1939 Series, No. 1.

U.S. House, 1915.

Reservation of School Lands in Alaska. Report No. 1280, 63rd Congress, 3rd Session.

U.S. House, 1947.

Statehood for Alaska: Hearings before the Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands, April 16-24, 1947, 80th Congress, 1st Session, Committee Hearing No. 9.

U.S. House, 1949.

Statehood for Alaska: Hearings before the Subcommittee on Territorial and Insular Possessions of the Committee on Public Lands on H.R. 331, March 4, 8, 1949, 81st Congress, 1st Session, Committee Hearing Serial No. 3.

U.S. House, 1953.

Providing for the Admission of Alaska Into the Union. Report No. 675, 83rd Congress, 1st Session.

U.S. House., 1957.

Statehood for Alaska: Hearings before the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, March 11-29, 1957, 85th Congress, 1st Session, Serial No. 6.

U.S. Senate., 1929.

Additional Grant of Lands to Agricultural College and School of Mines, Territory of Alaska. Report No. 1419, 70th Congress, 2nd Session.

U.S. Senate, 1950.

Alaska Statehood: Hearings before the Committee on Interior and Insular Affairs, April 24-29, 1950, 81st Congress, 2nd Session.

U.S. Senate, 1954.

Providing for the Admission of Alaska Into the Union. Report No. 1028, 83rd Congress, 2nd Session.

U.S. Senate, 1954a.

Alaska Statehood: Hearings before the Committee on Interior and Insular Affairs on S. 50, Jan 20-Feb 24, 1954, 83rd Congress, 2nd Session.

3. ARCHIVAL RECORDS

University of Alaska Archives (Fairbanks)

- Anthony J. Dimond Collection
- Charles E. Bunnell Collection
- Dan Sutherland Collection
- E. L. "Bob" Bartlett Collection
- William A. Egan Collection
- General Correspondence of the Alaska Territorial Governors
- Minutes of the Board of Regents of the University of Alaska
- Papers of the Presidents of the University of Alaska

National Archives, Washington D.C.

- RG 48, Office Files of the Secretary of Interior
- RG 233, Records of the House of Representatives
- RG 46, Records of the United States Senate

Wendy

UNIVERSITY OF ALASKA
2005 UNIVERSITY LAND GRANT
BRIEFING DOCUMENT

SUMMARY

The Alaska Supreme Court on March 13, 2009, voided the Alaska Legislature's action in passing the 2005 University Land Grant Bill ("Bill"). The court held unconstitutional the restriction that any proceeds of the land must be placed into the University Endowment Trust Fund, and surmised that the legislature would not have intended to grant the land without that restriction. The court, therefore, invalidated the whole act except for the part establishing a research forest. The University of Alaska ("University") is requesting the legislature to correct the court's conjecture that the legislature would not want the University to have the land that the legislature granted to it. Reenacting the Bill without the dedication to the trust fund would comply with the court's interpretation of legislative power, and would leave future legislatures with even more control than the prior Bill.

BACKGROUND

Senate Bill 7. In 2000, the Alaska Legislature enacted Senate Bill 7 ("SB 7") authorizing the University to select, with the concurrence of the Commissioner of the State of Alaska, Department of Natural Resources, Division of Mining, Land and Water ("DNR"), up to 260,000 acres of state lands for conveyance to the University. SB 7 was vetoed by Governor Knowles, and was passed into law by an override vote of 2/3 of the Alaska Legislature. Litigation over whether the override of the Governor's veto required a 2/3 vote or 3/4 vote of the legislature ensued. The Alaska Supreme Court ultimately rejected the challenge that the conveyance of land under SB 7 was an appropriation (requiring a 3/4 vote) and, therefore, the legislature had successfully overridden the veto with its 2/3 vote.

House Bill 130. In 2005, the Alaska Legislature enacted House Bill 130 ("HB 130") to replace, amend and streamline SB 7. Most importantly, HB 130 repealed the SB 7 land selection process, which was characterized by Governor Murkowski as, "...difficult, expensive, time-consuming, and subject to litigation." The selection process was replaced with a list of parcels, constituting over 250,000 acres, to be conveyed to the University. Included in the list were nine parcels subject to priority selection by newly formed municipalities, one parcel subject to the adjudication of a Native allotment, and one large parcel which was designated as a University Research Forest (51,820 acres) and would remain in state ownership, under DNR's management, until June 30, 2055. The remaining 52 parcels on the list, totaling approximately 200,420 acres, were eligible for immediate conveyance to the University (see attached list).

RECENT SUPREME COURT DECISION – SEACC LITIGATION

In April 2007, seven years after SB 7 passed into law and two years after HB 130 passed into law, the Tongass Conservation Society and Southeast Alaska Conservation Council ("SEACC") filed a lawsuit claiming that SB 7 and HB 130 both created a dedication of funds in violation of the Alaska Constitution. On March 13, 2009, the State of Alaska Supreme Court issued an Opinion in favor of SEACC finding that the legislature could not require that proceeds from the land be placed into the University's Endowment Trust Fund. That 33-page opinion states, in part:

We hold that (1) the sections of the act committing proceeds from the granted lands to the endowment trust fund are unconstitutional under the dedicated funds clause and (2) those sections are not severable from the remainder of the act, with the exception of provisions creating a research forest.

* * * * *

In arguing that the act should be entirely invalidated, excepting the research forest provision, SEACC focuses on the second part of the *Lynden Transport* test. It argues that the "central and critical intent behind the enactment of SB 7 and HB 130 was the creation of a permanent endowment trust fund for the University." Because this objective cannot be accomplished, SEACC argues that allowing the land grant provisions of the act to stand "would result in an entirely different statute than the legislature enacted." SEACC notes that under the sections that would remain if we permitted severance, the University would be the owner and manager of the granted lands but the proceeds from the sale or use of the land would not be placed in trust under AS 14.40.365(j) and AS 14.40.400(a)(2) and (c). Instead, the proceeds would by default be deposited in the University receipts fund, which is a non-dedicated account subject to legislative appropriation. Though the source of the funds might give the University a hope or expectation that the funds would be appropriated for the University, SEACC argues that this would be a mere "talking point," and the legislature would be able to appropriate the funds for any agency and any purpose. SEACC also points out that the entire proceeds from the sale or lease of the lands would be subject to appropriation each year. SEACC reasons that making all proceeds available to spend would conflict with the legislative intent that all net proceeds be capitalized and preserved in perpetuity in the ETF.

* * * * *

The land grant provisions of the act, if allowed to stand alone, would not enhance the University's endowment. With only the land grant provisions, the legislature would appropriate on an annual basis the net proceeds gained from the sale or use of the land. The appropriation could be directed in whole or in part to the University or any agency. The appropriated proceeds would be available for immediate use. They would not be capitalized and preserved. If the University were to sell the land, which would be likely given the legislature's goal of encouraging development, the land could be substantially disposed of within a few decades. Because the net proceeds from the land would be spent rather than saved, the benefits from the land grant, far from lasting in perpetuity, could be dissipated in a relatively short period of time.

* * * * *

In light of the considerations we have discussed above, we believe that there is a distinct risk that allowing the land grant provisions to stand without the strict protections the legislature imposed to ensure that the grant would last in perpetuity would result in a law that the legislature would not have wanted. [footnotes deleted].

The University is requesting the legislature to reenact the 2005 University Land Grant Bill with minimal changes to delete the portion found unconstitutional by the Alaska Supreme Court at SEACC's request, and to re-grant the same lands to the University of Alaska with the offending portion of the 2005 University Land Grant Bill deleted. This would actually leave more control in future legislatures than the original Bill.

STATUS OF LAND CONVEYANCES

A total of 30 of the 52 parcels (58%) eligible for conveyance under HB 130 have been conveyed to the University. DNR and UA Land Management have completed all of the title research necessary to complete the conveyance of 19 of the remaining parcels, leaving only three parcels to be further researched.

Many of the parcels are important for educational purposes, including:

- **Fairbanks Parking Garage** – This 115,133 gsf parking structure is located on a 1.11 acre parcel on the east side of Barnette Street between 6th & 7th Streets. The structure provides adequate and legally required parking to meet City Code requirements for full and functional use of the old Fairbanks Courthouse building. The old Fairbanks Courthouse Building houses the University's Tanana Valley Community College. In addition to its own use of the Fairbanks Parking Garage, the University has issued a land use permit that allows the State to occupy certain parking spaces in the facility, at cost.

- **Poker Flat Rocket Launch Facility** – This 533-acre parcel is the site of the UAF Poker Flat Research Facility, the only university owned and operated high-latitude, auroral-zone rocket launching facility in the United States. This parcel is located approximately 30 miles north of Fairbanks on the Steese Highway. In addition to UAF's occupancy, the University leases a building on this parcel to a third-party to accommodate a commercial satellite ground station that benefits UAF.

- **Silver Fox Mine** – This 120-acre parcel is located approximately 10 miles north of Fairbanks, off the Elliott Highway, and is used by UAF for mining research and training purposes.

- **Auke Weir** – This 5.65-acre parcel is located west of the Glacier Highway, north of Fritz Cove Road, and adjacent to the UAS Juneau Campus. The parcel is generally more suitable for research because of its steep topography and a creek that runs through it.

- **Sitka Campus** – The UAS Sitka Campus is located on this 6.38-acre parcel.

2005 University Land Grant
Parcel Conveyance Status Summary

No.	UA Identification Number	Parcel Name	Region	Educational Unit	Actual Acres to be Conveyed	Current Status	Final Executed Deed to UA	Land Grant Summary
1.	FA.CO.0009	Fairbanks Key Bank Site	Northern	UAF - Educational	0.43	Conveyed*	12/05/2007	Total
2.	FA.DT.4001	Fairbanks Courthouse	Northern	UAF - Educational	1.37	Conveyed*	11/22/2002	Grant Acres
3.	FA.DT.4002	Fairbanks Parking Garage	Northern	UAF - Educational	1.11	Conveyed	04/07/2006	264,522
4.	WM.PF.4006	Poker Flat Lease	Northern	UAF - Educational	532.74	Conveyed	06/04/2008	
5.	FA.GL.4004	Silver Fox Mine	Northern	UAF - Educational	120.00	Conveyed	06/04/2008	Total
6.	WR.TK.4002	Tok Research Forest	Northern	UAF - Educational	4,007.24	Conveyed	11/06/2008	Educational Acres
7.	JU.JC.4022	Auke Weir	Southeast	UAS - Educational	5.65	Conveyed	05/21/2008	90,647
8.	ST.SC.4001	Sitka Campus	Southeast	UAS - Educational	6.38	Conveyed	05/21/2008	34%
9.	NA.NS.0001	Dalton Highway MP 345 to 347	Northern		894.00	Conveyed	07/09/2007	Total Speculative
10.	FA.CO.0010	Fairbanks Noyes Slough	Northern		9.00	Conveyed	05/21/2008	Oil & Gas Acres
11.	FA.CH.0017	Jennie M. Creek C	Northern		4.50	Conveyed	05/21/2008	95,488
12.	SD.SL.LB01	Summit Lake (Richardson Hwy)	Northern		899.00	Conveyed	07/29/2008	36%
13.	NE.TL.LB01	West Twin Lake	Northern		1,575.57	Conveyed	12/08/2008	Total
14.	NE.WL.0001	Wien Lake	Northern		1,640.48	Conveyed	05/21/2008	Investment Acres
15.	US.DC.0001	Deception Creek	Southcentral		240.00	Conveyed	05/21/2008	78,387
16.	WR.MC.0011-12	McCarthy-Nizina	Southcentral		12,651.73	Conveyed	05/21/2008	30%
17.	US.WC.0001	Willow Creek Road	Southcentral		878.00	Conveyed	05/21/2008	Total Northern
18.	KT.CP.0001	Cleveland Peninsula	Southeast		4,073.00	Conveyed	06/04/2008	Region Acres
19.	PW.EB.0005	Edna Bay	Southeast		240.61	Conveyed	07/10/2007	214,954
20.	PW.CS.0001	El Capitan South	Southeast		864.00	Conveyed	08/21/2008	81.3%
21.	KT.LC.LB01	Leask Cove	Southeast		481.93	Conveyed	11/06/2008	Total Southcentral
22.	JU.LY.0001	Lynn Canal	Southeast		1,421.42	Conveyed	07/10/2007	Region Acres
23.	PW.MS.0001	Moira Sound/Nowiskay Cove	Southeast		47.93	Conveyed	07/29/2008	14,275
24.	PW.NS.0001	Naukati Sound	Southeast		893.00	Conveyed	05/21/2008	5.4%
25.	ST.PC.0001	Port Conclusion	Southeast		5.91	Conveyed	07/09/2007	Total Southeast
26.	PW.PD.0001	Port Dolores	Southeast		1,176.18	Conveyed	07/09/2007	Region Acres
27.	PE.RB.0001	Rowan Bay	Southeast		665.00	Conveyed	07/10/2007	35,292
28.	JU.SM.0001	Sumdum	Southeast		4.90	Conveyed	07/10/2007	13.3%
29.	KT.WC.0001	Ward Cove	Southeast		3.00	Conveyed	07/09/2008	
30.	JU.WH.0001	William Henry Bay	Southeast		315.81	Conveyed	07/09/2007	
31.	WM.PC.LB01	Caribou-Poker Creeks Watershed	Northern	UAF - Educational	25,362.00			Total Unrestricted
32.	SD.DA.LB01	Delta Ag & Forestry Exp. Station	Northern	UAF - Educational	362.87			Parcels Eligible
33.	WM.PF.LB02	Poker Flat (Special Use Area)	Northern	UAF - Educational	8,427.00			for Conveyance
34.	NA.YR.LB01	Dalton Highway MP 48 to 54	Northern		1,360.00			52
35.	NA.CF.LB01	Haul Road Nodes-Coldfoot	Northern		1,492.00			
36.	SD.JC.LB01	Jarvis Creek (PSS)	Northern		20,273.00			Total
37.	NE.LS.LB01	Lake Snohomish	Northern		684.00			Parcels Conveyed
38.	NE.OG.LB01	Nenana Oil and Gas Tract	Northern		95,488.00			30
39.	US.FP.LB01	Frying Pan Lake	Southcentral		505.65			58%
40.	ST.BI.LB01	Biorka Island	Southeast		429.05			Total
41.	PW.CC.LB01	Coffman Cove	Southeast		1,987.00			Parcels Unconveyed
42.	PW.CN.LB01	El Capitan North	Southeast		1,845.10			22
43.	JU.EI.LB01	Excursion Inlet	Southeast		887.00			42%
44.	PW.HJ.LB01	Harris Road Junction (SS)	Southeast		320.00			
45.	PW.HL.LB01	Hollis (PSS)	Southeast		424.00			
46.	PW.HK.LB01	Hook Arm (SS)	Southeast		1,280.00			
47.	JU.IV.LB01	Ivanhoe	Southeast		90.55			
48.	JU.LC.LB01	Lena Creek	Southeast		594.00			Total Parcels
49.	ST.MI.LB01	Middle Island	Southeast		642.00			with Completed
50.	KT.MB.LB01	Moser Bay	Southeast		989.83			Title Research
51.	ST.TN.LB01	Tenakee Springs	Southeast		387.91			49
52.	PW.TH.LB01	Thorne Bay	Southeast		2,929.00			94%
				TOTALS	200,420			

CONVEYANCES RESTRICTED UNDER AS 14.40.365

No.	UA Identification	Parcel Name	Region	Educational Unit	Status	
1.	PE.BP.LB01	Beecher Pass	Southeast		Borough - 09	1,443
2.	PE.FP.LB01	Favor Peak	Southeast		Borough - 09	1,193
3.	ST.MC.LB01	Mite Cove	Southeast		Borough - 09	3,564
4.	PE.RI.LB01	Read Island	Southeast		Borough - 09	1,290
5.	PE.TL.LB01	Three Lake Road	Southeast		Borough - 09	320
6.	PE.WI.LB01	Whitney Island	Southeast		Borough - 09	450
7.	PE.EW.LB01	Earl West Cove	Southeast		Borough - 13	706
8.	PE.OL.LB01	Olive Cove	Southeast		Borough - 13	2,360
9.	PE.TH.LB01	Thoms Place	Southeast		Borough - 13	640
10.	ST.LP.LB01	Lisianski Peninsula	Southeast		Native Allotment	316
11.	FA.TF.LB01	University Research Forest	Northern	UAF - Educational	Year 2055	51,820
					TOTAL	64,102

* These parcels were not conveyed under AS 14.40.365 (HB 130). They were conveyed under separate statutory authorities.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

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January 19, 2010

Representative Paul Seaton, Chair
House Education Committee
State Capitol, Rm 102
Juneau, Alaska 99801

Re: House Bill 295 – University Land Grant

Dear Representative Seaton:

Please accept this request for your consideration to schedule HB 295 before the House Education Committee at your earliest convenience.

This bill would convey approximately 199,838 acres of state land to the University of Alaska, and specify that revenue generated by the University of Alaska's management of the land be subject to appropriation each year by the legislature.

Legislation passed in 2000 and 2005 made certain land grants to the University of Alaska and specified that the revenue generated from those lands would be deposited into the University endowment trust fund. In March 2009 the Alaska Supreme Court found these statutes to violate the dedicated funds section of the Alaska Constitution, art. IX, sec. 7.

This bill seeks to remedy those issues identified by the Court by specifying that the revenue generated from the land is to be accounted for as university receipts and therefore subject to appropriation each year by the legislature. It also ratifies and reauthorizes the land conveyances authorized in the previously enacted legislation.

The land to be conveyed under this bill is the same as what was to be conveyed to the University of Alaska in the final 2005 legislation (ch. 8, FSSLA 2005), with the exception of two parcels that were conveyed under separate statutory authority and the university research forest.

If you have any questions regarding the bill, feel free to contact Heather Brakes, Department of Natural Resources Special Assistant and Legislative Liaison at 465-4730, or Dick Mylius, Director of Division of Mining, Land, and Water at 269-8625.

Sincerely,

Thomas E. Irwin
Commissioner

295

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Governor Sean Parnell
STATE OF ALASKA

January 15, 2010

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear President Stevens,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill relating to: the grant of certain State lands to the University of Alaska; the duties of the Board of Regents; the deposits made to the Alaska Permanent Fund received from lands conveyed to the University of Alaska; ratifying and reauthorizing certain prior conveyances of land to the University of Alaska; and making conforming amendments.

This bill will fulfill a promise made at the turn of the 20th century, when Congress promised 350,000 acres of land to the former Alaska Territorial College and School of Mines. However, since Statehood in 1959, most of this promised land has never materialized. Today, at 140,000 acres, the University of Alaska has one of the smallest land grants in the United States. Even Rhode Island's university land grant is larger. The intent of the land grants is to provide the university with a portfolio of land that will enhance its financial position and further its educational mission. Land grant colleges and universities are common throughout the United States.

Final resolution to this much overdue commitment is something I have and continue to strongly support. During my tenure in the Legislature I advocated for, and the Legislature passed, several pieces of University Land Grant legislation. By introducing this legislation I've committed to the purpose of the legislation passed in 2005 and removed constitutional issues created by that legislation.

The bill will convey approximately 199,838 acres of State land to the University of Alaska. The Legislature will specify revenue generated by the University of Alaska's management of the land be managed as university receipts, subject to appropriation each year by the Legislature. This bill ratifies and reauthorizes the land conveyances in legislation enacted in 2000 (ch. 136, SLA 2000) and 2005 (ch. 8, FSSLA 2005). These statutes were found by the Alaska Supreme Court, in *Southeast Alaska Conservation Council v. State, 202 P.3d 1162 (Alaska 2009)* to violate Art. IX, Sec. 7 (the dedicated funds section) of the Constitution of the State of Alaska, because the statutes specified that revenue generated from the University of Alaska's management of the land was to be deposited in the University of Alaska's endowment trust fund.

The Alaska Supreme Court found that the dedication provisions of the statutes could not be severed from the land conveyance provisions, rendering the entirety of the legislation unconstitutional, except for the provisions pertaining to the university research forest. The bill explicitly states the intent to convey the land to the University of Alaska, notwithstanding that revenue generated from the land may not be dedicated to

the University of Alaska's endowment trust. The bill addresses the constitutional infirmity by specifying that revenue generated from the University of Alaska's management of the land is to be managed as university receipts, subject to appropriation each year by the Legislature.

The land to be conveyed in this bill to the University of Alaska will be the land originally designated in the final 2005 legislation (ch. 8, FSSLA 2005), with the exception of two parcels that were conveyed under separate statutory authority and the university research forest. The bill refers to the land identified in the document titled, "University of Alaska Land Grant List 2005," dated January 12, 2005. This land list was arrived at after more than a year of intense work by the Department of Natural Resources (department) and the University of Alaska to identify land that may be conveyed to the University of Alaska without unreasonably conflicting with programs associated with, and uses of, State land managed by the department.

The land list in the bill reflects changes made by the Legislature during the 2005 session, including the Legislature's decision to drop certain parcels that were on the original list provided in January 2005. The bill will also include language added by the Legislature to protect land for possible municipal entitlement selections by the City and Borough of Wrangell and possible borough in the Petersburg area. Before the Alaska Supreme Court declared the prior land conveyance statutes unconstitutional (ch. 136, SLA 2000 and ch. 8, FSSLA 2005), the department had completed conveyance of 31 of the 52 available parcels identified in the land list. The bill ratifies and reauthorizes these conveyances, as well as provides authority for conveyance of the remaining 21 parcels.

The bill also includes requirements for management of university land, such as public notice and comment opportunities on proposals for land development, exchange, or sale. Additionally, the bill exempts certain sensitive business and economic information regarding sale, lease, or development of university land from the public records production requirements of AS 40.25.100 - 40.25.295 (Alaska Public Records Act). These provisions reflect the 2005 legislation.

The prior land conveyance statutes included a provision for establishment of a university research forest. This provision is not included in this bill since the Alaska Supreme Court found that the provision in the prior legislation could be severed from the unconstitutional dedication provisions, and it was therefore upheld as constitutional.

The bill also contains a provision authorizing the deposit to the Alaska Permanent Fund of 25 percent of receipts from certain lands conveyed to the University of Alaska. A copy of the "University of Alaska Land Grant List 2005" has been provided to the Legislature and is available upon request from the Department of Natural Resources.

I urge your prompt and favorable action on this measure, which will complete the State's efforts to provide a beneficial educational and income-producing land base to the University of Alaska, while complying with the dedicated funds section of the Constitution of the State of Alaska.

Sincerely,

Sean Parnell
Governor

Enclosure

2010 Legislation: Grant of State Land to the University of Alaska

Prepared by Department of Natural Resources, January 2010

Summary of Bill: Transfers 199,838 acres of state land to the University of Alaska and addresses the March 2009 Alaska Supreme Court ruling that struck down previous university land grant legislation (2005 HB 130 and 2000 SB 7), which dedicated land revenue to the University Endowment Trust. This bill conveys the entire HB 130 land list as amended by the legislature, ratifies conveyances already in place, and directs land revenue to the General Fund instead of the university's endowment trust.

The land to be conveyed includes:

- 29 parcels located throughout SE Alaska
- 5 parcels in Southcentral, including tract at McCarthy in Wrangell St Elias National Park
- 18 parcels in Interior – including tracts along the Dalton Highway, the 90,000 acre Nenena oil/gas tract, and numerous educational properties.

The bill also:

- Excludes from transfer 9 parcels in SE that were withdrawn by the legislature in 2005 due to public opposition;
- Identifies 9 parcels in SE that would go to UA only if not selected by new Boroughs as part of municipal entitlements;
- Includes specific language addressing the March 2009 Supreme Court ruling and a one-year statute of limitations period.

The March 13, 2009 Supreme Court Decision

- The Alaska Supreme Court in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (Alaska 2009) held that 2000 SB 7 and 2005 HB 130 violated the dedicated funds clause of the Alaska Constitution by dedicating land revenue to the University's endowment trust
- The Court held that the trust provisions of the legislation reflected the key intent of the legislature to enhance the University's permanent endowment and therefore were not severable from the land conveyance provisions.
- The Court upheld provisions of the legislation that conveys a research forest (near Tanana) to the University because the research forest is not income property and was addressed independently in the legislation. The Court declined to address the other non-income properties on the conveyance list (which included miscellaneous educational and infrastructure properties).

Related Legislation

- House Bill 234 would convey 12 of the approximately 50 parcels on the HB 130 land list, including the noncontroversial educational properties and the Nenana oil and gas tract.

For more information contact:

Dick Mylius, DNR, Director of Division of Mining, Land and Water - 269-8600;
dick.mylius@alaska.gov
Heather Brakes, DNR Legislative Liaison, 465-4730, heather.brakes@alaska.gov

STATE OF ALASKA

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Sectional Analysis

House Bill 295 – "An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; relating to deposits made to the Alaska permanent fund received from certain lands conveyed to the University of Alaska; ratifying and reauthorizing certain prior conveyances of land to the University of Alaska; making conforming amendments; and providing for an effective date."

Section 1 – Findings and Purpose – Explains why legislation is necessary. Paragraphs (7) – (10) specifically address issues raised by Alaska Supreme Court regarding previous legislation.

Section 2 – Legislative Intent – Clarifies the intent of the Legislature to:

- respond to the Alaska Supreme Court decision in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (2009).
- convey state land to the University even though revenue from the land will be deposited in the general fund and be subject to annual appropriation by the Legislature.
- ratify conveyances that occurred under authority of SB 7 and HB 130.
- that the land should proceed even if any other provision in the bill is found to violate the dedicated funds clause of the Alaska Constitution.

Section 3 – Amends AS 14.40.170(a) by deleting the phrase "THE BOARD OF REGENTS IN TRUST FOR" before "the University" specifying the land conveyed under this legislation cannot be considered trust land managed by the Board of Regents.

Section 4 – Amends AS 14.40.291(a) similar to Section 3.

Section 5 – Creates a new AS 14.40.365 to replace the statute the Supreme Court found to be unconstitutional in its ruling in Southeast Alaska Conservation Council v. State, 202 P.3d 1162 (Alaska 2009). Subsectional analysis of new AS 14.40.365 follows:

(a) Provides that DNR will convey land to University of Alaska by quitclaim deed within two years. Conveyance by quitclaim deed eliminates expensive land survey requirements. The two-year period should not be difficult for DNR to meet because most of the work to issue the deeds was already completed after the 2005 legislation.

(b) Defers conveyance of the University Research Forest in Tanana Valley State Forest until 2055 (50 years from passage of 2005 legislation). This deferral was requested by the University as it allows the continued use of this area as Research Forest by University while at the same time allowing continued small timber sales and forestry management activities by DNR Division of Forestry.

(c) Allows that when federal mining claims that currently exist as inholdings to parcels conveyed by the state to the University are terminated and the land

subsequently conveyed to the state (DNR), that DNR will in turn convey this land to the University.

(d) Ensures that the mineral estate is also conveyed to the University. This is an exception to AS 38.05.125 which requires, for most conveyances, DNR retain the mineral rights in state ownership due to provisions in Section 6(i) in the Alaska Statehood Act. Since the University is a state entity, transfer of mineral estate to the University does not violate the 6(i) provision.

(e) Requires that conveyances to the University recognize and protect all valid existing rights.

(f) Requires that DNR reserve access to and along navigable and public waters as required in AS 38.05.127, but limits the width of these easements on parcels along tidewater to a maximum of 25 feet (a provision specifically inserted by the legislature in the 2005 bill). These easements by regulation would otherwise have a 50-foot minimum width. This subsection also specifies that other provisions of AS 38.04 and AS 38.05 do not apply to these conveyances to the University.

(g) Sets out additional limitations or requirements regarding the land conveyed to the University, including Section 6(i) of the statehood act that prohibits the state's alienation of mineral estate; makes conveyance subject to RS 2477 and Omnibus Act rights of way; and excludes from the conveyance to the University any valid existing state mining claims.

(h) Requires that upon the termination of a state mining claim located within a parcel conveyed to the University under this bill, DNR will transfer that land to the University

(i) Establishes the date of the recording of a parcel as the time when the University takes over management responsibility for land transferred under this act.

(j) Establishes that upon conveyance to the University, all revenue and receipts accrue to the University as University receipts;

(k) Allows the University to return land to DNR up to ten years after conveyance if it contains hazardous waste; is located on a historic or archeological site; or the University and DNR agree to the re-conveyance.

(l) Requires University concurrence with any DNR conveyance of an irrevocable interest in a parcel to be conveyed to the University.

(m) Allows the Commissioner of DNR to make minor boundary adjustments to correct omissions and errors.

(n) Removes nine (9) parcels from the land list originally agreed to by DNR and the University. These 9 parcels were included in the original land list submitted to the legislature in 2005. They were removed by the legislature during committee review of the bill based upon public and community concerns.

(o) Defers conveyance of five parcels located within the potential boundaries of a Petersburg Borough so that if a Borough forms before July 1, 2012 (two years), these parcels could be selected by a future Borough as part of its municipal entitlement under AS 29.65. If a borough does not form or the land is not selected by a future Borough, the land will be conveyed to the University. This provision was inserted in the 2005 legislation to specifically address this concern raised by the Cities of Wrangell and Petersburg during the 2005 legislative hearings.

(p) Defers conveyance of three parcels located within the City and Borough of Wrangell pending possible selection by the new borough under its municipal entitlement (AS 29.65). Provides the Borough until December 1, 2011 to select the land, which is the deadline for Borough selections under AS 29.65.040(d). A provision to defer these selections was inserted in the 2005 legislation to specifically address potential borough formation, a concern raised by the cities of Wrangell and Petersburg during the 2005 legislative hearings. Wrangell

formed a borough after the 2005 legislation, but has not yet filed its land selections with DNR.

(q) Defers conveyance of one parcel located within the potential boundary of a Northern Chichagof Island Borough so that if a Borough forms before July 1, 2012 (two years), this parcel could be selected by a future Borough as part of its municipal entitlement under AS 29.65. If a borough does not form or the land is not selected by a future Borough, the land will be conveyed to the University. This provision was inserted in the 2005 legislation to specifically address this concern raised during the 2005 legislative hearings.

Section 6 – Repeals and reenacts AS 14.40.366 as passed in 2005. Sets forth management requirements for university land, including preservation of historic recent public uses, public notice and comment opportunities for land development or disposal plans, and right of first refusal to closest municipality.

Section 7 – Repeals and reenacts AS 14.40.367 as passed in 2005. Exempts certain proprietary and business sensitive information related to university land disposals from the Alaska Public Records Act.

Section 8 – Establishes a one-year statute of limitations for parties wishing to bring a lawsuit regarding this legislation.

Section 9 – Requires that revenue generated from the conveyed land be handled as University receipts subject to annual appropriation by the Legislature. This section deletes the provision in HB 130 that required revenue from the conveyed land be deposited in the University Endowment Trust, thereby correcting the dedicated funds violation found by the Alaska Supreme Court in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (2009).

Section 10 – Defines University receipts to include land transferred under this new legislation.

Section 11 – Specifies that University land conveyed under this bill is exempt from general taxation.

Section 12 – Ensures that a municipal entitlement of a future city or borough is not reduced by the conveyance of land to the University under this legislation.

Section 13 – Requires that 25% of mineral revenue from University lands granted under this legislation be deposited into the Permanent Fund.

Section 14 – Restores the repeal of AS 14.40.368 regarding encumbrances and trespasses on land to be conveyed. This statute was enacted by SB 7 and repealed by HB 130. This section confirms that AS 14.40.368 is to remain repealed.

Section 15 – Ratifies conveyances made to the University under the 2005 legislation, so that DNR does not have to re-issue deeds.

Section 16 – Adds a severability clause.

Section 17 – Establishes an immediate effective date.

Board of Regents' Office
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EMAIL: sybor@alaska.edu
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OFFICE OF THE
MAILROO
JUN 19 20

10946
AK
JG

202 Butrovich Building
910 Yukon Drive
P.O. Box 755300
Fairbanks, AK 99775-5300

June 15, 2009

Dear Governor Palin and State of Alaska Legislators,

The united leadership of the University of Alaska system seeks your assistance to remedy the financial injury caused to the State of Alaska's University system by the recent Alaska Supreme Court March 13, 2009, decision, Southeast Alaska Conservation Council v State of Alaska and University of Alaska. In this decision, the Alaska Supreme Court voided the Alaska Legislature's action in passing the 2005 University Land Grant Bill. The court held unconstitutional the restriction that any proceeds of the land must be placed into the University Endowment Trust Fund, and surmised that the legislature would not have intended to grant the land without that restriction. The court, therefore, invalidated the whole act except for the part establishing a research forest.

A great state needs a great university system. A great university system must have adequate resources sufficient to meet its responsibilities. A more woeful history of a land-grant college could hardly be found. The University of Alaska is a land-grant college without the land.

The State of Alaska's University system has been waiting almost 100 years with no appreciable land. For an interesting and concise account of this baneful history we would direct you to "A Land Grant College Without the Land: A History of the University of Alaska's Federal Land Grant"; a brief 20 page report by Terrence M. Cole, which we can provide to you upon request.

The united leadership of the University of Alaska system is requesting that in your capacity as the governing leadership of the State of Alaska, as Governor and Legislators, that you correct the court's conjecture that the legislature would not want the University to have the land that the legislature granted to it. We respectfully request your support for advancing higher education in the State of Alaska by reconveying these lands to the University of Alaska at the earliest possible opportunity without the dedicated funds clause that the Alaska Supreme Court found to be offensive to our State Constitution.

We the undersigned, the leadership of the University of Alaska system, thank you for your support of higher education in the State of Alaska.

Cynthia Henry, Chair
Board of Regents

Mark Hamilton, President
University of Alaska

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 295
(H) Publish Date: 1/19/10

Identifier (file name): 0829-REV-APFC-1-6-10
Dept. Affected: Revenue
Title: University of Alaska Land Transfer
RDU: Alaska Permanent Fund Corporation
Component: APFC Operations
Sponsor: Rules
Requester: Request of Governor
Component Number: 109

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

The APFC anticipates no impact on revenues or expenditures as a result of this legislation.

Prepared by: Ginger Blaisdell for Laura Achee
Phone 465-2312
Division: Alaska Permanent Fund Corporation
Date/Time 12/18/09; 2:00pm
Approved by: Ginger Blaisdell, Director
Date 1/6/10; 1:33pm
Administrative Services Division

(Revised 10/13/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 295
(H) Publish Date: 1/19/10

Identifier (file name): 0829-DNR-MLW-12-21-2009
Dept. Affected: Natural Resources
Title: Grant of State Land to the University of Alaska
RDU: Resource Development
Component: Title Acquisition and Defense
Sponsor: Rules Committee
Requester: Governor
Component Number: 2459

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )	***	***	*** Indeterminate (see analysis) ***			***	***

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: *(Attach a separate page if necessary)*

This bill requires DNR to convey title to 194,379 acres of specifically identified parcels of state land to the University of Alaska within two years of the effective date of the legislation. To satisfy the land conveyance proposed under this legislation, DNR will need to complete the conveyance process for these parcels, including a land title search, identify and reserve easements, identify and reserve navigable waters, and resolve any title conflicts. This will require some DMLW staff time to complete this research, finish the preparation of legal descriptions, prepare conveyance documents, and update the state's computerized records system. Because this effort was substantially completed by the department under the provisions of chapter 8, FSSLA 2005 prior to the State Supreme Court's invalidation of that statute, only a small amount of work remains to finalize the conveyances required under this bill.

Prepared by: Dick Mylius
Phone 907-269-8625
Division: Director, Mining Land and Water
Date/Time: December 21, 2009
Approved by: Tom Irwin, Commissioner
Date: December 21, 2009
Natural Resources

(Revised 11/6/2009 OMB)

FISCAL NOTE #2

STATE OF ALASKA
2010 LEGISLATIVE SESSION

BILL NO. HB 295

ANALYSIS CONTINUATION

(Analysis cont.)

Accordingly, DNR does not anticipate any additional funds or positions will be required, and the department can implement the intent of this proposed legislation using existing staff and resources.

This bill is intended to expedite the conveyance of state lands, including the mineral estate, to the University of Alaska by conveying to the Board of Regents by quitclaim deed to those state lands identified for conveyance to the University in a document entitled "University of Alaska Land Grant List 2005" dated January 12, 2005. This "Land Grant List" includes lands that make up part of the Nenana oil and gas basin.

***Based on the subsurface information currently available, the Nenana basin is thought to be gas-prone. DNR believes that the gas potential of this basin ranges from moderate to good. The basin is also in close proximity to markets in Fairbanks. Andex Resources currently has an oil and gas exploration license for part of the Nenana Basin. It is impossible without further exploration to predict the exact fiscal impacts. However, the conveyance of part of the Nenana oil and gas basin to the University of Alaska could result in a significant new source of revenue and /or energy for the University with a corresponding decrease in general and permanent fund revenues.

There is a similar but lesser impact from transferring the surface and subsurface from other lands that DNR would otherwise sell or lease. That is, the Department anticipates an unspecified decrease in future revenues from the loss of these lands.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: HB 295
(H) Publish Date: 1/19/10

Identifier (file name): 082-UA-SWS-12-18-09
Dept. Affected: University of Alaska
Title: An Act relating to the grant of certain land to the University of Alaska
RDU: University of Alaska
Component: Sysbra
Sponsor: Governor
Requester:
Component Number: 730

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual	500.0	250.0	250.0	250.0	250.0	250.0	250.0
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**500.0**	**250.0**	**250.0**	**250.0**	**250.0**	**250.0**	**250.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1048 University Receipts	500.0	250.0	250.0	250.0	250.0	250.0	250.0
TOTAL	**500.0**	**250.0**	**250.0**	**250.0**	**250.0**	**250.0**	**250.0**

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

In the short term (6 years) this bill would provide very little operating revenue, due to the fact that the funding resulting from this bill is deposited into UA's Land Grant Trust Fund (LGTF, an endowment that has a payout policy similar to the POMV principles i.e., 5% of the prior five year endowment average), however, in the long term, after substantial additions to the LGTF endowment UA can see modest operating revenue i.e., in approximately 20 years UA anticipates annual investment earnings on new land sales to reach 1% of state general fund support or $2.6M.
UA Land Management will add minimal staff to accomplish management of the new lands as this land transfer would roughly replace land inventory available for sale. Land Management operating costs are already considered in the net revenue projections.

Prepared by: Michelle Rizk, Associate Vice President
Phone 450-8187
Division: University of Alaska
Date/Time 12/18/09 4:40 PM
Approved by: Michelle Rizk, Associate Vice President
Date
Statewide Budget

(Revised 11/6/2009 OMB)

February 8, 2010

Rep. Paul Seaton
District 35
Chairman, House Committee on Education
Rm. 102, Capitol Bldg.

Dear Representative Seaton:

Recently I had the opportunity to testify on this bill. I appreciate the questions you asked of various parties; they elicited answers that identified why this bill has had controversy. If I may here is how it happened:

- 2002 the Northern Southeast Area Plan is developed through a public process by the Department of Natural Resources, (DNR). State land parcels are given a land use designation, for example "recreational, undeveloped, RU", (no development or private ownership) or some were "settlement", (development or private ownership).
- 2005 HB 130 University Land grant bill; the DNR is tasked with providing a list of State land parcels for transfer to the University. Per Director Mylius, DNR/Div. of Lands, the staff did not contact the impacted communities for input as it was deemed to be too contentious of an issue; the public process was left to be heard at the legislative level. Some of the parcels carried a land use designation of "recreational".
- HB 130 is heard by Legislative committees; most of the rural communities testified with complaints about the parcels and how they were selected. Some parcels were dropped out of the bill. HB 130 is later found to be unconstitutional for issues related to dedicated funds.
- 2010 HB 295 is introduced with the "surviving" parcels from HB 130 in HB 295; one from my area has a land use designation of "recreational, RU". Other State parcels carrying a land use designation of "settlement/recreational" were dropped back in 2005.
- Director Mylius testified that if a land parcel is transferred to the University, the land use designation does not follow it.

The uproar of HB 130/HB 295 could have been avoided if the DNR had conducted a public process at the local level; contentious or not this is something an agency should do if there is to be any public support. My community has participated in a variety of public hearings involving contentious issues; for example State Ferry service and vessel design. The community provided input to agency representatives; no one was treated with disrespect; let alone tar and feathered.

Thank you for your attention, questions, courtesy and patience in dealing with this matter; most of all thank you for your leadership.

Sincerely:

Norm Carson, President
Pelican Chamber of Commerce
PO Box 98
Pelican, AK 99832

University of Alaska
Land Grant List 2005

Alaska Department of Natural Resources
January 12, 2005

Revised 2010

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

550 WEST 7TH AVENUE, SUITE 1400
ANCHORAGE, ALASKA 99501-3650
PHONE: (907) 269-8431
FAX: (907) 269-8918

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

January 13, 2010

Dear Interested Alaskan:

This document, **University of Alaska Land Grant List 2005**, provides a description of state land proposed for transfer to the University of Alaska under legislation requested by Governor Parnell. The new legislation would transfer 199,838 acres of state land managed by the Department of Natural Resources to the University of Alaska.

The legislation ratifies and reauthorizes the land conveyances in legislation enacted in 2000 (ch. 136, SLA 2000) and 2005 (ch. FSS08, SLA 2005). These statutes were found by the Alaska Supreme Court in *Southeast Alaska Conservation Council & Tongass Conservation Society v. State of Alaska & University of Alaska*, 202 P.3d 1162 (Alaska 2009), to violate Article IX, section 7 (the dedicated funds clause) of the Alaska Constitution, because the statutes specified that revenue generated from the University's management of the land was to be deposited in the University's endowment trust fund. The new legislation addresses this by specifying that revenue generated by the University of Alaska's management of this land will be managed as University receipts, subject to appropriation each year by the legislature.

The new legislation requested by the Governor directs DNR to convey specific lands to fulfill the intent of previous legislations.

The types of land proposed for conveyance to the University are summarized below:

Type of Property	Approximate Acreage
Investment Properties, Southeast Alaska	34,643
Investment Property, other than Southeast	39,222
Nenana Basin Oil & Gas	90,000
Education Properties	35,973
Total	**199,838**

The parcels identified in the proposed legislation are the same parcels as those identified in the 2005 legislation (ch. FSS08, SLA 2005), and are described in the

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans"

attached document. This land list was arrived at after more than a year of intense work by DNR and the University to identify land that may be conveyed to the University without unreasonably conflicting with programs associated with, and uses of, state land managed by DNR.

This document lists all of the parcels originally considered in the 2005 legislation, but the proposed legislation removes some of these parcels from further consideration. Specifically, the land list in the proposed legislation reflects changes made by the legislature during the 2005 session, including the legislature's decision to drop certain parcels that were on the original list provided in January 2005. The bill also includes language added by the legislature to protect land for possible municipal entitlement selections by the City and Borough of Wrangell and a possible borough in the Petersburg area. In addition, two parcels were conveyed under separate statutory authority. The following table indicates which parcels have been removed from consideration in the proposed legislation and which parcels are deferred to address potential municipal entitlements.

The prior land conveyance statutes included a provision for establishment of a university research forest. This provision is not included in this bill because the Alaska Supreme Court found that the provision in the prior legislation could be severed from the unconstitutional dedication provisions, and it was therefore upheld as constitutional.

Sincerely,

Thomas E. Irwin
Commissioner

LAND LIST MAPS

University of Alaska
Land Grant List 2005
(revised 2010)
Summary

Total Acreage: **199,838**

Type	Acres
Educational Properties	35,973
Nenana Basin Oil and Gas	90,000
Southeast Alaska Investment Properties	34,643
Other Investment Properities (excluding SE)	39,222
Total	199,838

	Percent
Educational Properties	18.0%
Nenana Basin Oil and Gas	45.0%
Southeast Alaska Investment Properties	17.3%
Other Investment Properities (excluding SE)	19.6%
Total	100.0%

Region	Acres
Southeast	34,655
Southcentral	14,230
Northern Interior	150,953
Total	199,838

	Percent
Southeast	17.3%
Southcentral	7.1%
Northern Interior	75.5%
Total	100.0%

University of Alaska
Land Grant List 2010

Parcel #	Name	Approx. Area in Acres
Non-producing Oil and Gas Resources		
	Nenana Gas Basin Tracts - Mineral *	90,000
	Nenana Gas Basin Tracts - Land ** *	90,000
	2010 Revised Oil and Gas Resources, Subtotal	**90,000**
Investment Properties		
Northern/ Interior Region		
DH.IS.1001	Dalton Highway MP 48 to 54	1,360
DH.SR.1001	Dalton Highway MP 345 to 347	880
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700
M1.JC.1001	Jarvis Creek (Mineral)	16,000
FA.JC.1001	Jennie M. Creek C	5
N1.LS.1001	Lake Snohomish	740
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7
N5.RS.1001	Summit Lake (Parks Highway)	960
N1.WT.1001	West Twin Lake	1,560
N5.WL.1001	Wien Lake	1,780
	2010 Revised Northern Interior Region Subtotal	24,992
Southcentral Region		
SU.DC.1001	Deception Creek	280
SU.FP.1001	Frying Pan Lake	450
MA.MC.1001	McCarthy-Nizina	12,500
SU.WC.1001	Willow Creek Road	1,000
	2010 Revised Southcentral Region Subtotal	14,230
	2010 Revised Investment Properties Total	**39,222**

* The mapped extent of the parcel exceeds this amount, but will be reconfigured when the Remote Staking for Teklanika II has been completed to equal approximately 90,000 acres.

** The University will provide, at no charge to the state, reasonable access to the state land and resources west and north of the Nenana parcel.

University of Alaska
Land Grant List 2010

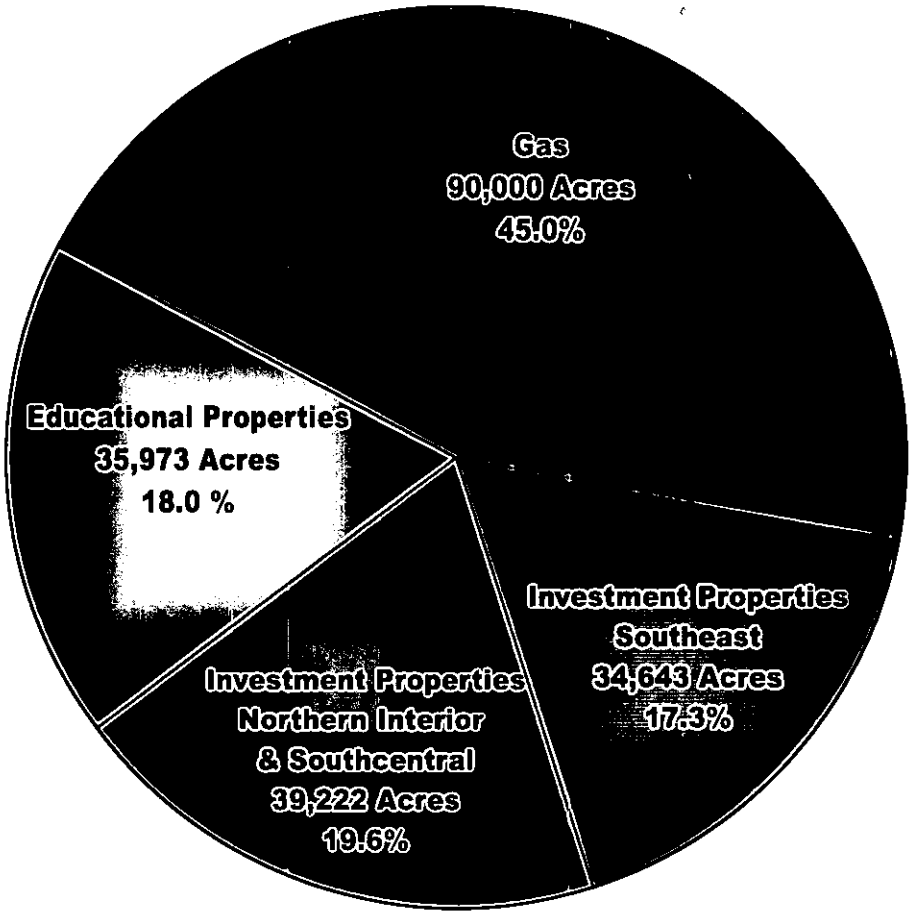
Parcel #	Name	Approx. Area in Acres
Southeast Alaska		
SD.1001	Beecher Pass	1,193
PA.1002	Biorka Island	438
KT.1002	Cleveland Peninsula	4,055
PW.CC.1001	Coffman Cove	1,984
CS.DI.1001	*Duke Island DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-1,440*
CS.EW.1001	Earl West Cove	3,564
PW.ED.1001	Edna Bay	250
PW.EC.1001	El Capitan North	1,847
PW.ES.1005	El Capitan South	865
NS.EX.1002	Excursion Inlet	477
SD.1001	Favor Peak	1,290
HA.CH.1001	*Haines - Chilkoot DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-60*
CR.1001	Harris Road Junction	320
PW.HO.1001	Hollis	622
PW.HK.1001	Hook Arm	1,280
MF.1002	*Idaho Inlet DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-539*
JU.NL.1001	Ivanhoe	120
CS.KI.1001	*Kelp Island DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-535*
CS.LE.1001	Leask Cove	460
JU.LM.1001	Lena Creek	610
NS.NS.1001	Lisianski Peninsula	1,443
JU.1002	Lynn Canal	1,358
NS.MI.1001	Middle Island	665
PA.1002	Mite Cove	320
PW.MS.1001	Moira Sound/Nowiskay Cove	160
CS.MB.1001	Moser Bay	906
PW.NA.1001	Naukati Sound	937
KT.1004	*Neets Creek DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-1,500*
CS.OV.1001	Olive Cove	450
ST.1002	*Pelican DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-851*
PA.1001	*Port Alexander DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-267*
PA.1001	Port Conclusion (See Port Alexander map)	10
PW.PD.1001	Port Delores	1,100
SD.1001	Read Island	706
CS.RB.1001	Rowan Bay	665
SD.1001	Sumdum	5
ST.1003	Tenakee Springs	346

University of Alaska
Land Grant List 2010

Parcel #	Name	Approx. Area in Acres
SD.1001	Thoms Place	2,360
PW.TH.1001	Thorne Bay	2,557
CS.TL.1001	Three Lake Road	640
CS.WA.1001	Ward Cove	3
ST.1002	*Warm Springs Bay DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-267*
SD.1001	Whitney Island	316
JU.1001	William Henry Bay	321
	2010 Revised Southeast Region Subtotal	**34,643**
Educational Properties		
JU.AU.1002	Auke Weir	6
LG.PC.01	Caribou-Poker Creeks Drainage	24,250
MA.XS.1001	Delta Ag & Forestry Exp. Station	363
N2.FA.1004	*Fairbanks Parking Garage/Court House COURTHOUSE CONVEYED UNDER OTHER AUTHORITY*	*-1*
NZ.FA.1004	*Key Bank Site CONVEYED UNDER OTHER AUTHORITY*	*-1*
MA.KR.1001	*Kodiak Rocket Range DELETED FROM 2005 LAND LIST BY LEGISLATURE*	*-2,880*
MA.PF.1002	Poker Flat (Special Use Area)	6,680
MA.PF.1001	Poker Flat Lease	533
MA.SF.1001	Silver Fox Mine	120
ST.1001	Sitka Campus	6
TV.RF.1001	Tok Research Forest	4,015
TV.TV.1001	*University Research Forest CONVEYED UNDER HB 130*	*-51,820*
	2010 Revised Educational Properties Subtotal	**35,973**
2010 REVISED TOTAL		**199,838**

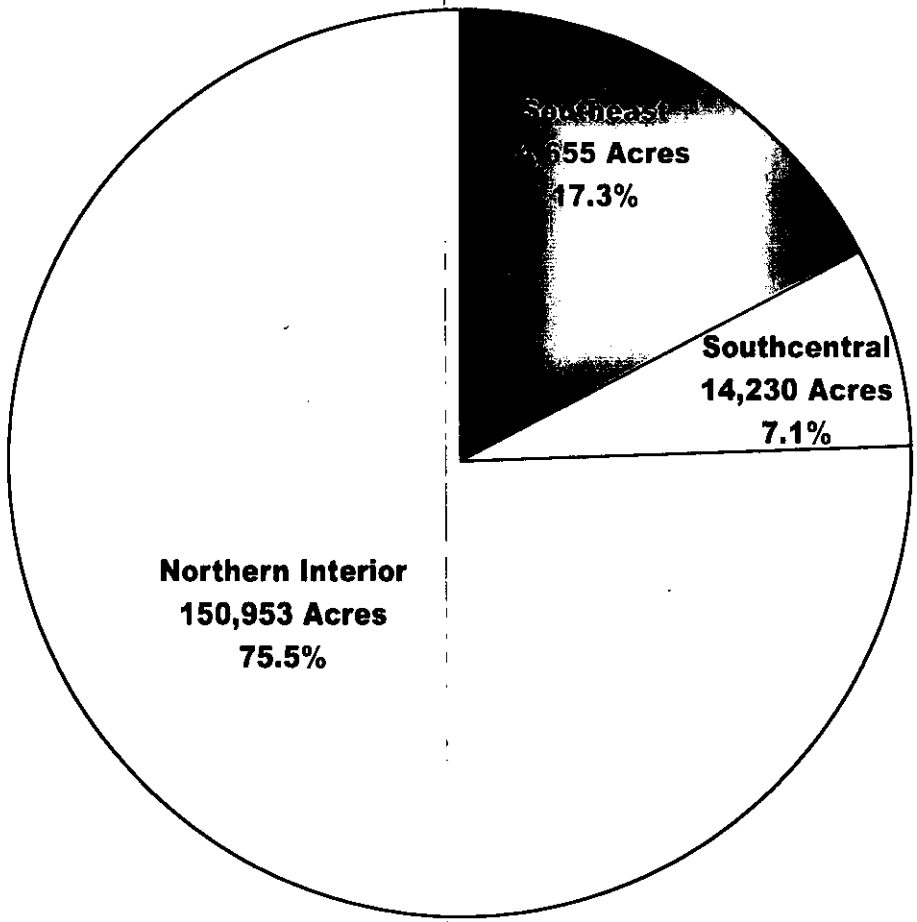
Resource Distribution of Parcels

2010 Land List



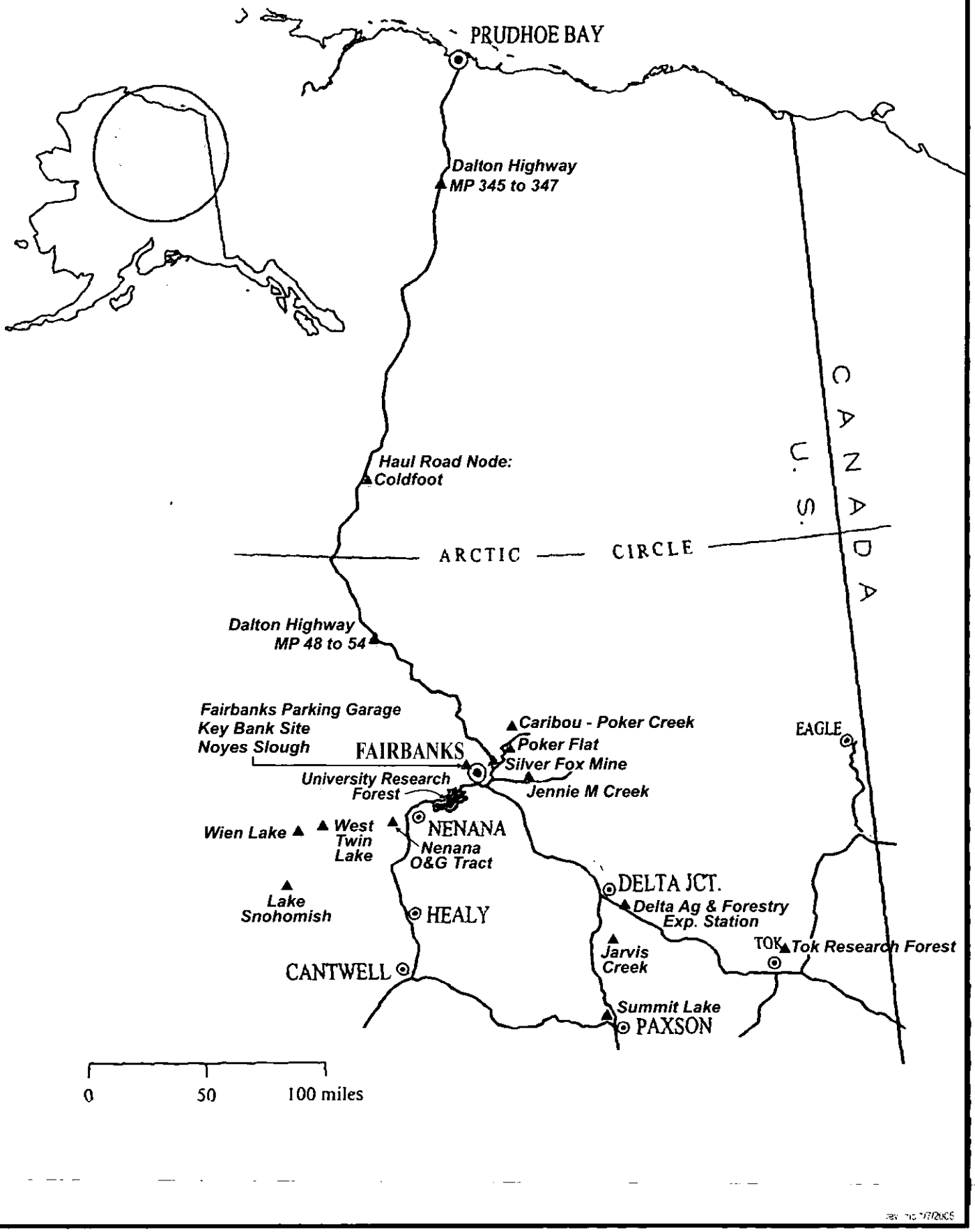
Region Distribution of Parcels

2010 Land List

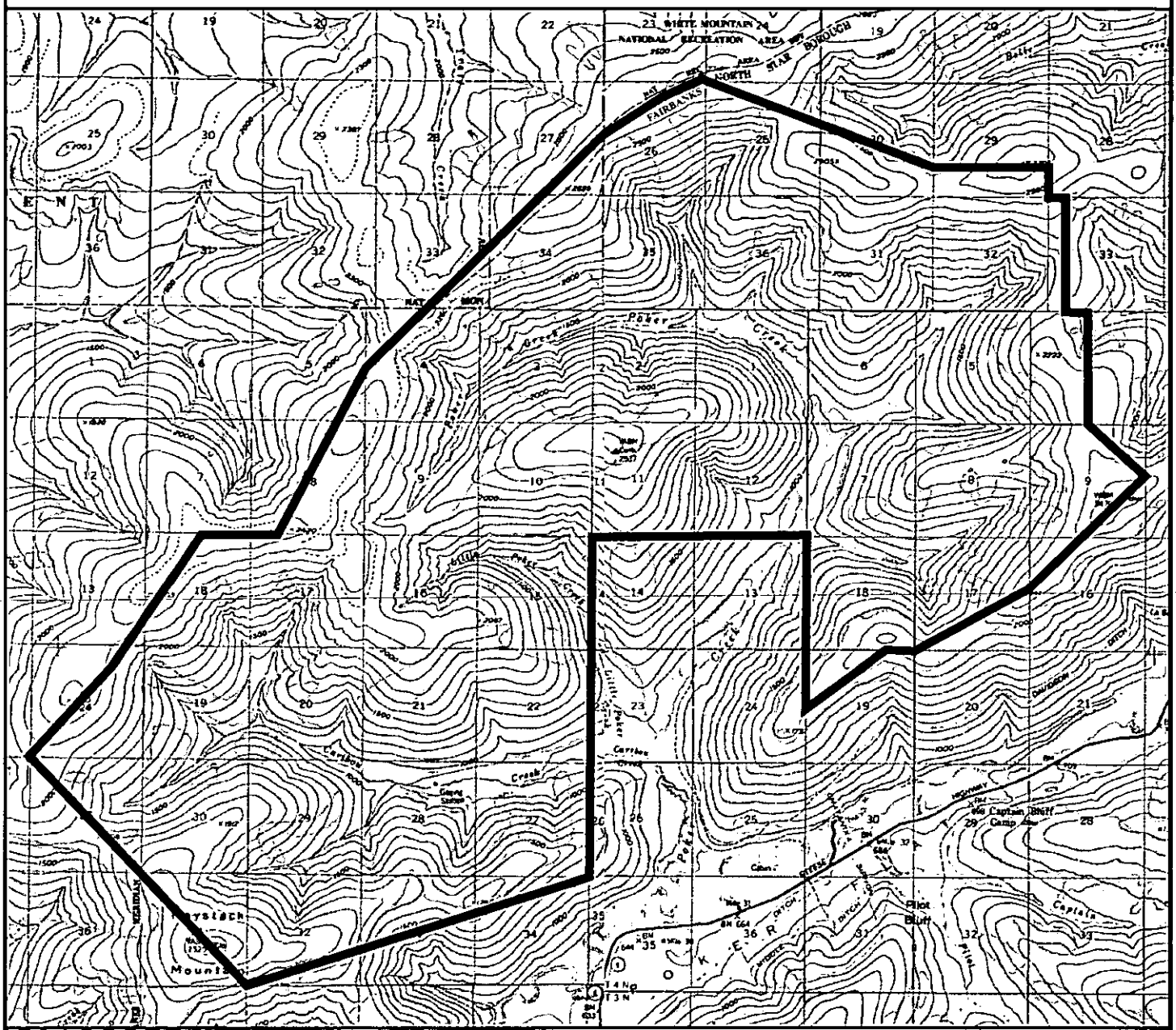


NORTHERN INTERIOR MAPS

NORTHERN - INTERIOR REGION



Caribou-Poker Creeks Watershed



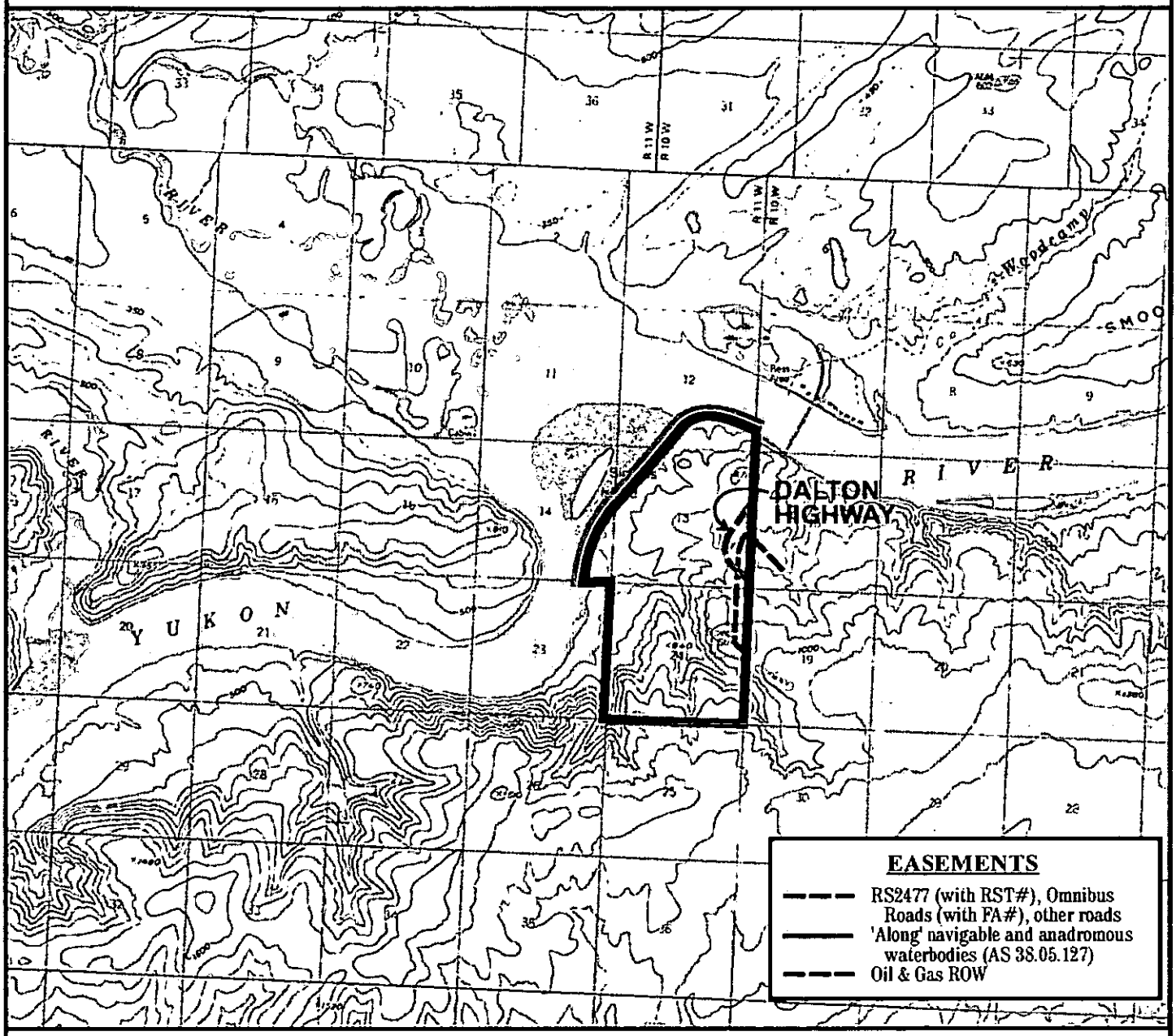
Prepared by: DNR
Source USGS Livengood A1, A-2
Date: 12/2004

one mile

Meridian	Township	Range
F	04N	1E-2E

Dalton Highway MP 48 to 54

DH.YR.1001



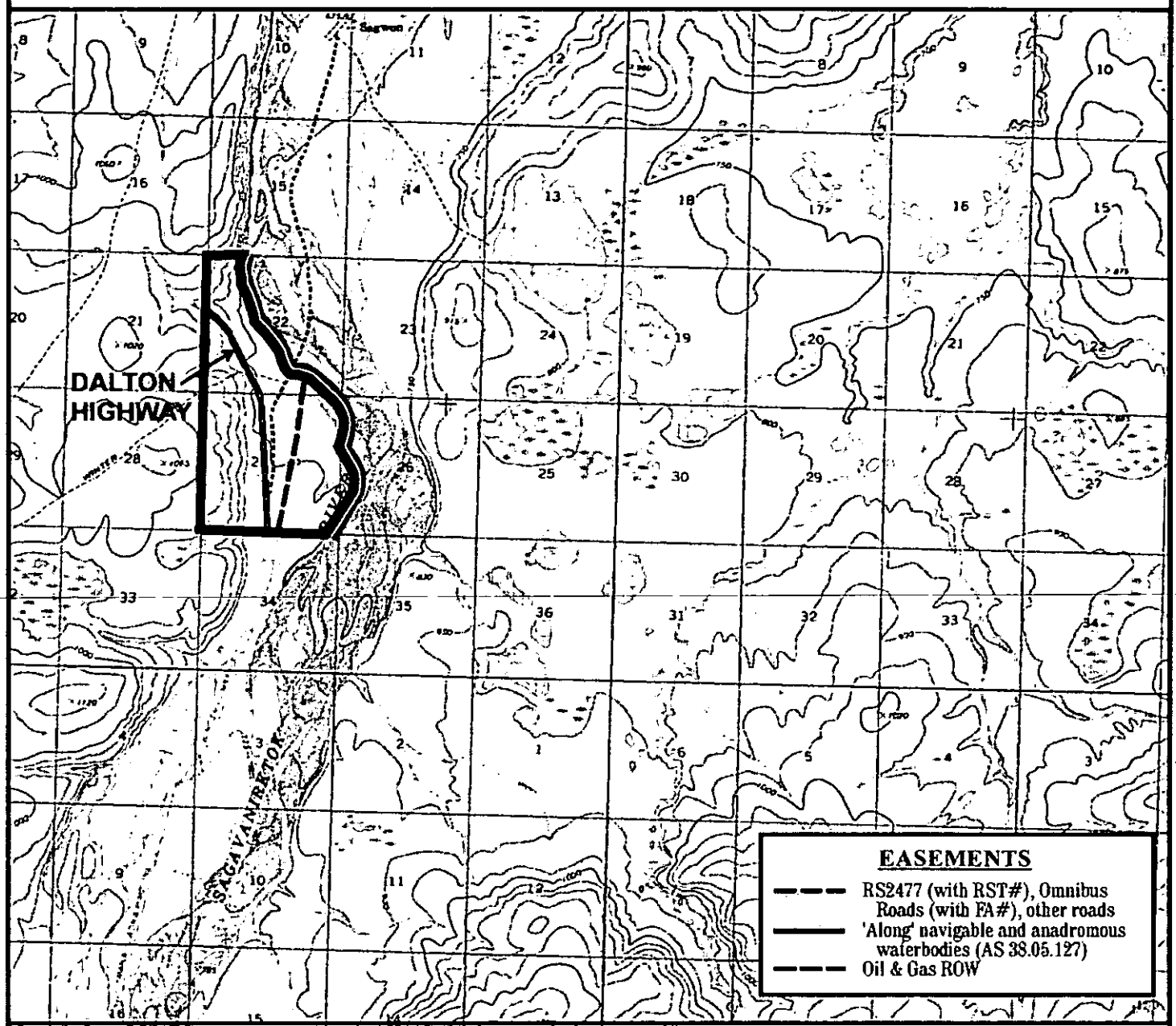
Prepared by: DNR
Source USGS Livengood D-6
Date: 12/2004

one mile

Meridian	Township	Range
FM	12N	10-11W

Dalton Highway MP 345 to 347

DH.SR.1001

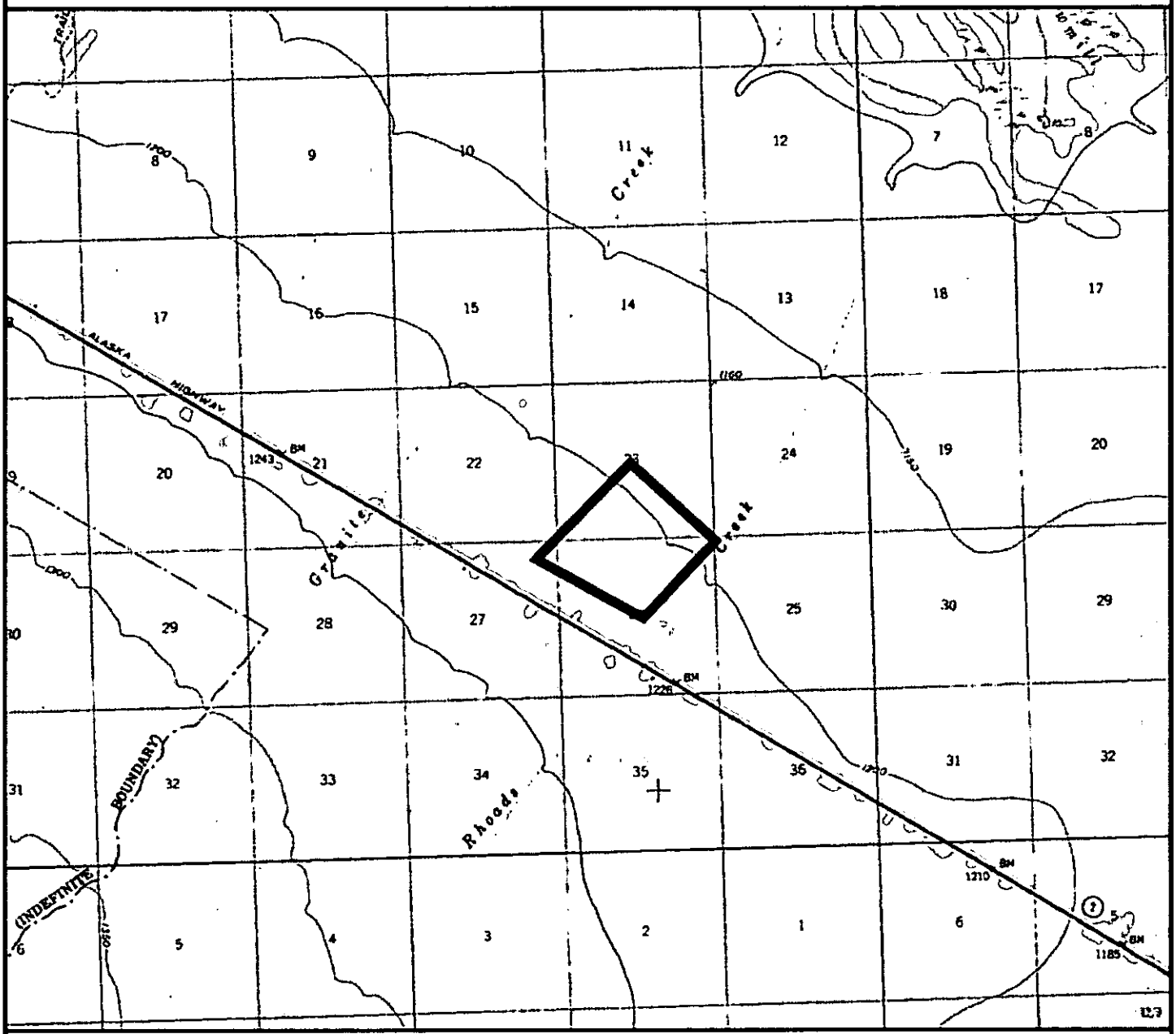


Prepared by: DNR
Source USGS Sagavanirktok B-3
Date: 12/2004

one mile

Meridian	Township	Range
UM	1S	14E

Delta Ag & Forestry Exp. Station MA.XS.1001



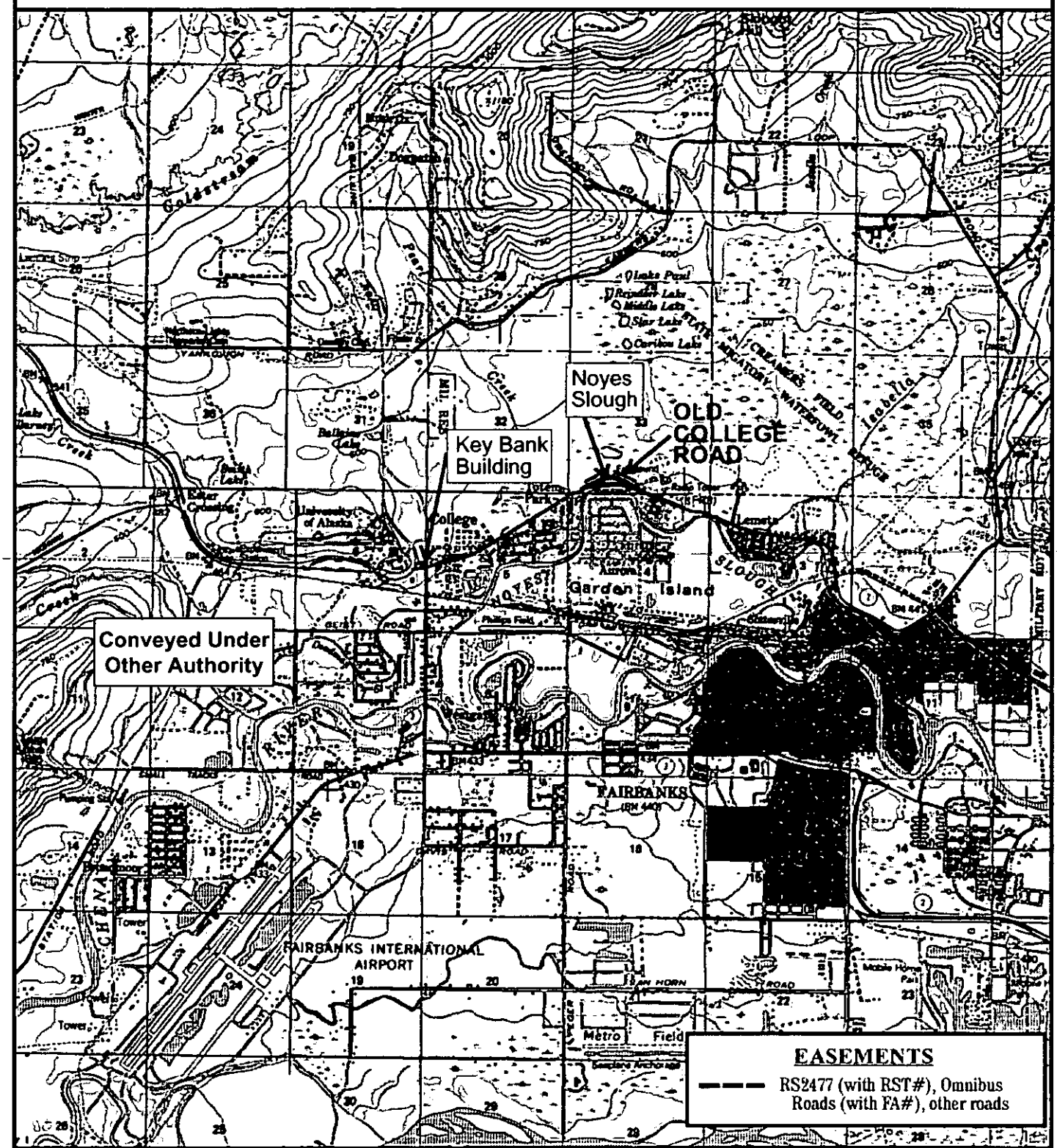
Prepared by: DNR
Source USGS Mt. Hayes D-3
Date: 12/2004

one mile

Meridian	Township	Range
FM	11S	12E

Fairbanks Area Parcels

N2.FA.1003
N2.FA.1004



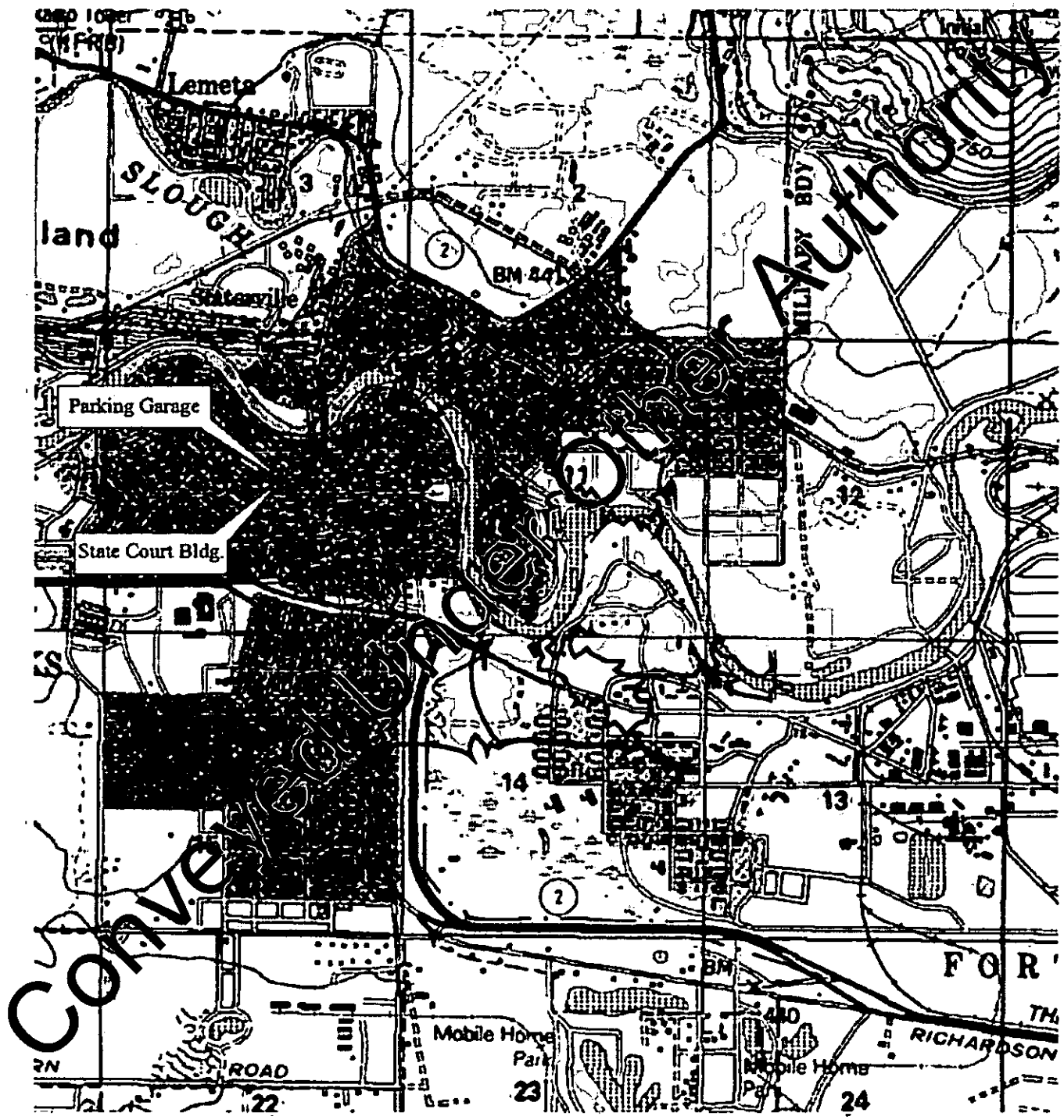
Prepared by: DNR
Source USGS Fairbanks D2
Date: 12/2004

one mile

Meridian	Township	Range
FM	1N-1S	1W

Fairbanks Downtown Parcels

N2.FA.1001 Parking Garage
N2.FA.1002 Old State Court Building

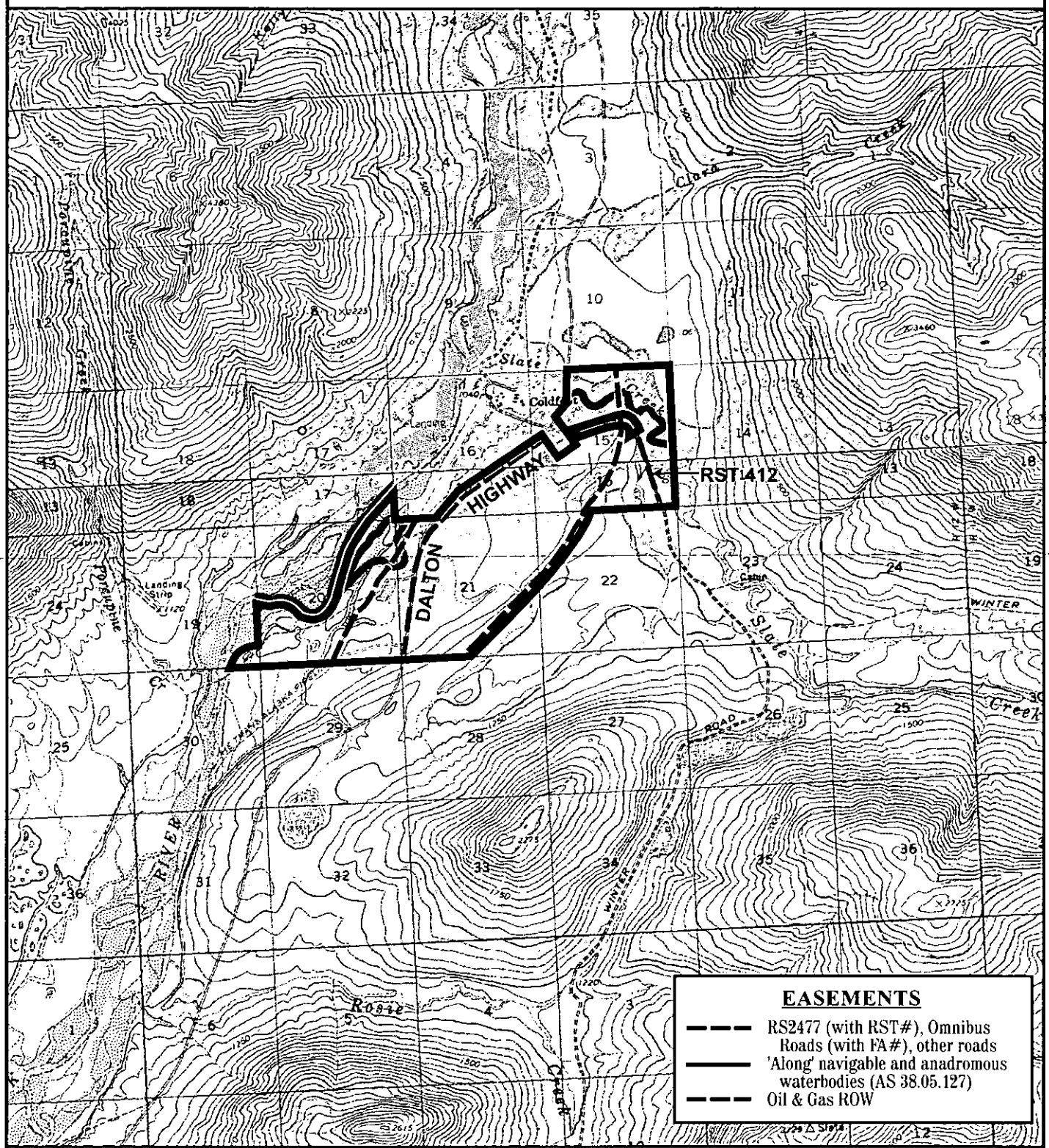


Prepared by: DNR
Source USGS Fairbanks D-2
Date: 12/2004

1/2 mile

Meridian	Township	Range
F	1S	1W

Haul Road Nodes - Coldfoot MA.HR.1001

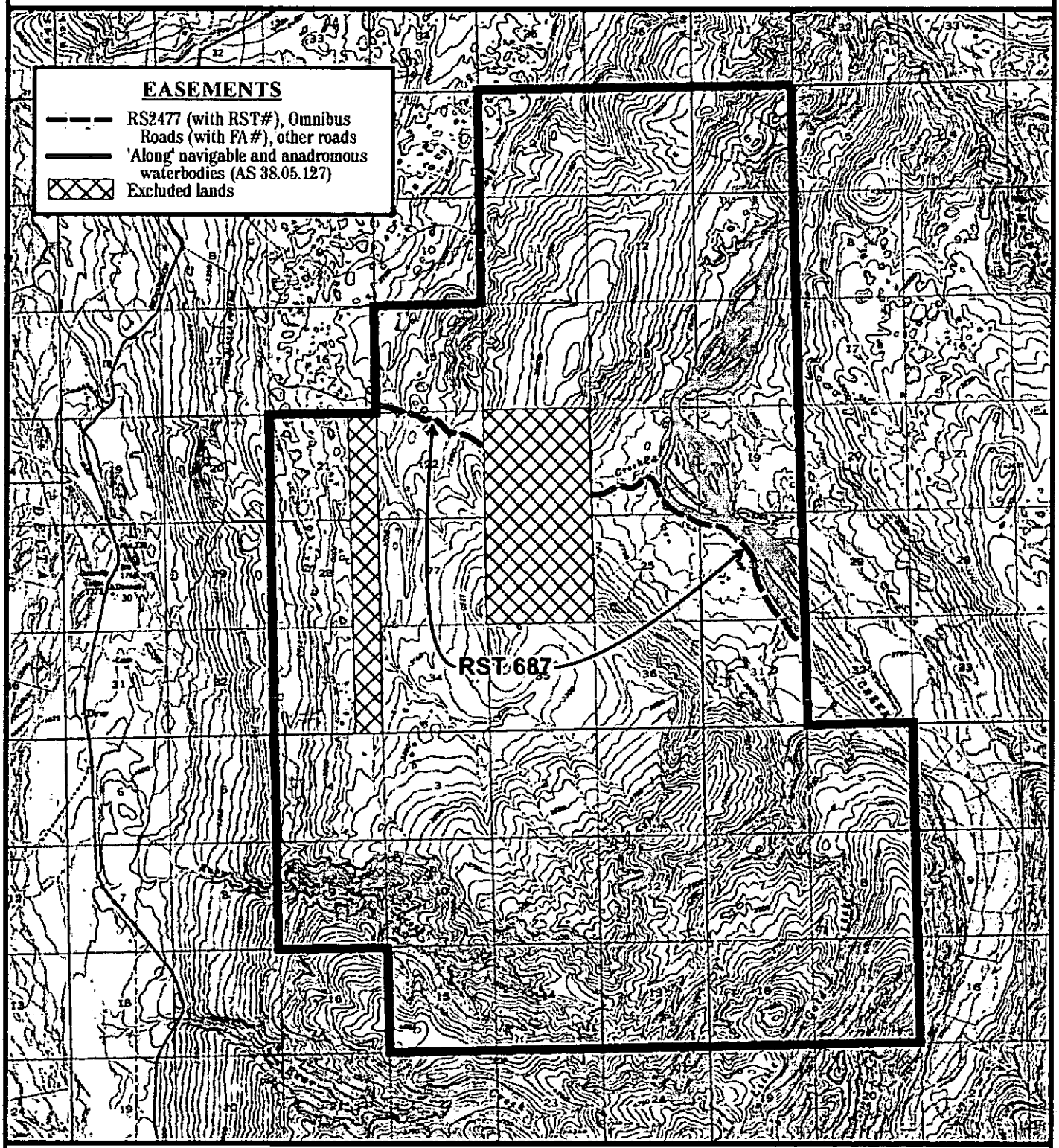


Prepared by: DNR
Source USGS Wiseman A-1, B-1
Date: 12/2004

one mile

Meridian	Township	Range
FM	28N	12W

Jarvis Creek Coal Field



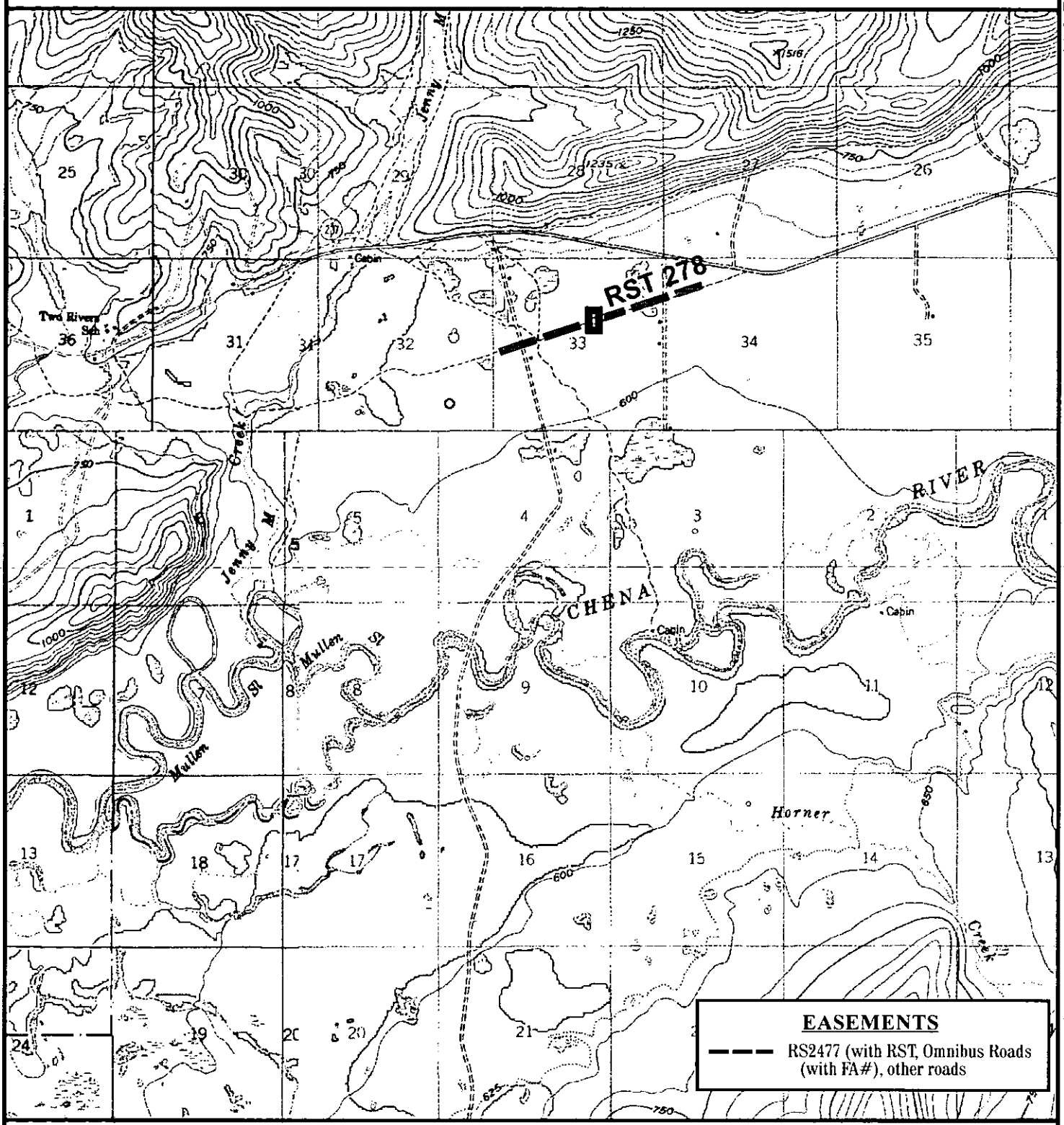
Prepared by: DNR
Source USGS, Mt. Hayes C-4
Date: 12/2004

one mile

Meridian	Township	Range
FM	14-15S	10-11E

Jennie M. Creek C

FA.JC.1001



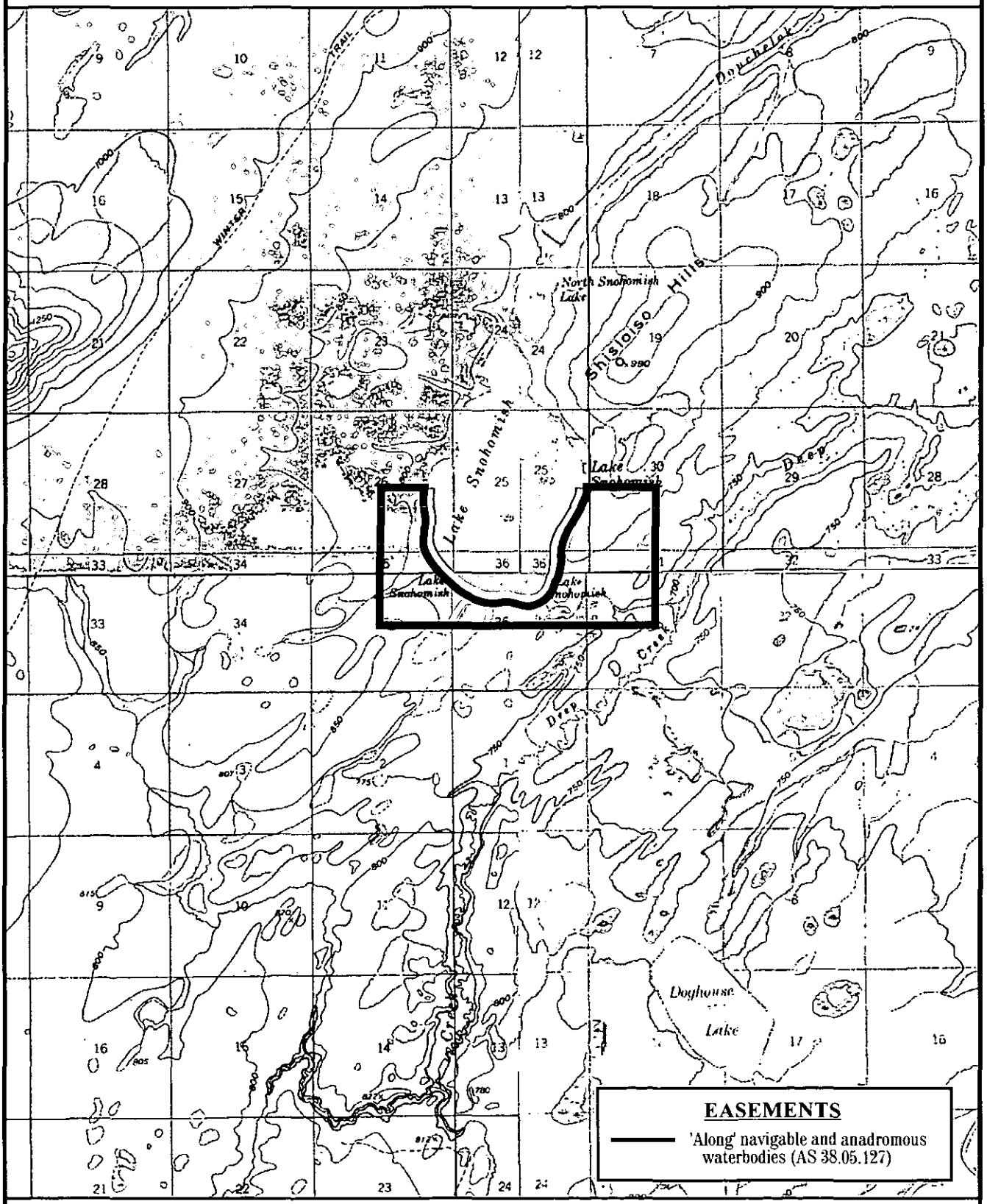
Prepared by: DNR
Source USGS, Big Delta D-6, Fairbanks D-1
Date: 12/2004

one mile

Meridian	Township	Range
FM	1N	4E

Lake Snohomish

N1.LS.1001

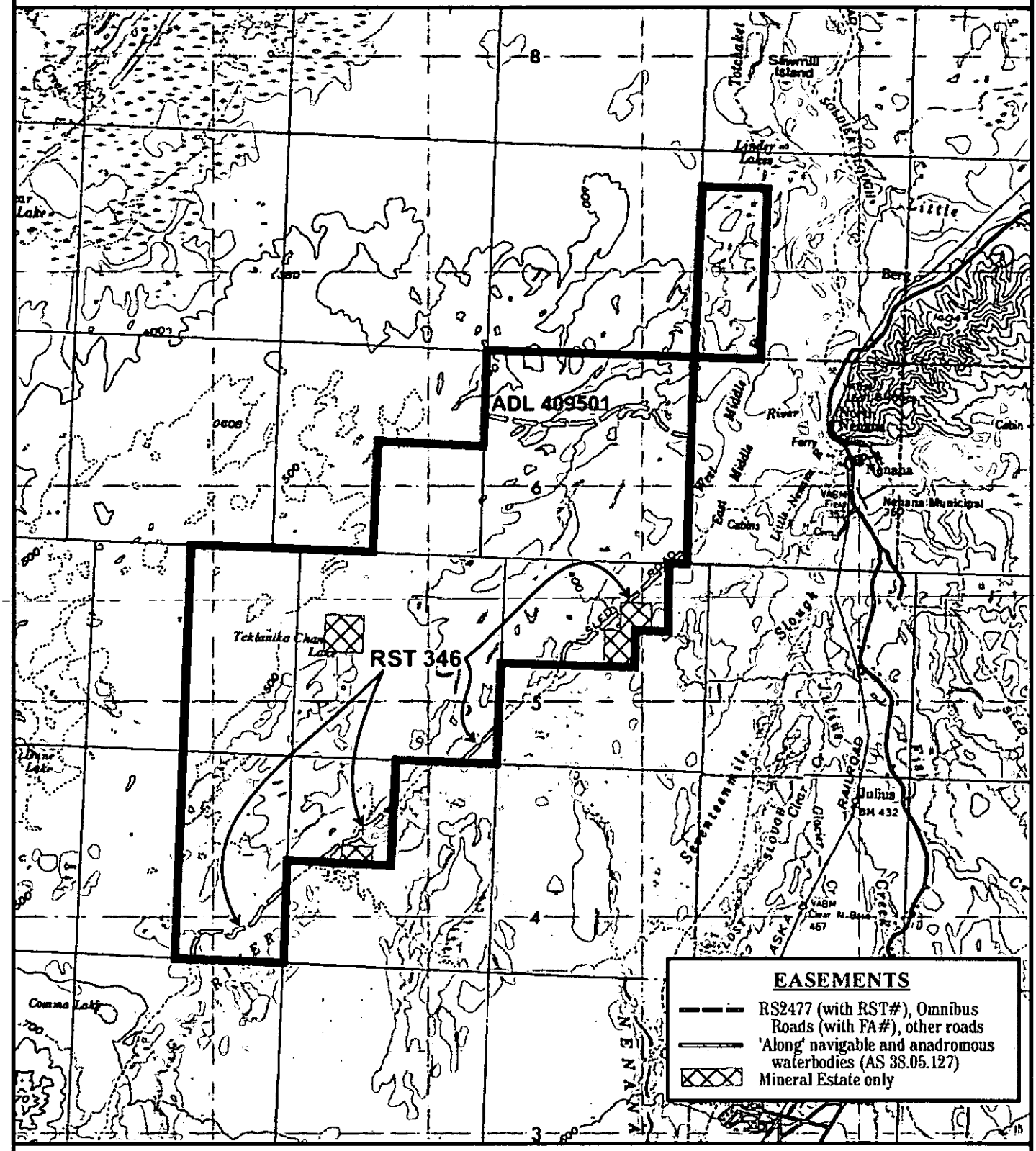


Prepared by: DNR
Source USGS, Mt. McKinley D-5, D-6, C-5, C-6
Date: 12/2004

one mile

Meridian	Township	Range
FM	13S	R25W-26W

Nenana Oil & Gas Tract



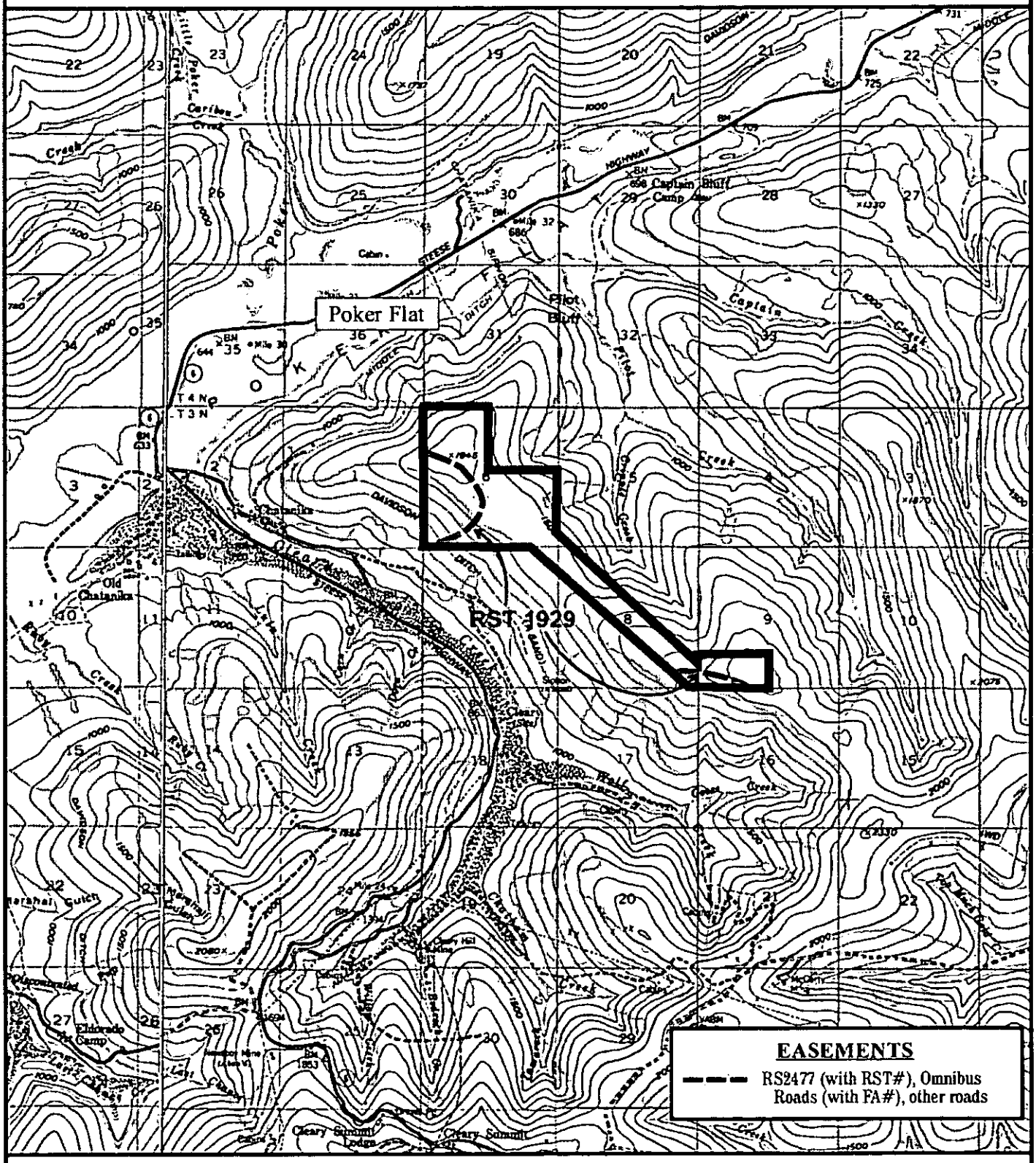
Prepared by: DNR
Source USGS, Fairbanks B-5 B-6, C-5, C-6
Date: 12/2004

6 miles

Meridian	Township	Range
FM	3, 4, 5, 6S	8, 9, 10, 11E

Poker Flat Lease

MA.PF.1001



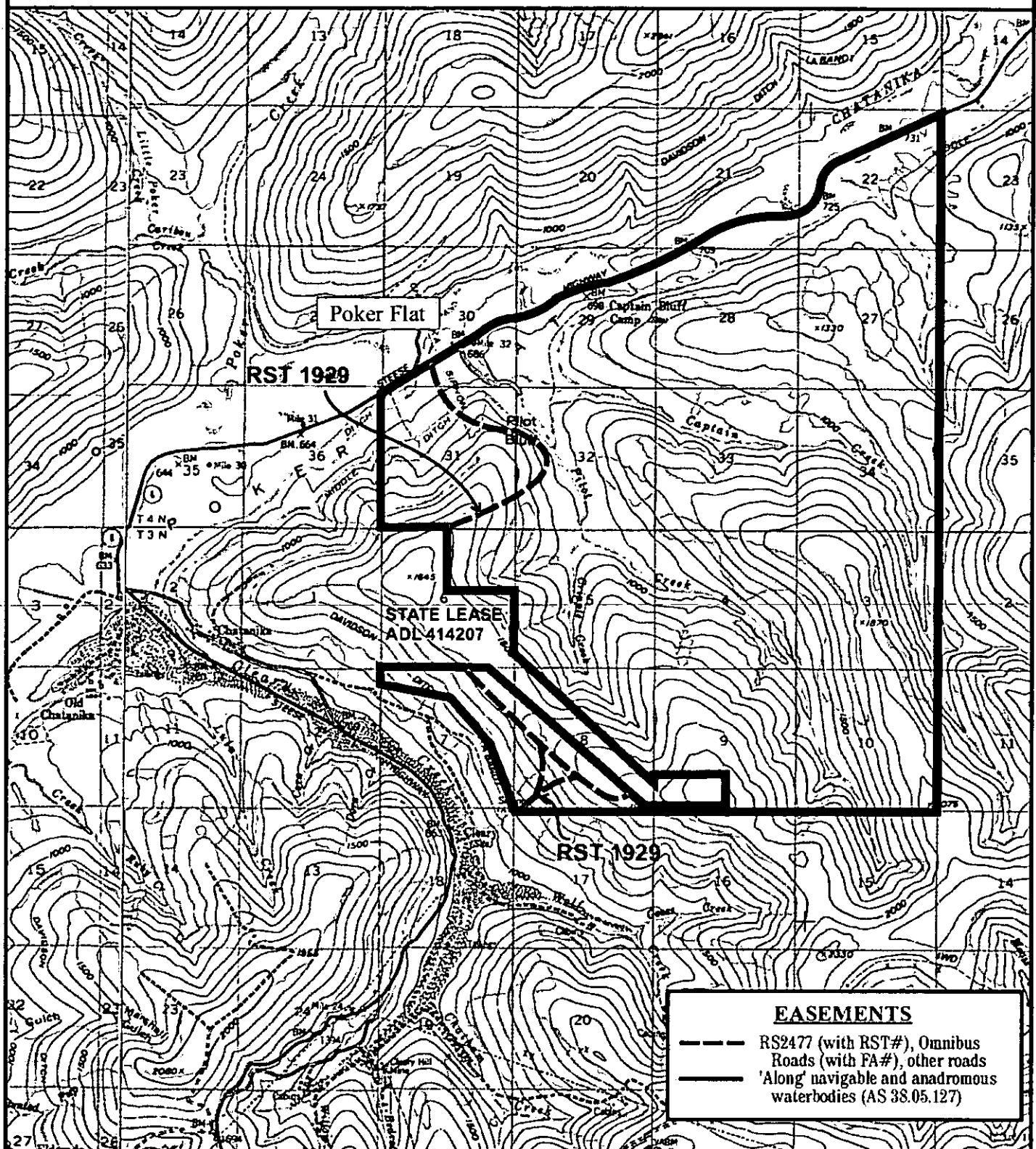
Prepared by: DNR
Source USGS, Livengood A-1
Date: 12/2004

one mile

Meridian	Township	Range
FM	3N	2E

Poker Flat (SUA)

MA.PF.1002



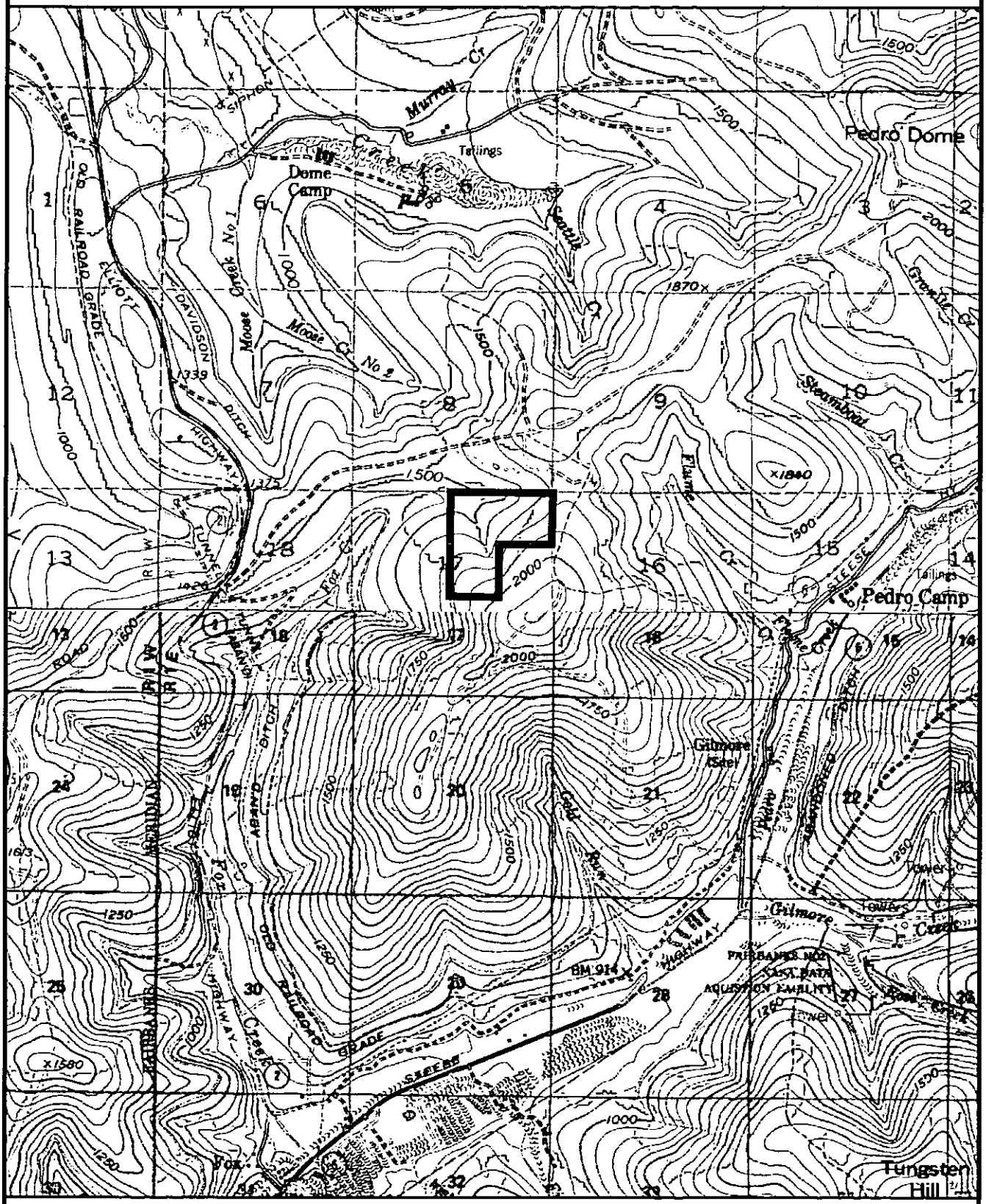
Prepared by: DNR
Source USGS, Livengood A-1
Date: 12/2004

one mile

Meridian	Township	Range
FM	3-4N	2E

Silver Fox Mine

MA.SF.1001



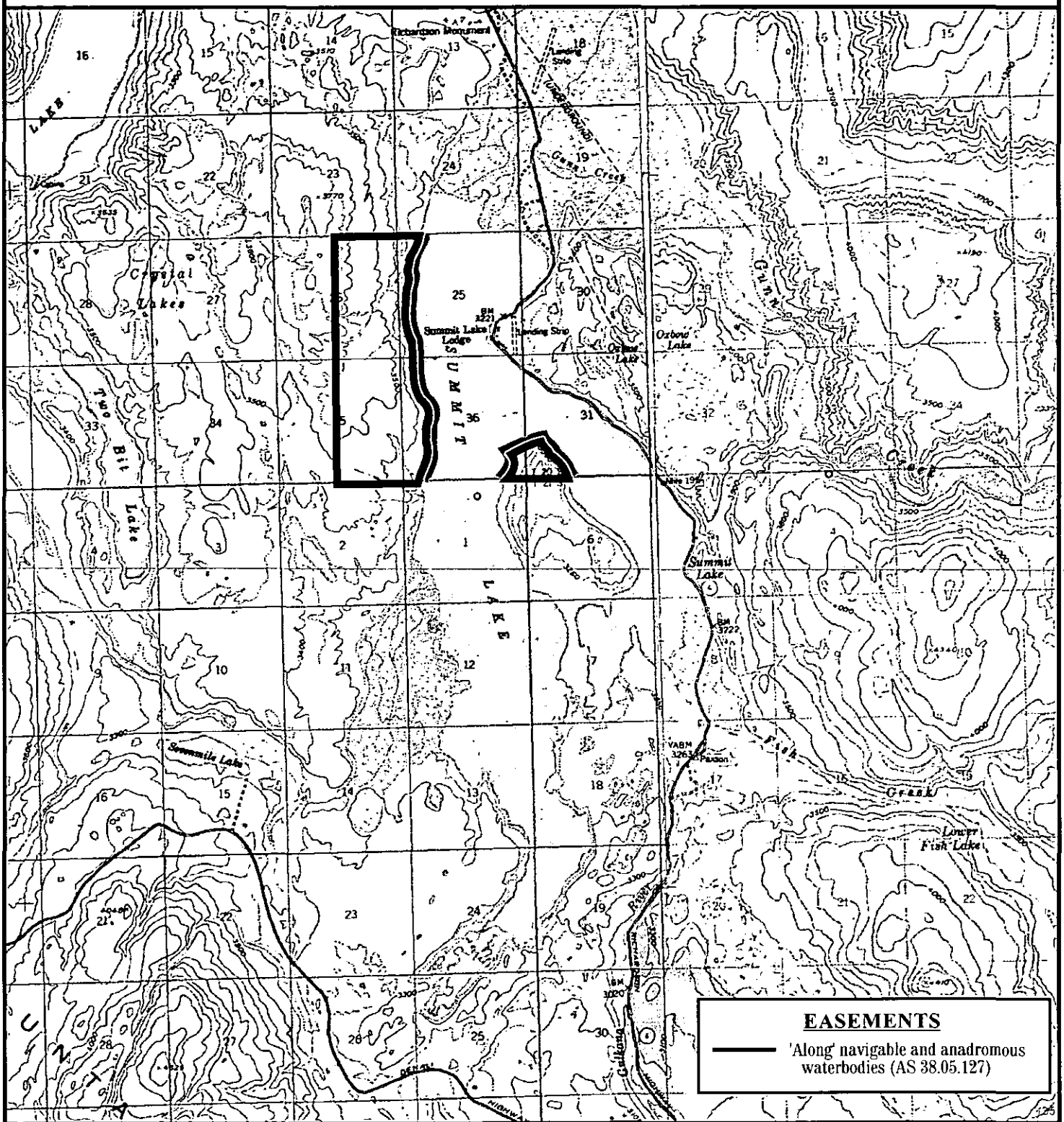
Prepared by: DNR/rhc
Source USGS; Livengood A-2
Date: 12/2004

one mile

Meridian	Township	Range
FM	2N	R1E

Summit Lake

N5.RS.1001



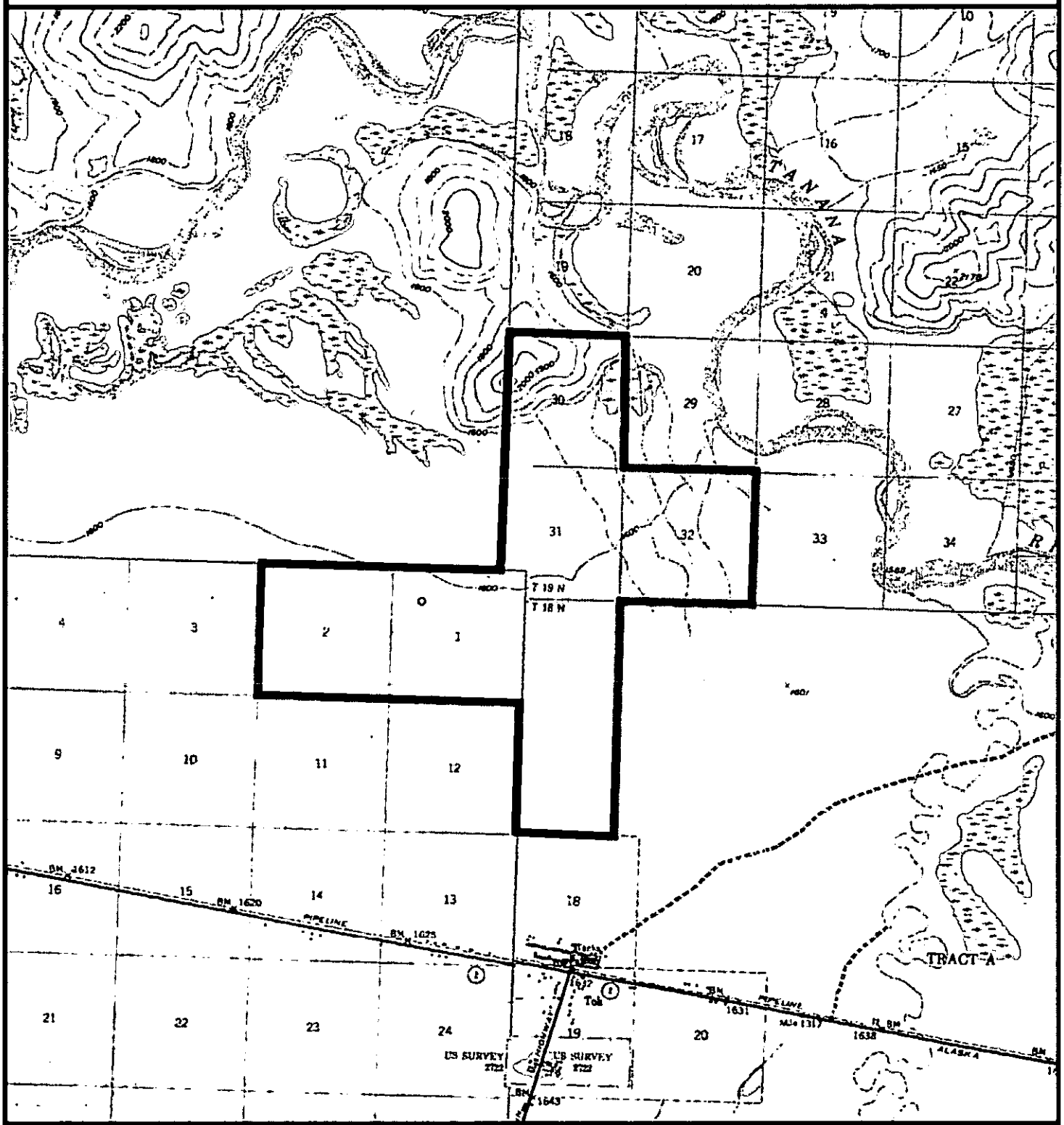
Prepared by: DNR
Source USGS, Mt. Hayes, A-3, A-4
Date: 12/2004

one mile

Meridian	Township	Range
FM	20S-21S	11E-12E

Tok Research Forest

TV.RF.1001



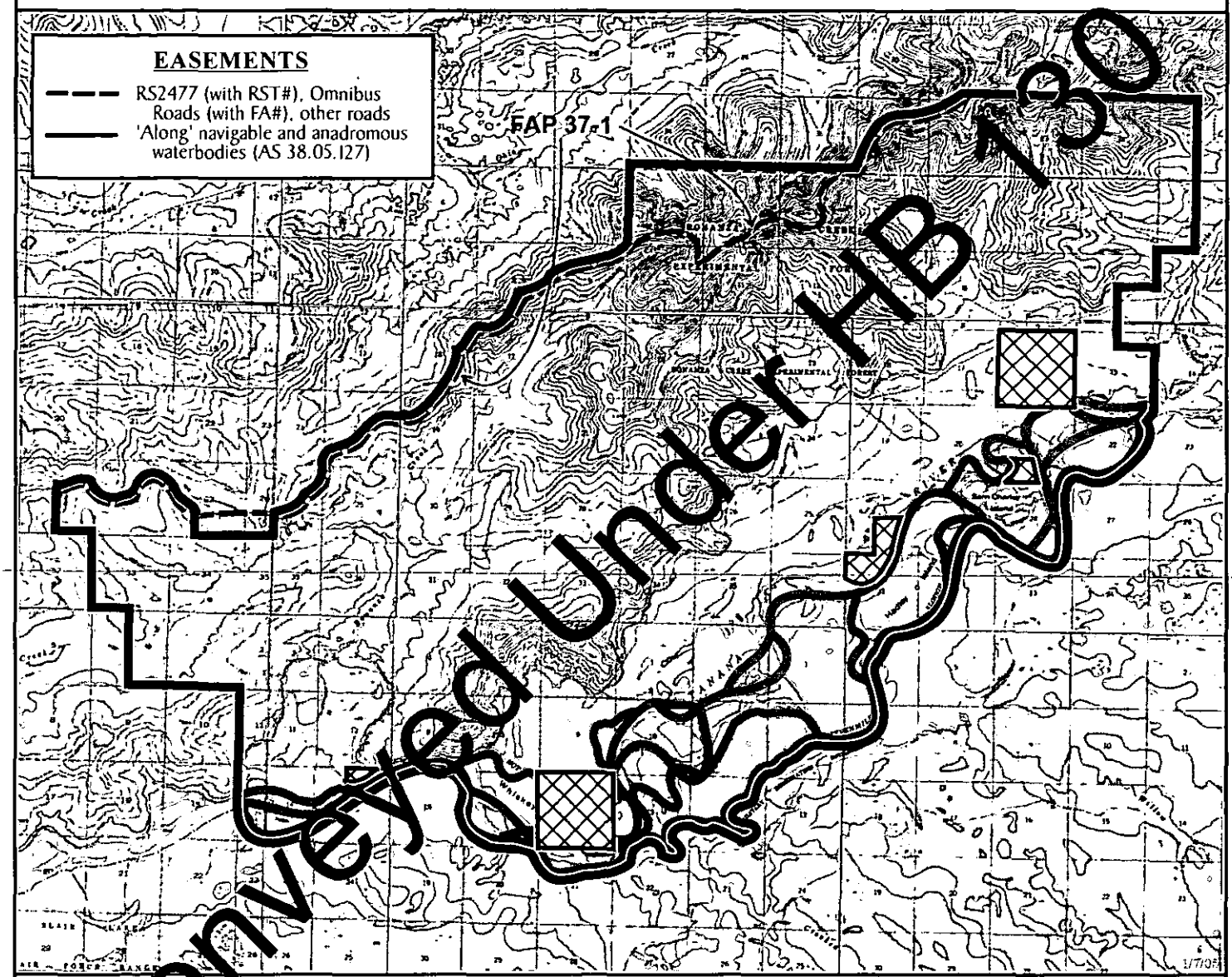
Prepared by: DNR
Source USGS, Tanacross B-4, B-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	18-19N	12-13E

University Research Forest

NS.EX.1002



Prepared by: DNR; rhc
Source: USGS Fairbanks C-3, D-3, D-4
Date: 12/2004

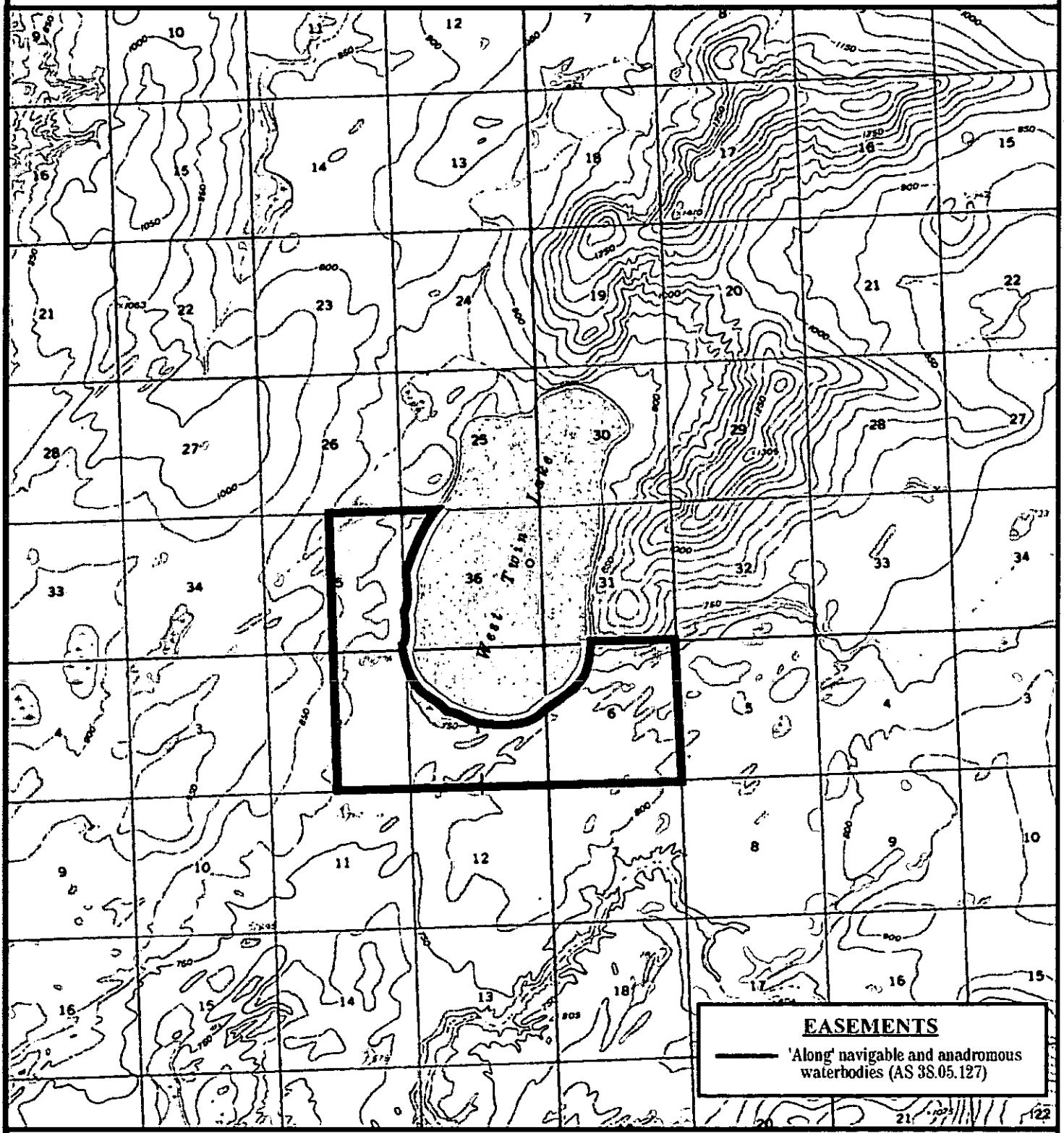
one mile

Excluded Lands

Meridian	Township	Range
FM	1-3S	3W-5W

West Twin Lake

N1.WT.1001



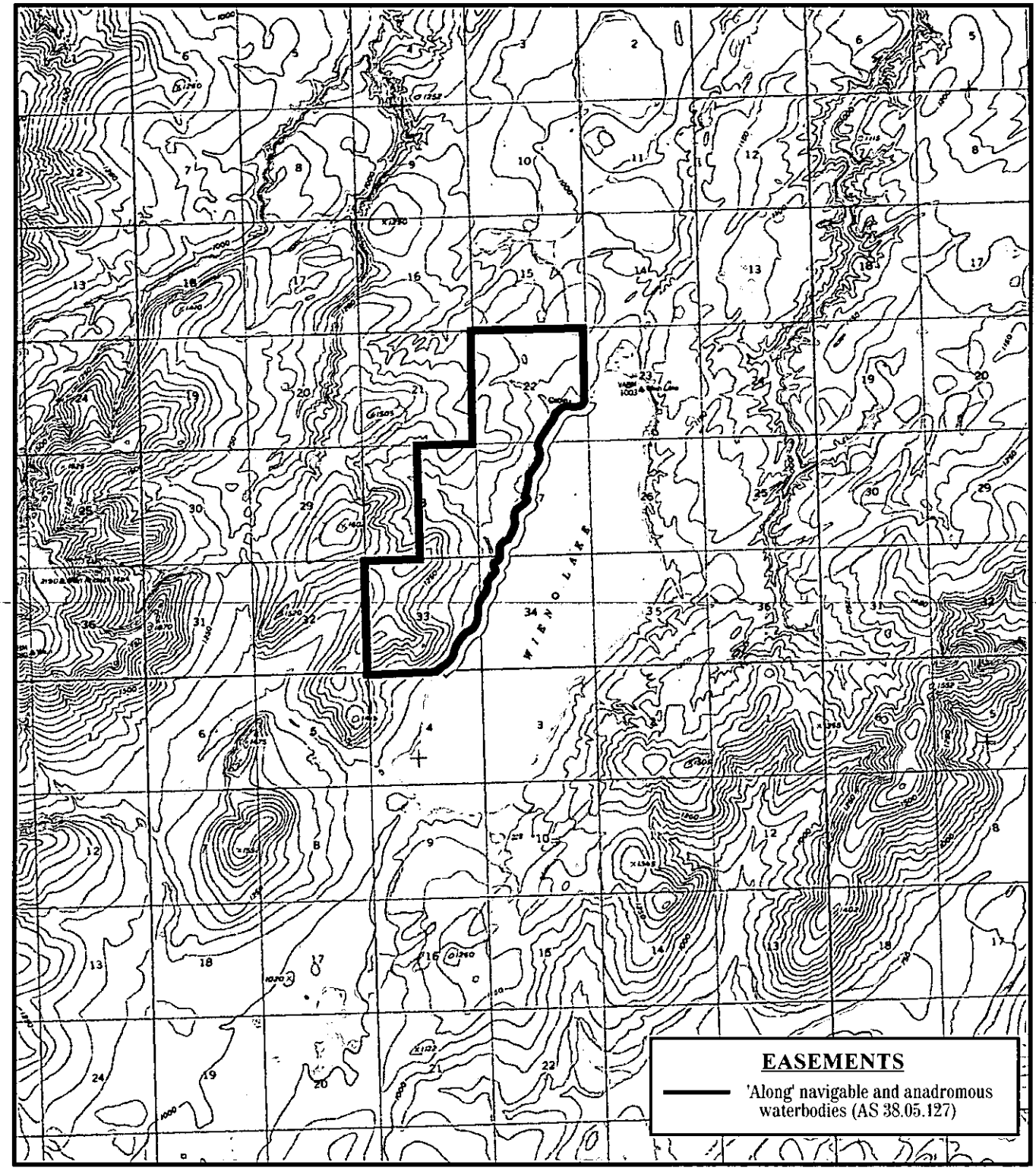
Prepared by: DNR
Source USGS, Kantishna River B-2
Date: 12/2004

one mile

Meridian	Township	Range
FM	5-6S	16-17W

Wien Lake

N5.WL.1001



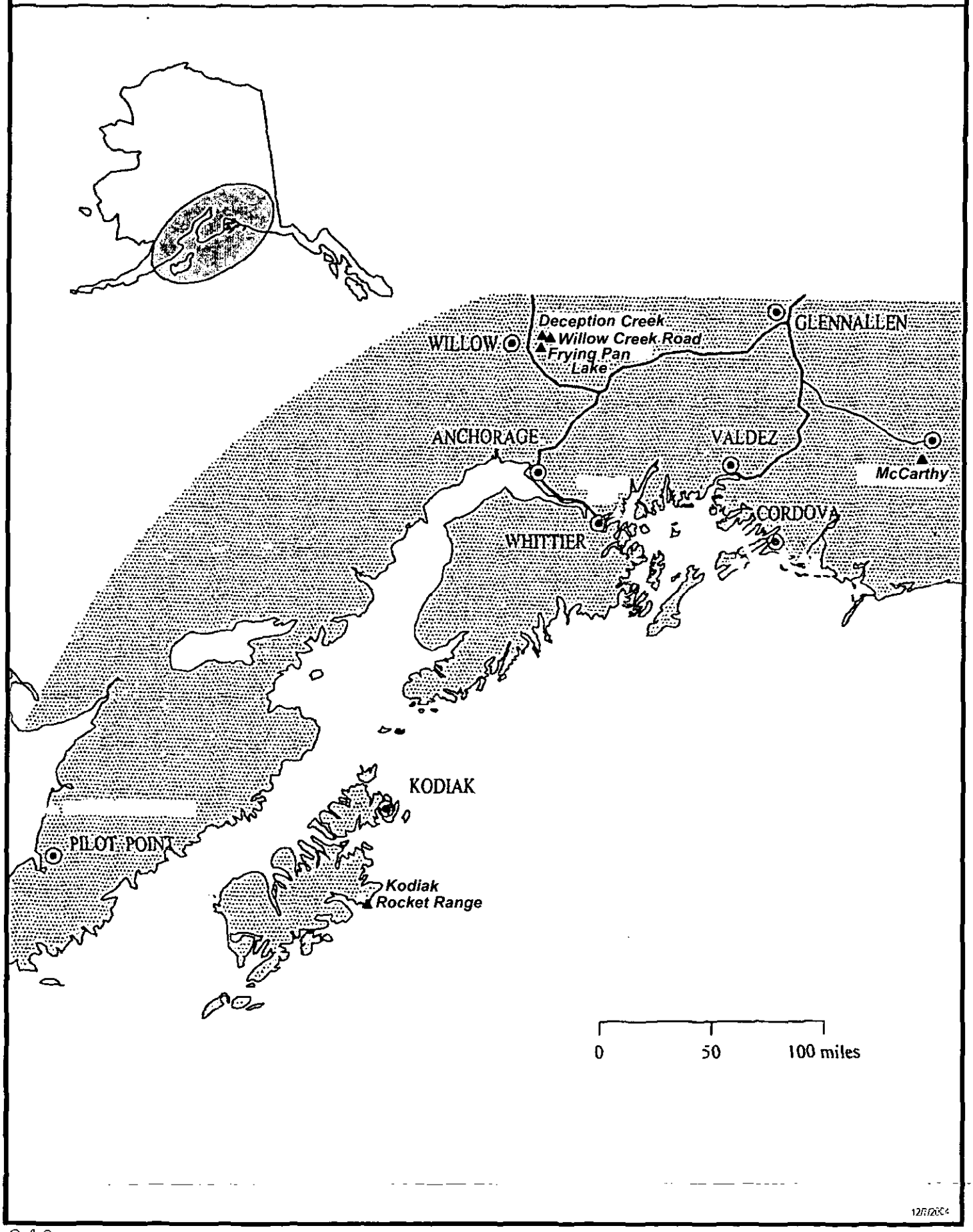
Prepared by: DNR
Source USGS, Kantishna River B-3
Date: 12/2004

one mile

Meridian	Township	Range
FM	6S-7S	19W

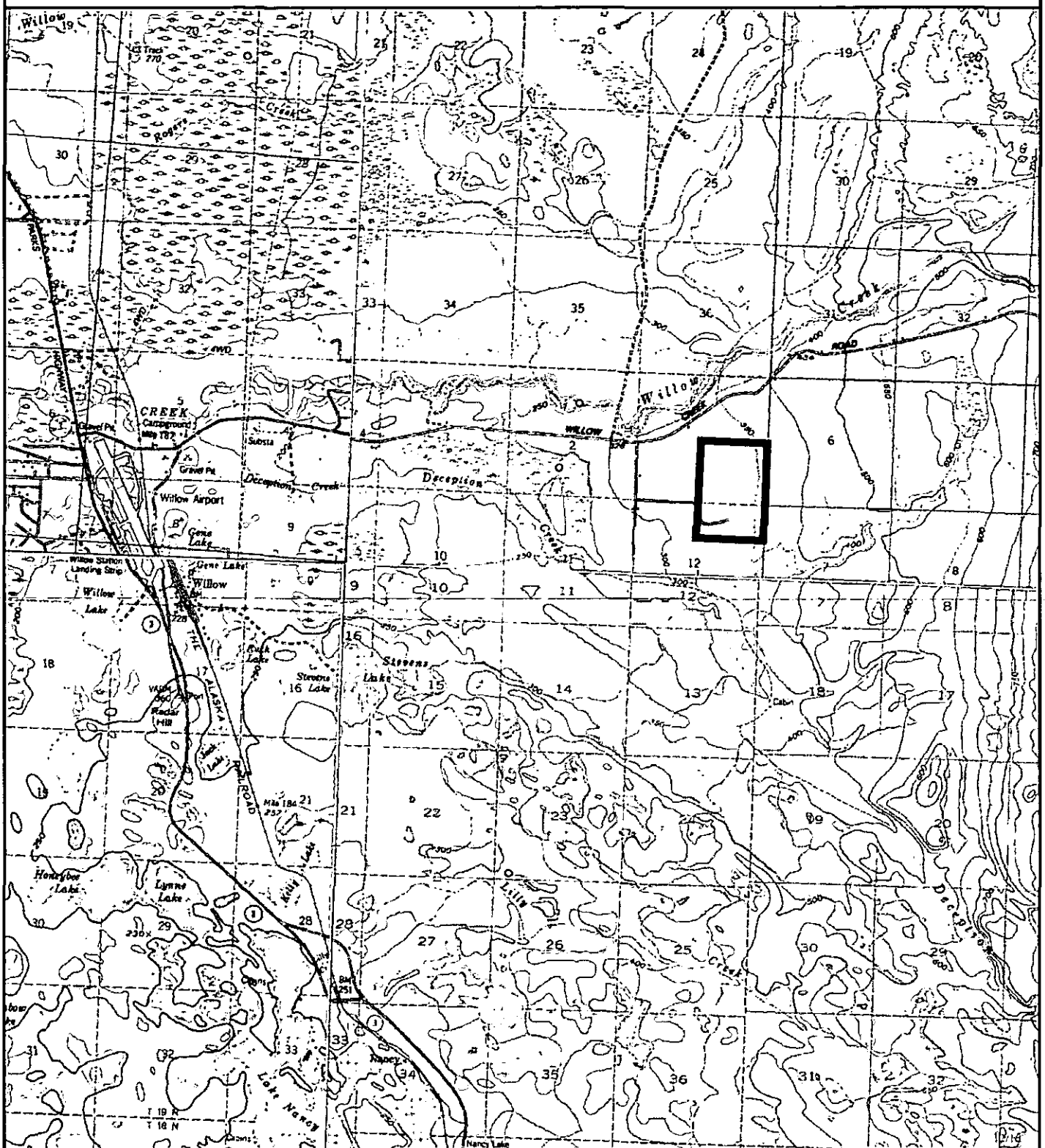
SOUTH CENTRAL MAPS

SOUTHCENTRAL REGION



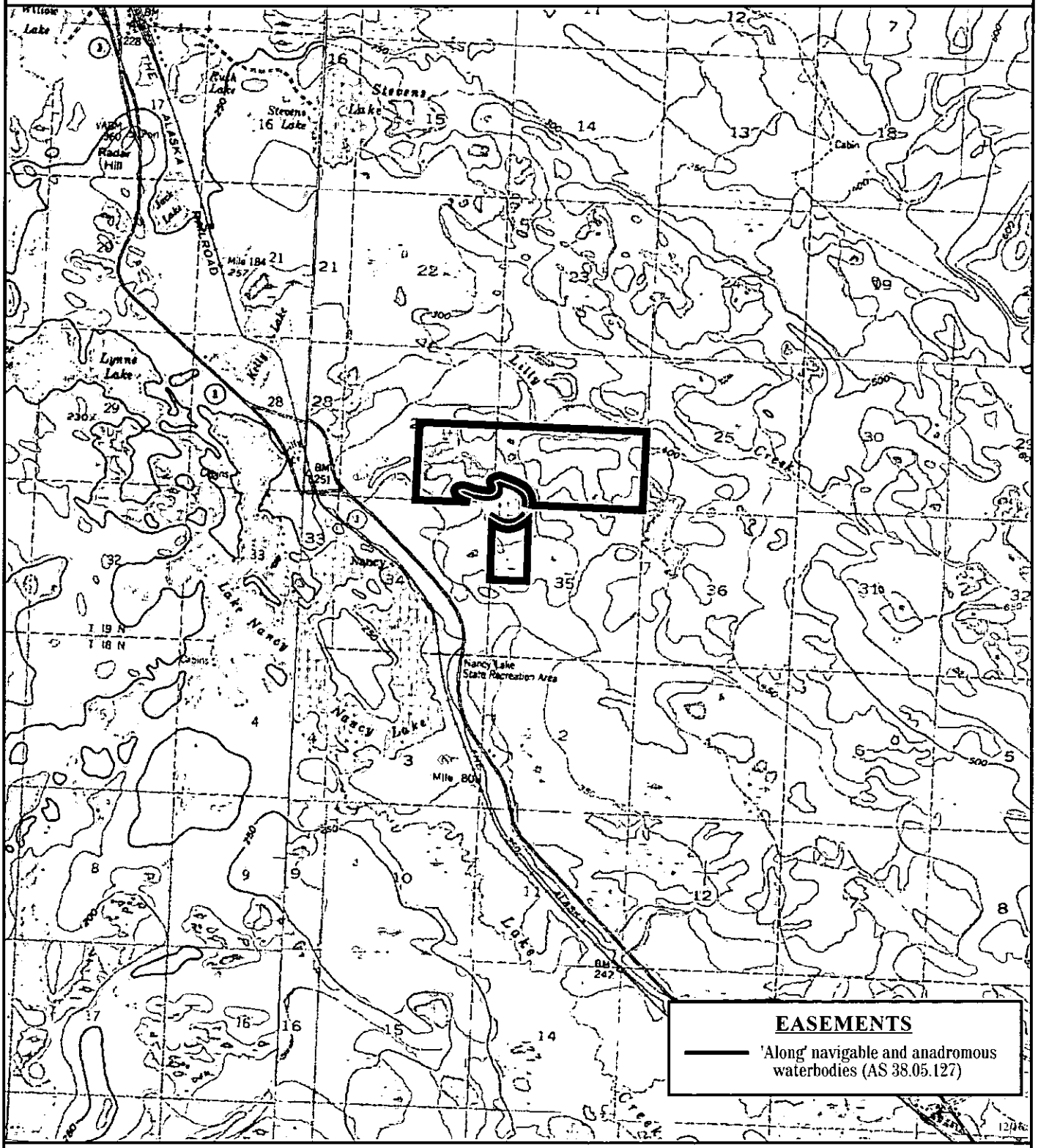
Deception Creek

SU.DC.1001


Willow
Deception Creek
Willow Creek
Willow Airport
Gene Lake
Willow Lake
Stevens Lake
Honeybee Lake
Lynne Lake
Lake Nancy
Nancy Lake
THE ALASKA RAILROAD
Deception Creek
Willow Creek
Willow Creek
Willow

Frying Pan Lake

SU.FP.1001



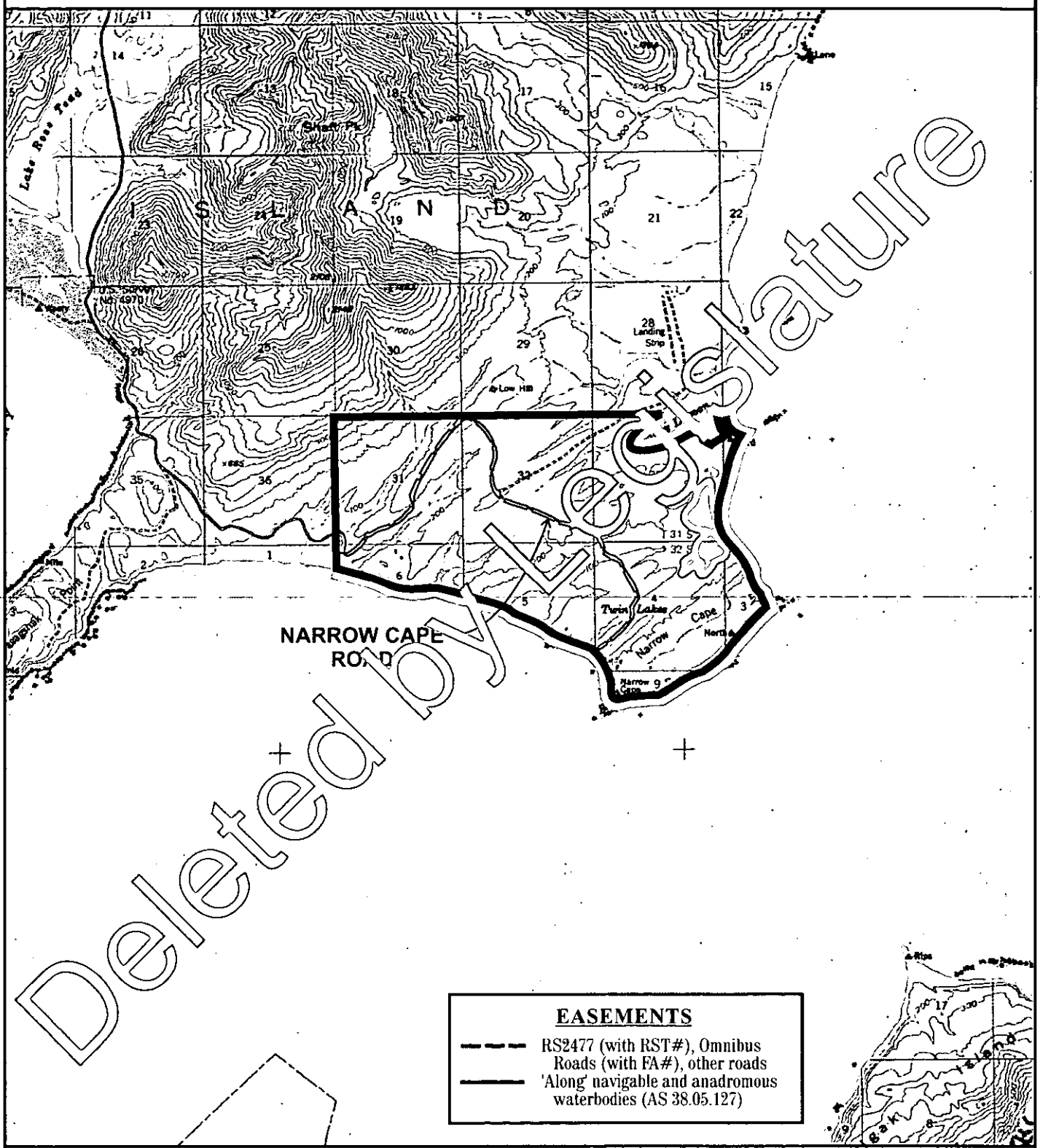
Prepared by: DNR
Source USGS Anchorage C-8, D-8
Date: 12/2004

one mile

Meridian	Township	Range
CRM	19N	4W

Kodiak Rocket Range

MA.KR.1001



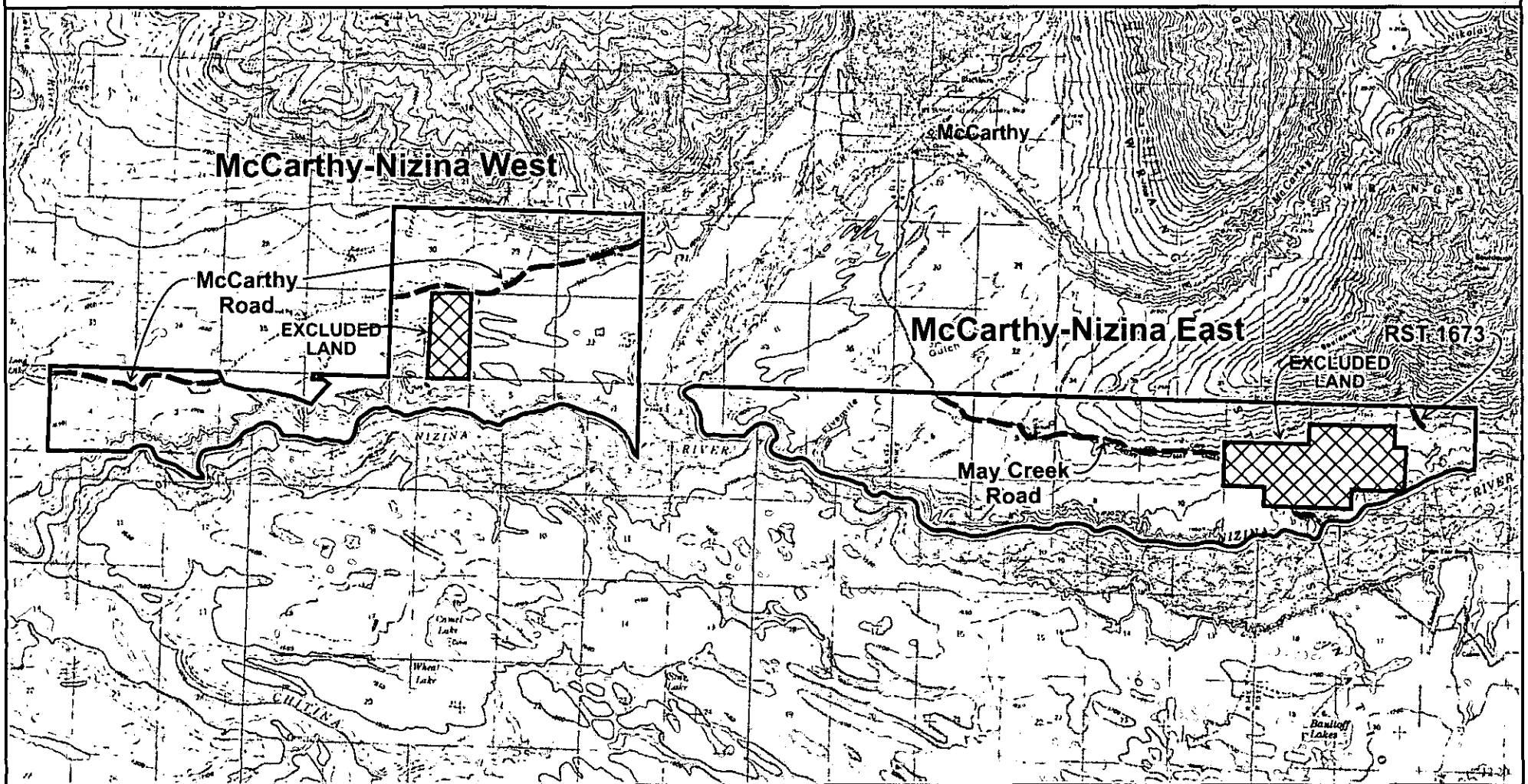
Prepared by: DNR
Source USGS Kodiak B-1, B-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	31-32S	19W

McCarthy-Nizina, East & West

MA.MC.1001



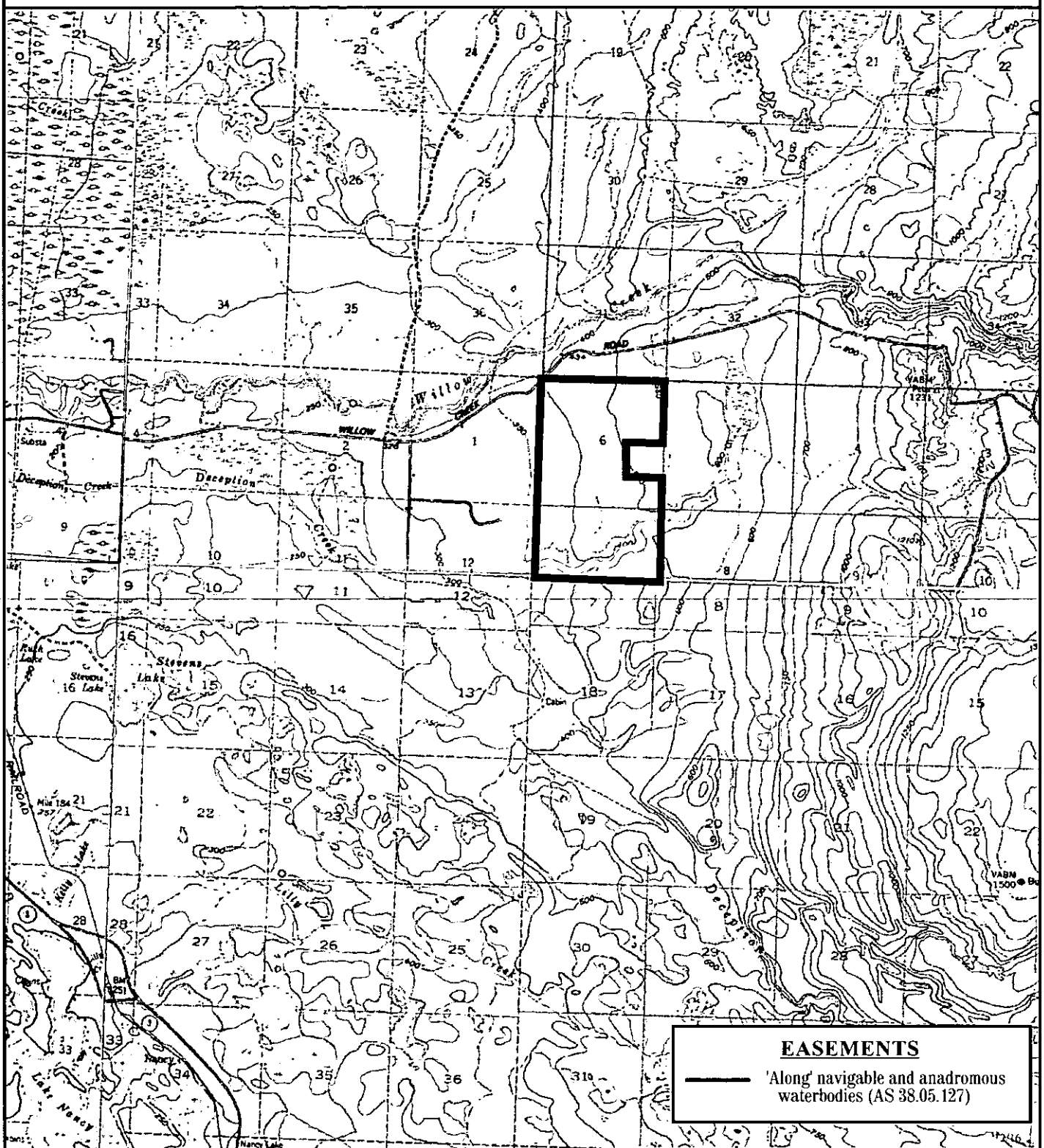
Prepared by: DNR
Source USGS McCarthy C-5, C-6
Date: 12/2004

one mile

Meridian	Township	Range
CRM	5-6S	13, 14, 15E

Willow Creek Road

SU.WC.1001



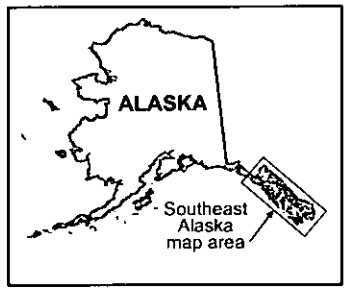
Prepared by: DNR
Source USGS Anchorage C-8, D-8,
Tyonek C-1, D-1
Date: 12/2004

one mile

Meridian	Township	Range
SM	19N	3W

SOUTHEAST MAPS

SOUTHEAST REGION



HAINES
William Henry Bay
Chilkoot
Ivanhoe

JUNEAU
Auke Weir
Lynn Canal
Sumdum
Lena Creek

NORTHERN SOUTHEAST
Excursion Inlet
Pelican
Tenakee Springs
Idaho Inlet
Mite Cove

SITKA
Middle Island
Sitka Campus
Biorka Island
Warm Springs Bay
Port Conclusion
Port Alexander
Lisianski Peninsula

PETERSBURG
Beecher Pass
Favor Peak
Three Lake Road
Read Island
Whitney Island

KUIU ISLAND
Rowan Bay

WRANGELL
Earl West Cove
Olive Cove
Thoms Place

PRINCE OF WALES ISLAND
Coffman Cove
Edna Bay
El Capitan North, South
Hollis
Harris Road Junction
Hook Arm
Moira Sound/Nowiskay Cove
Naukati Sound
Port Delores
Thorne Bay

KETCHIKAN
Duke Island
Kelp Island
Leask Cove
Moser Bay
Ward Cove
Cleveland Peninsula
Neets Creek

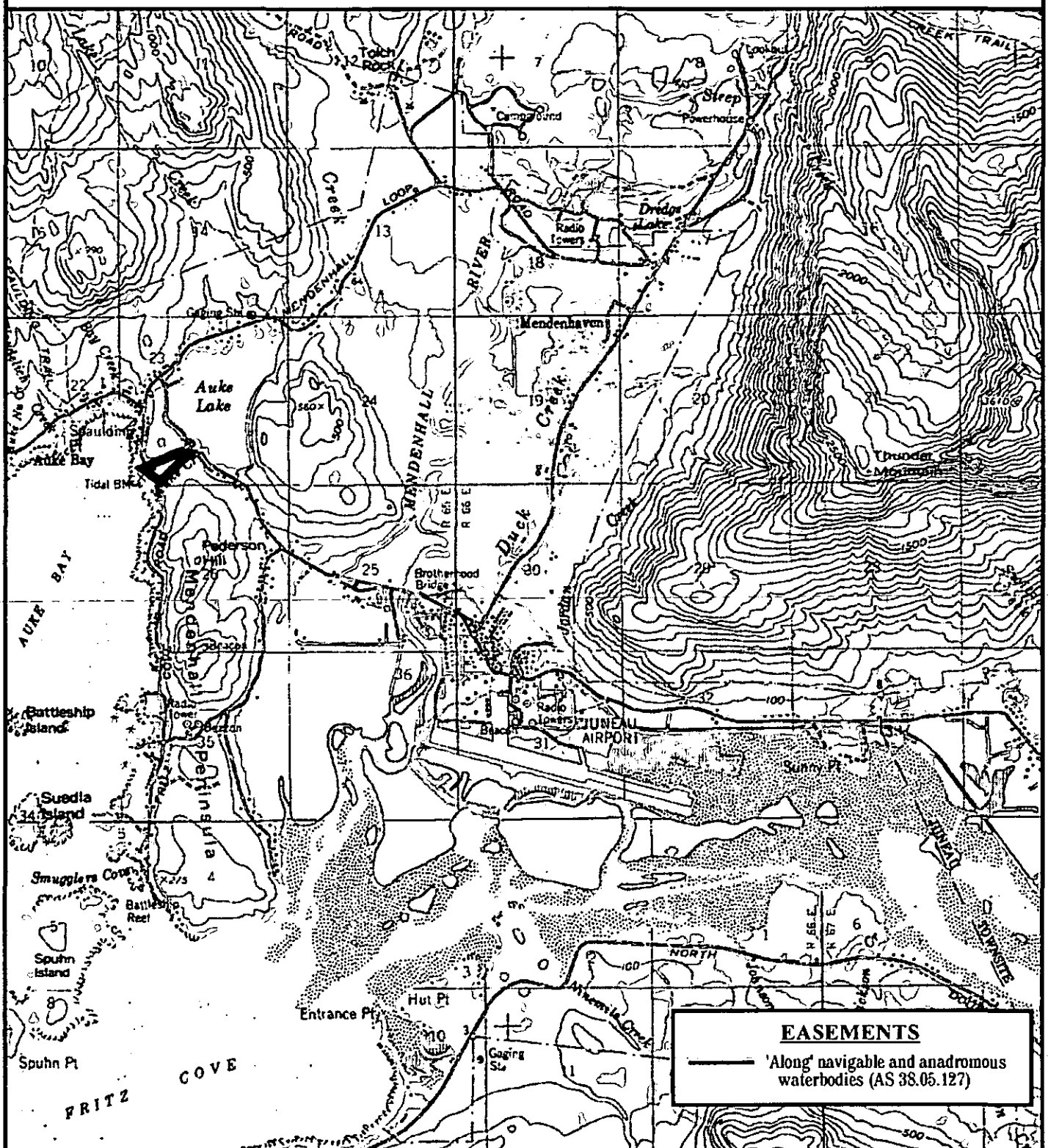
Haines
Chilkoot
Ivanhoe
William Henry Bay
Excursion Inlet
Lynn Canal
Lena Creek
Auke Weir
Juneau
Idaho Inlet
Mite Cove
Pelican
Tenakee Springs
Sumdum
Lisianski Peninsula
Sitka Campus
Middle Island
Sitka
Warm Springs Bay
Biorka Island
Whitney Island
Read Island
Petersburg
Rowan Bay
Three Lake Road
Beecher Pass
Favor Peak
Wrangell
Earl West Cove
Port Conclusion
Port Alexander
El Capitan North
El Capitan South
Olive Cove
Thoms Place
Edna Bay
Coffman Cove
Cleveland Peninsula
Neets Creek
Thorne Bay
Naukati Sound
Hollis
Moser Bay
Leask Cove
Harris Road Junction
Port Delores
Ward Cove
Ketchikan
Hook Arm
Nowiskay Cove
Moira Sound
Duke Island
Kelp Island

0 25 50
SCALE IN MILES

12/20/2004

Auke Weir

JU.AU.1001



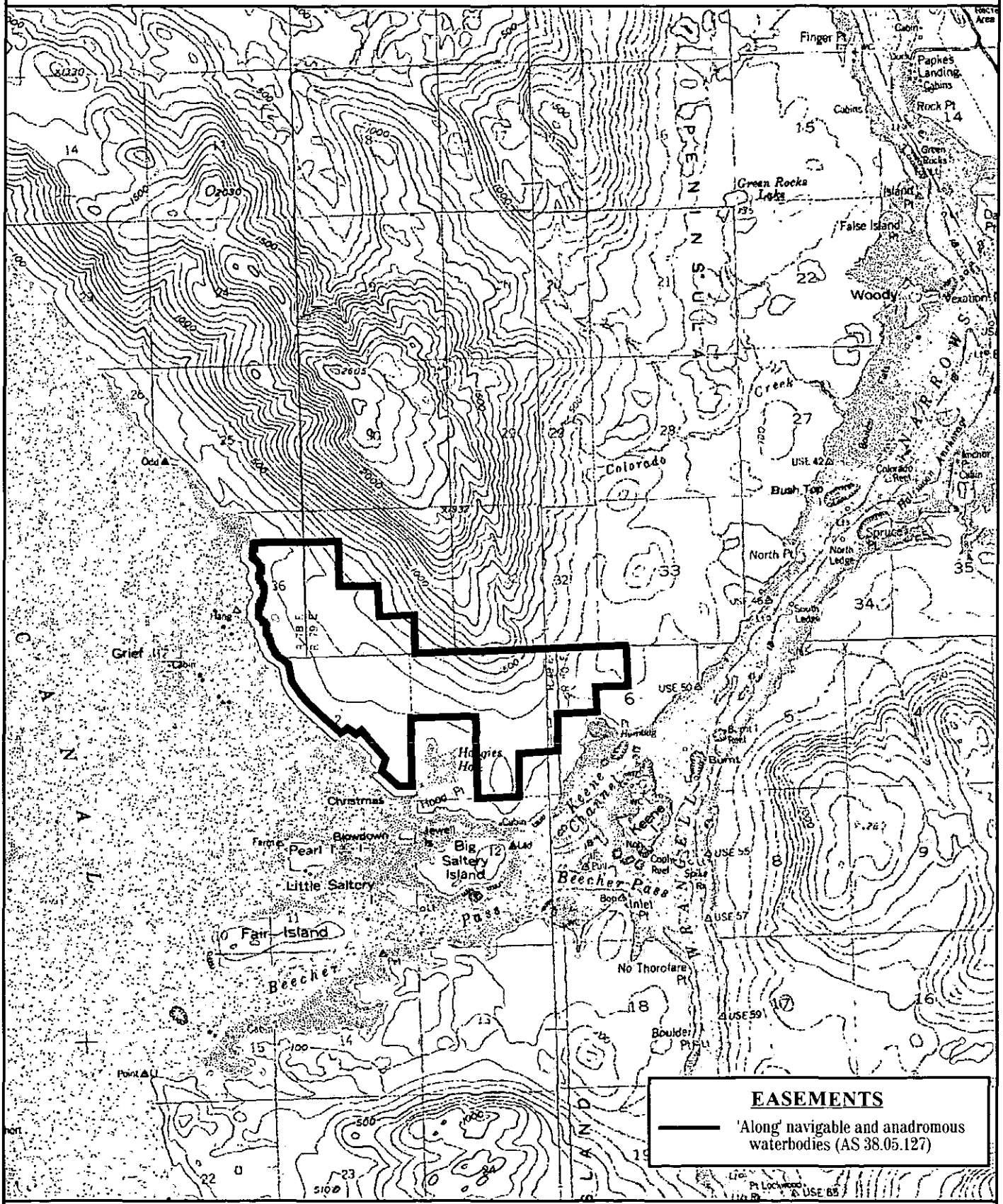
Prepared by: DNR
Source USGS Juneau B-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	40S	65E

Beecher Pass

SD.1001



EASEMENTS

'Along' navigable and anadromous waterbodies (AS 38.05.127)

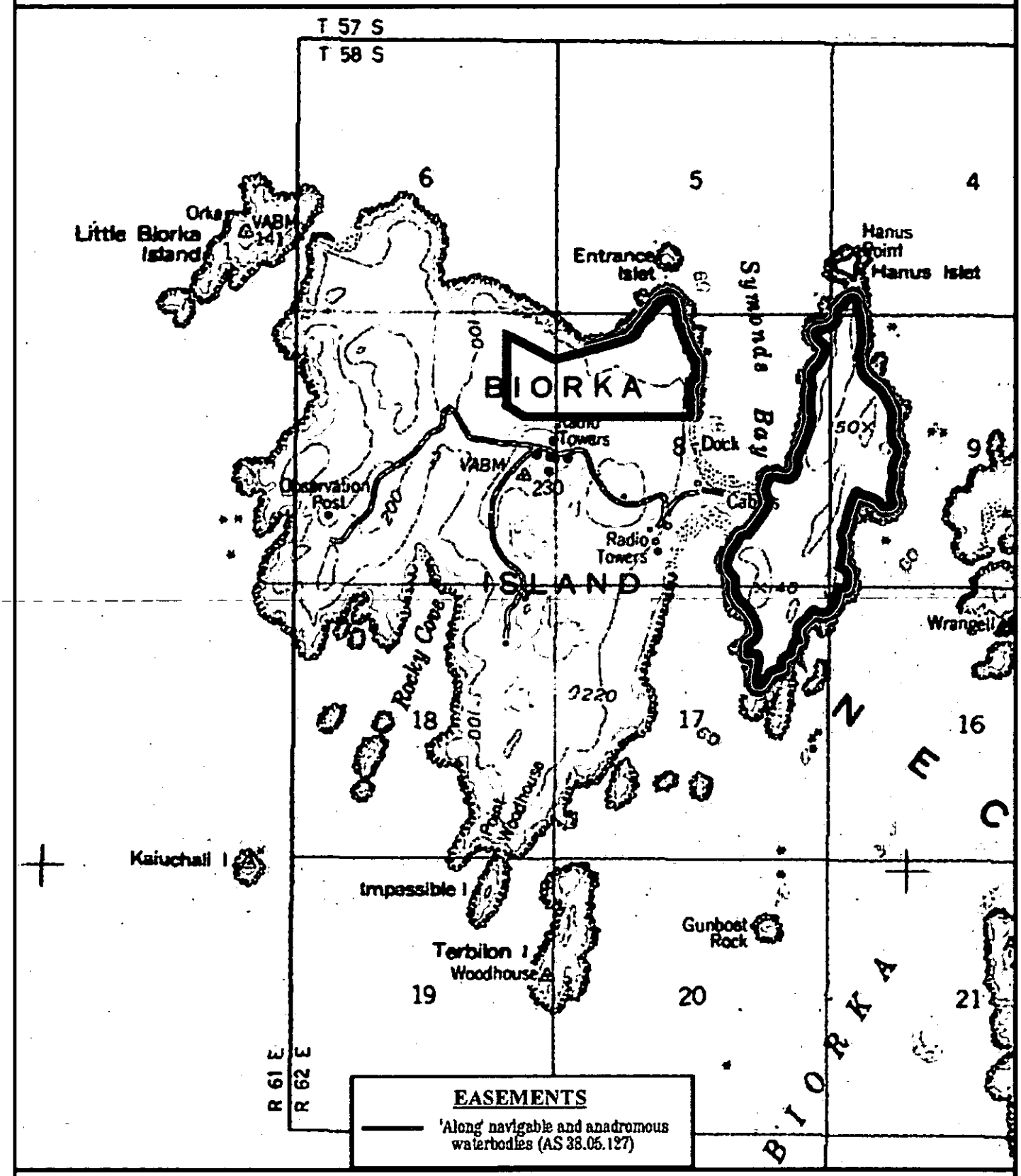
Prepared by: DNR
Source USGS Petersburg C-3, C-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	60-61S	79-80E

Biorka Island

PA.1002

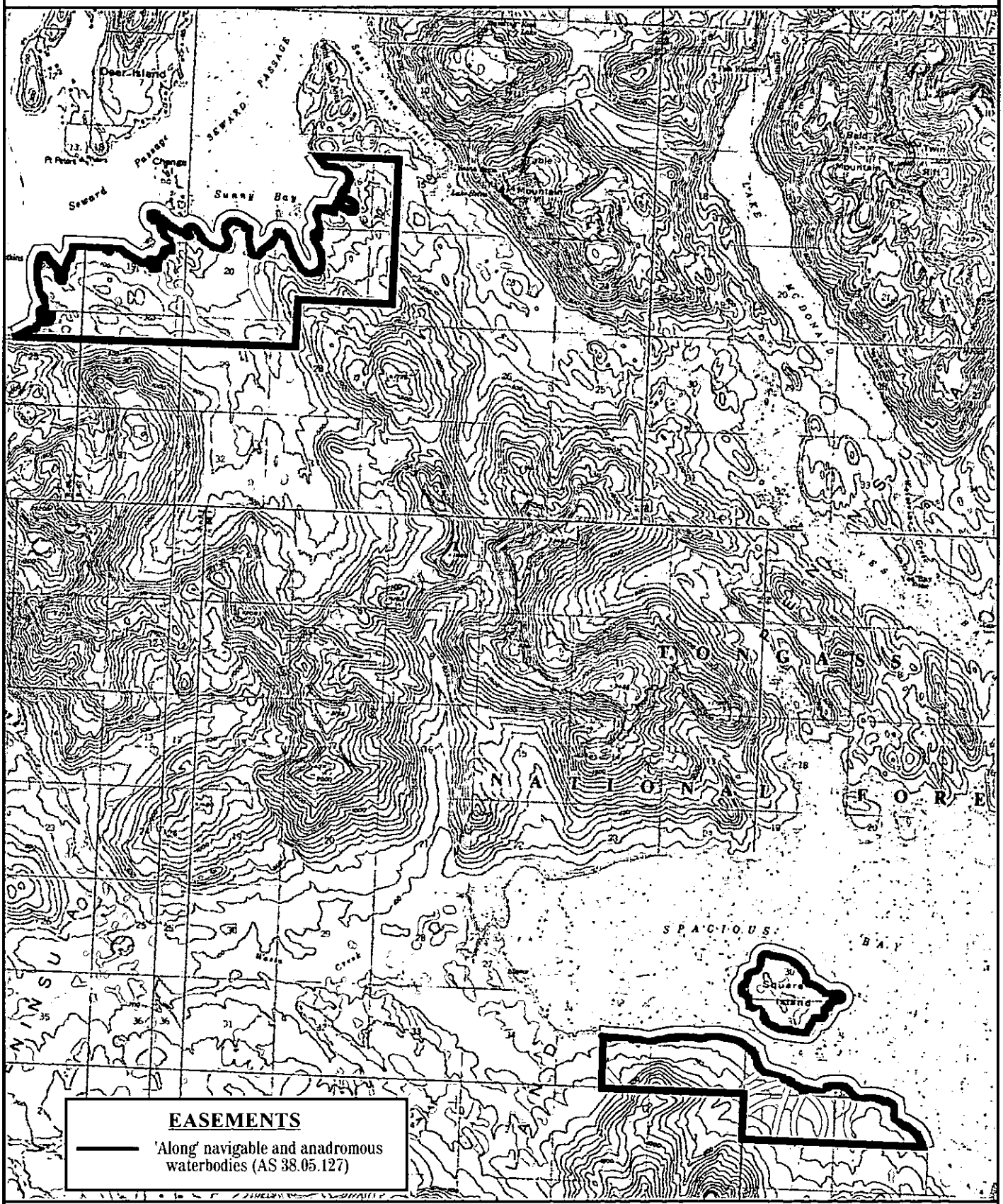


Prepared by: DNR
Source USGS Port Alexander D-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	58S	63E

Cleveland Peninsula KT.1002



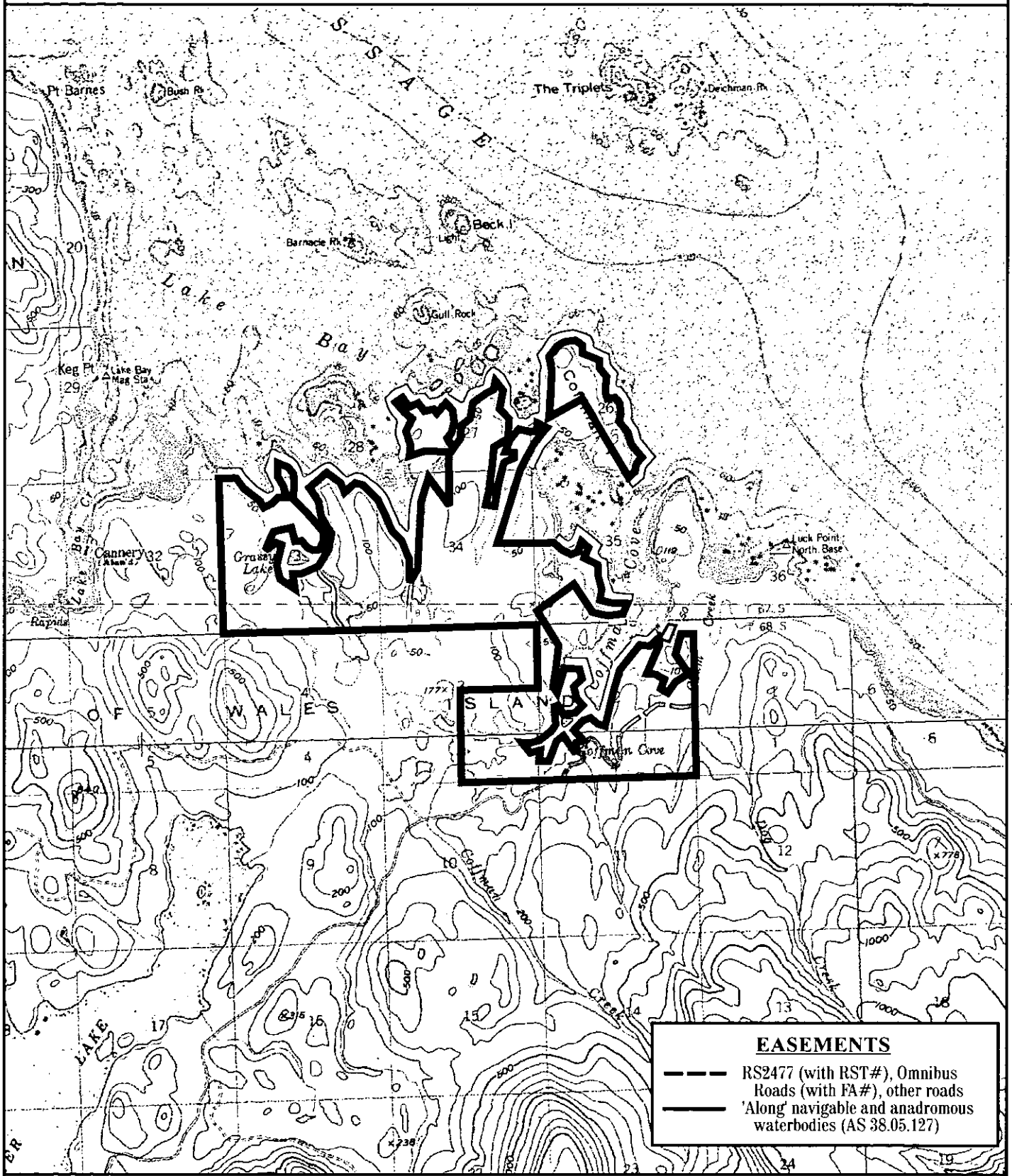
Prepared by: DNR
Source USGS Ketchikan D-6
Date: 12/2004

one mile

Meridian	Township	Range
CRM	68S 69-70S	86-87E 88-89E

Coffman Cove

PW.CC.1001



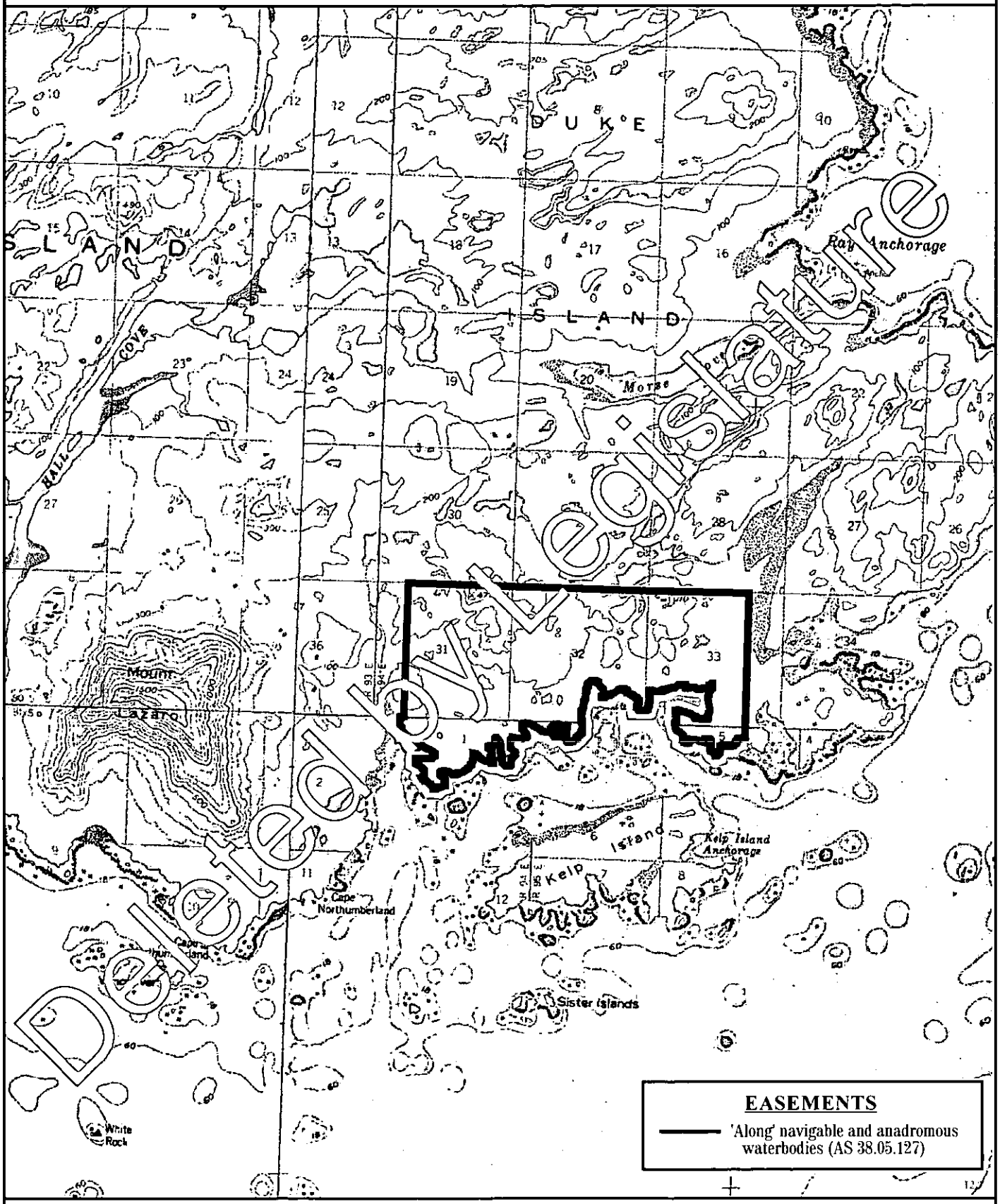
Prepared by: DNR; rhc
Source USGS Petersburg A-3, Craig D-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	67 & 68S	81E

Duke Island

SD.1001



Deleted Legislature

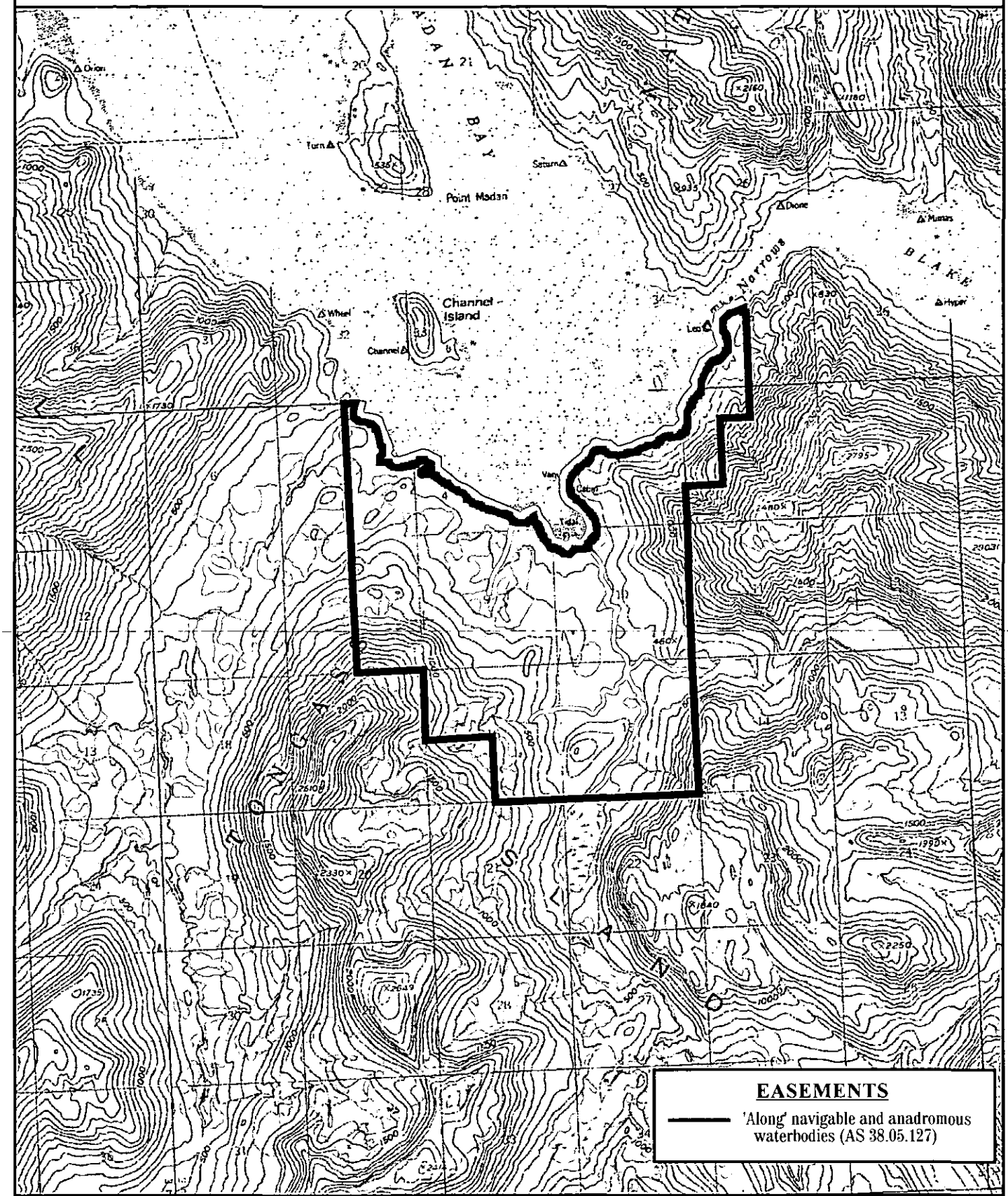
Prepared by: DNR
Source USGS Prince Rupert D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	80 & 81S	94E

Earl West Cove

PT.1004



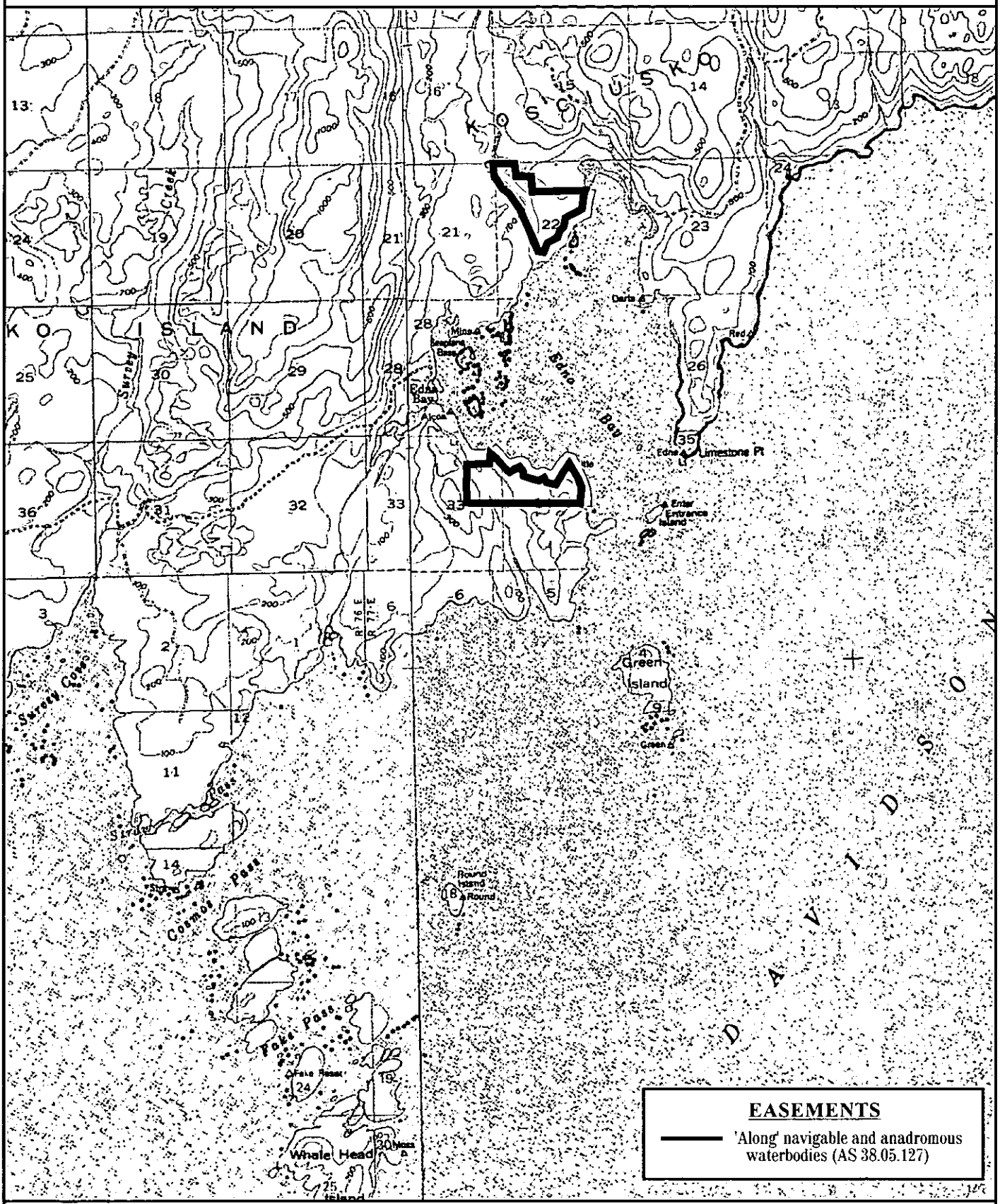
Prepared by: DNR
Source USGS Petersburg B-1
Date: 12/2004

one mile

Meridian	Township	Range
CRM	63-64S	85E

Edna Bay

PW.ED.1001



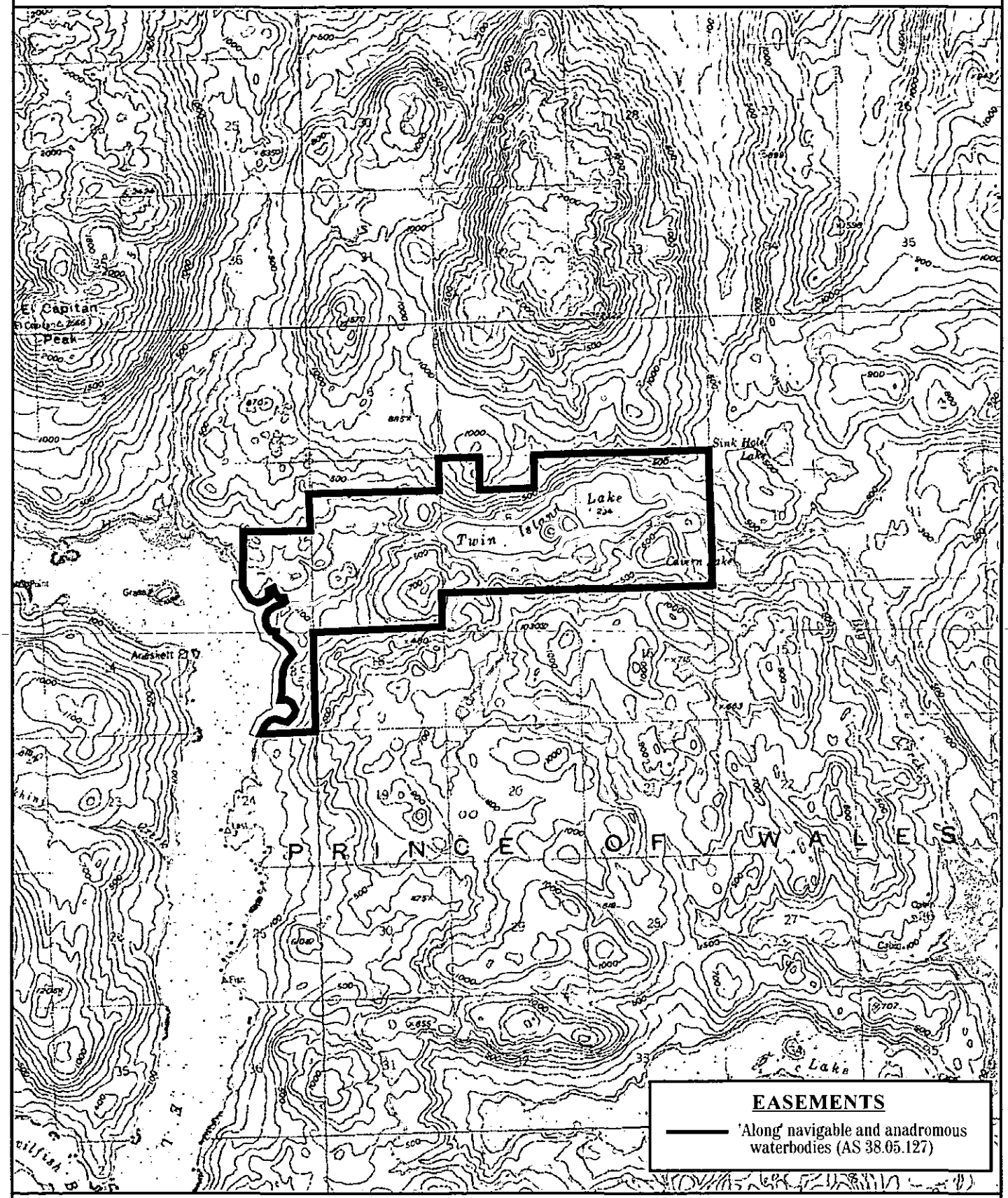
Prepared by: DNR
Source USGS Craig D-5, D-6
Date: 12/2004

one mile

Meridian	Township	Range
CRM	68S	76E

El Capitan North

PW.EC.1001



EASEMENTS

'Along' navigable and anadromous waterbodies (AS 38.05.127)

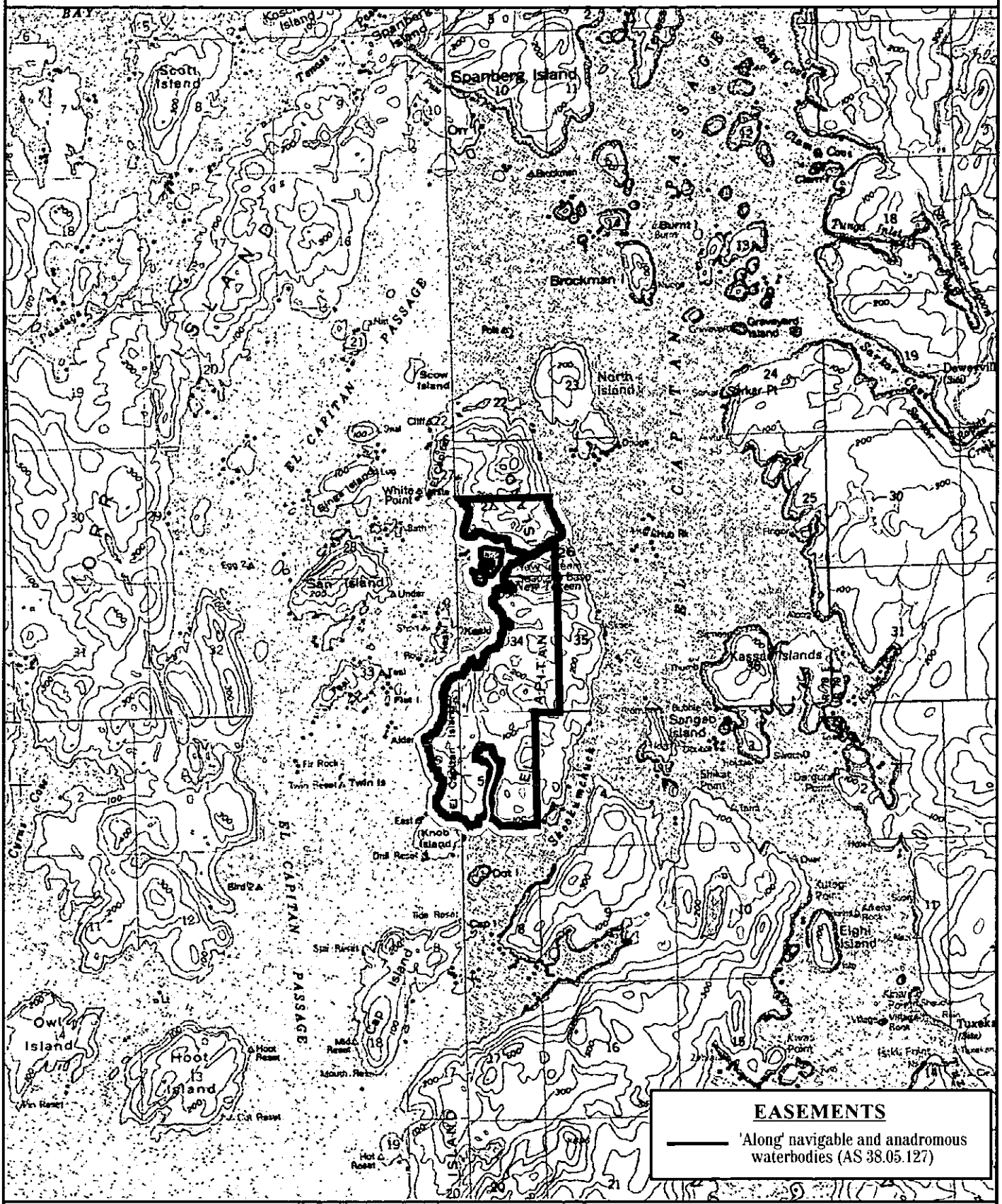
Prepared by: DNR
Source USGS Petersburg A-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	66S	78 & 79E

El Capitan South

PW.EC.1001



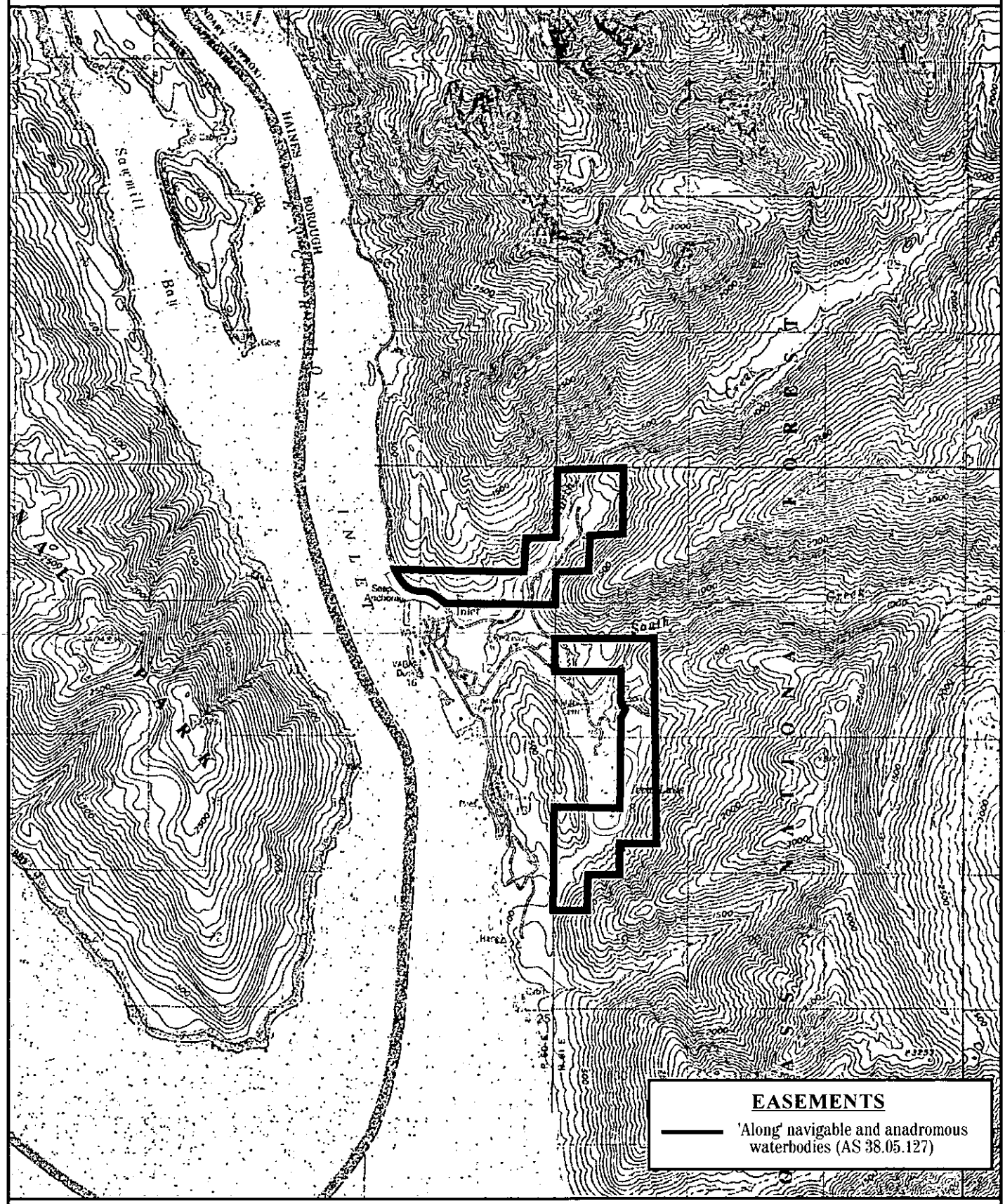
Prepared by: DNR
Source USGS Craig D-4, D-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	68S	78E

Excursion Inlet

NS.EX.1002



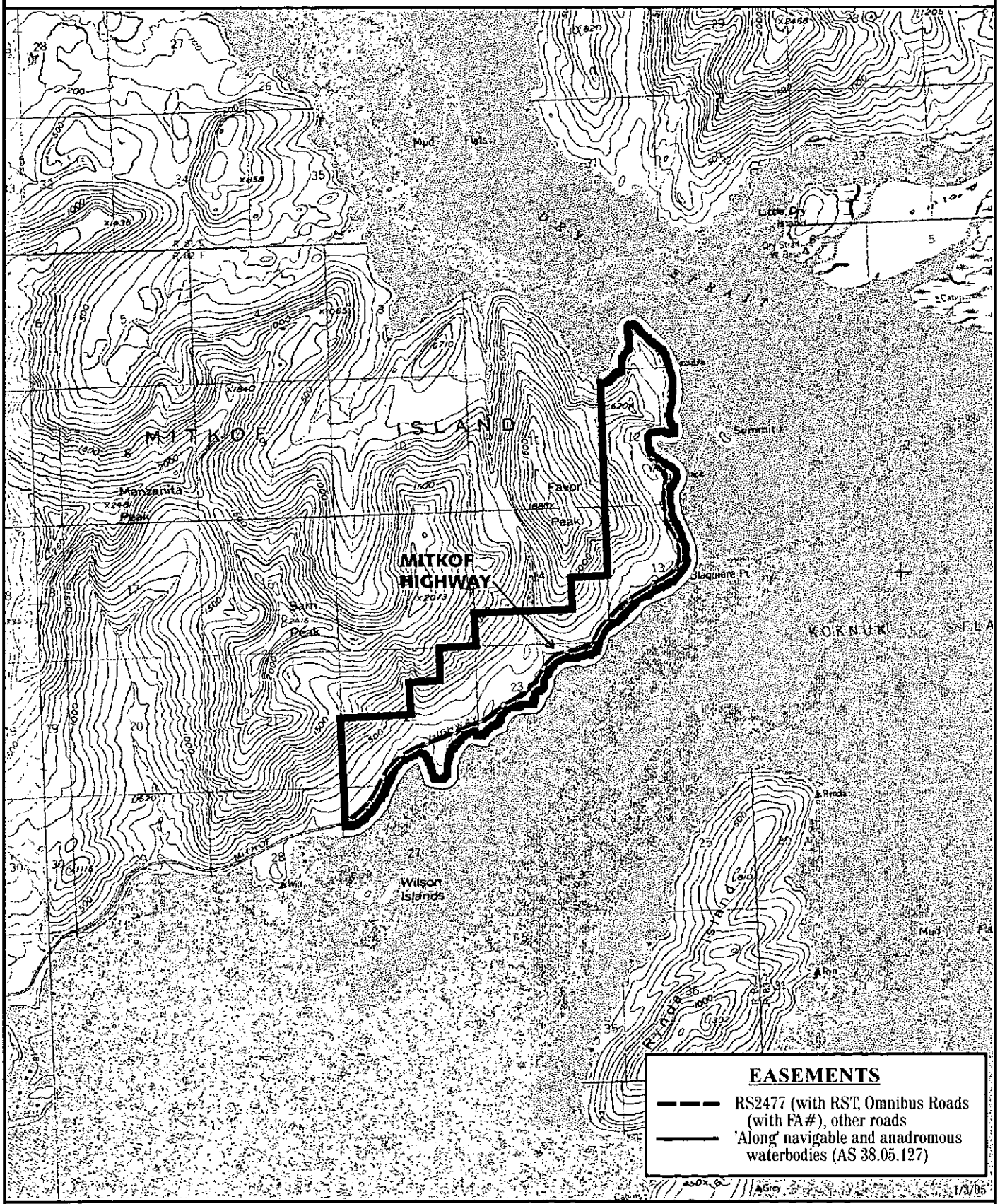
Prepared by: DNR
Source USGS Juneau B-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	40S	61E

Favor Peak

SD.1001



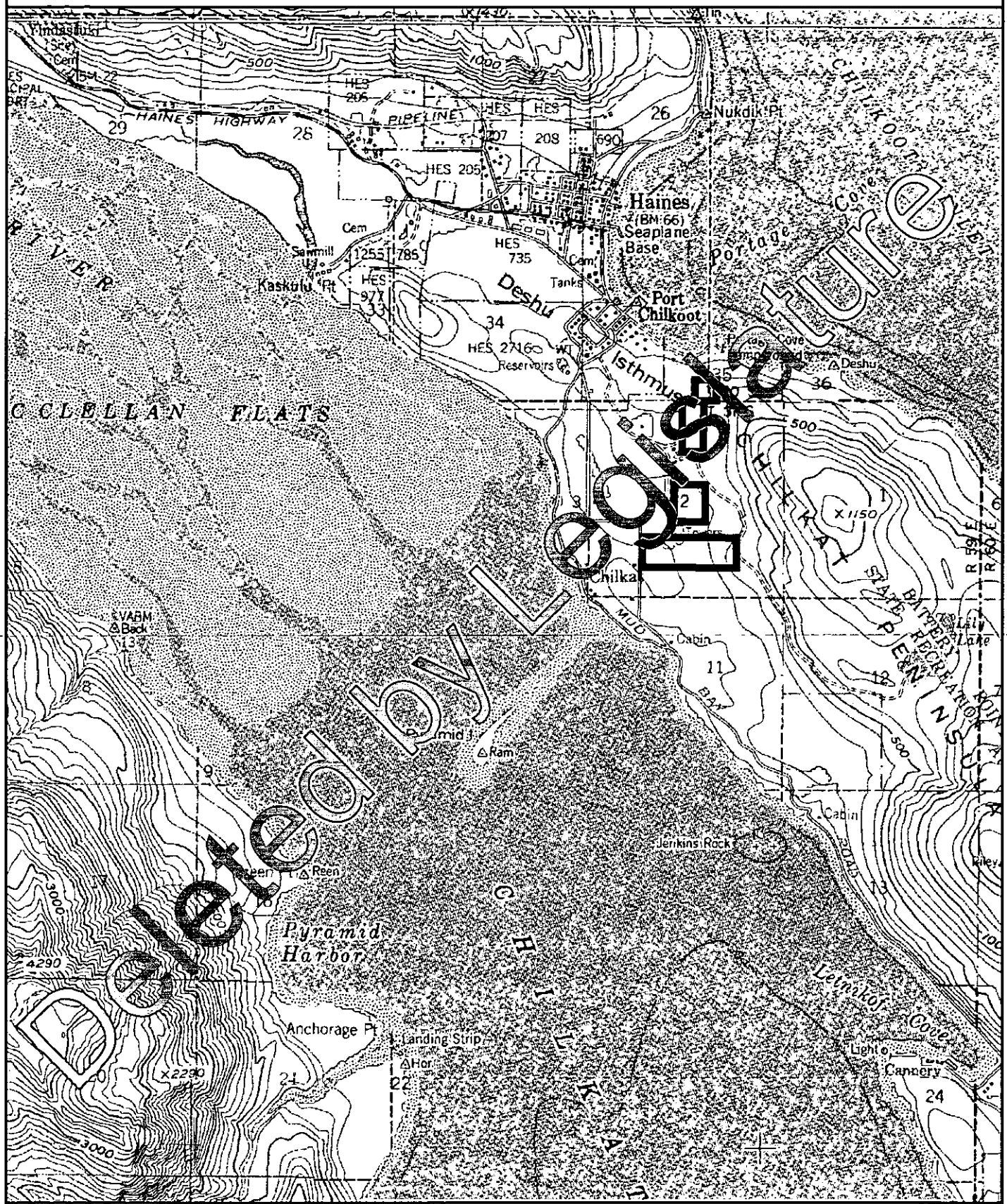
Prepared by: DNR
Source USGS Petersburg C-3, C-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	61S	82E

Haines-Chilkoot

HA.CH.1001



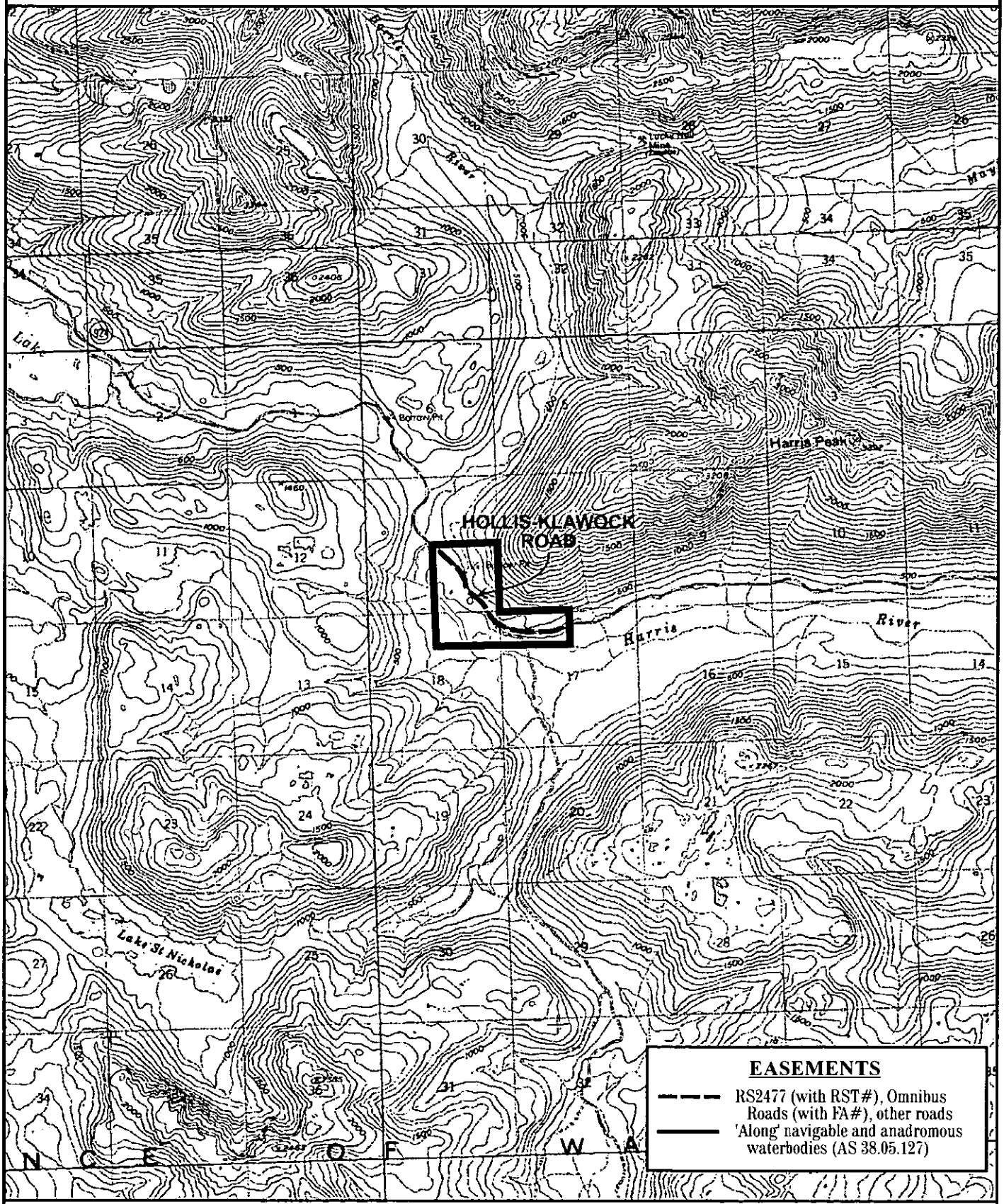
Prepared by: DNR
Source USGS Skagway A-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	30- 31S	59E

Harris Road Junction

CR.1001



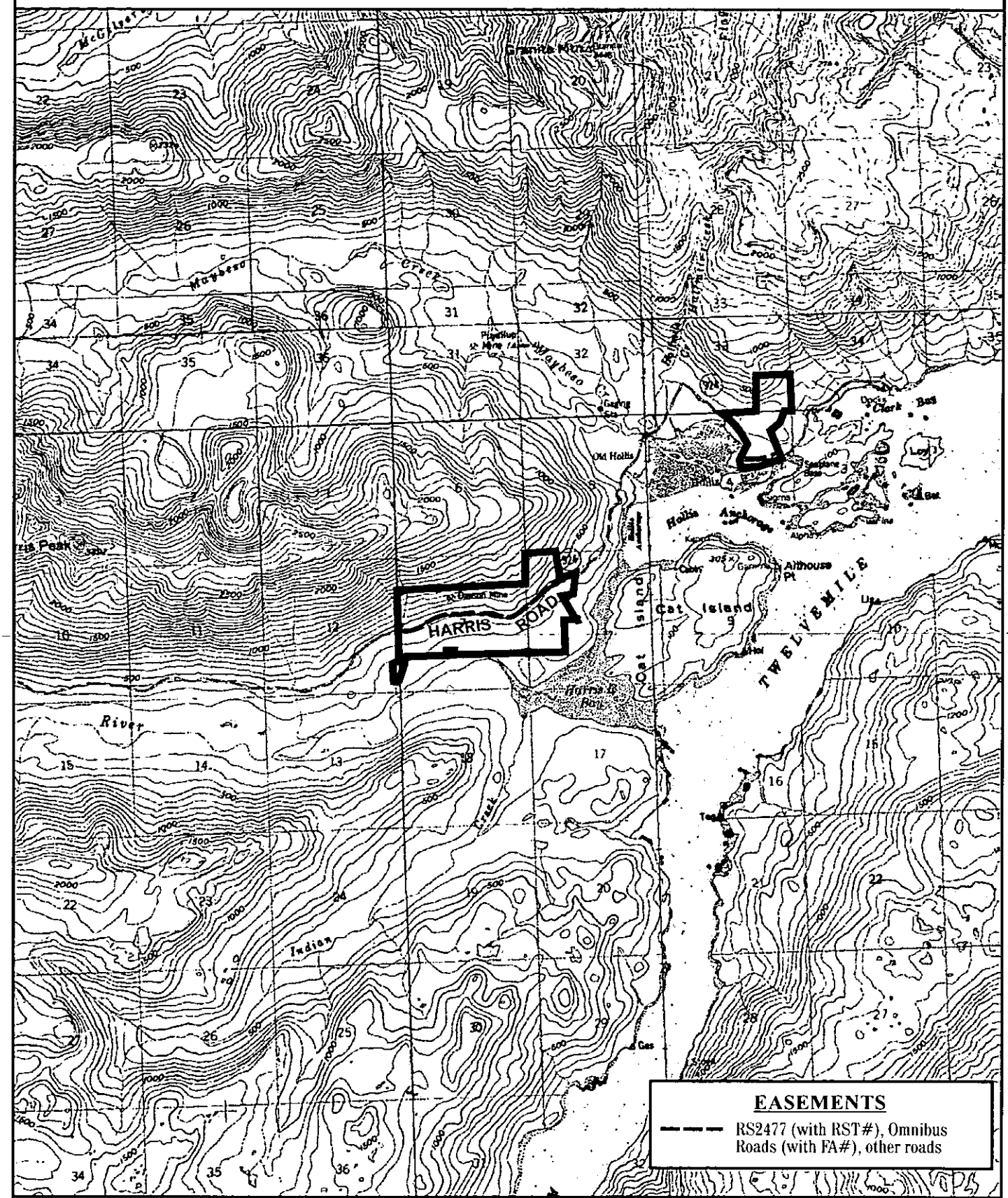
Prepared by: DNR
Source USGS Craig B-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	74S	83E

Hollis

PW.HO.1001



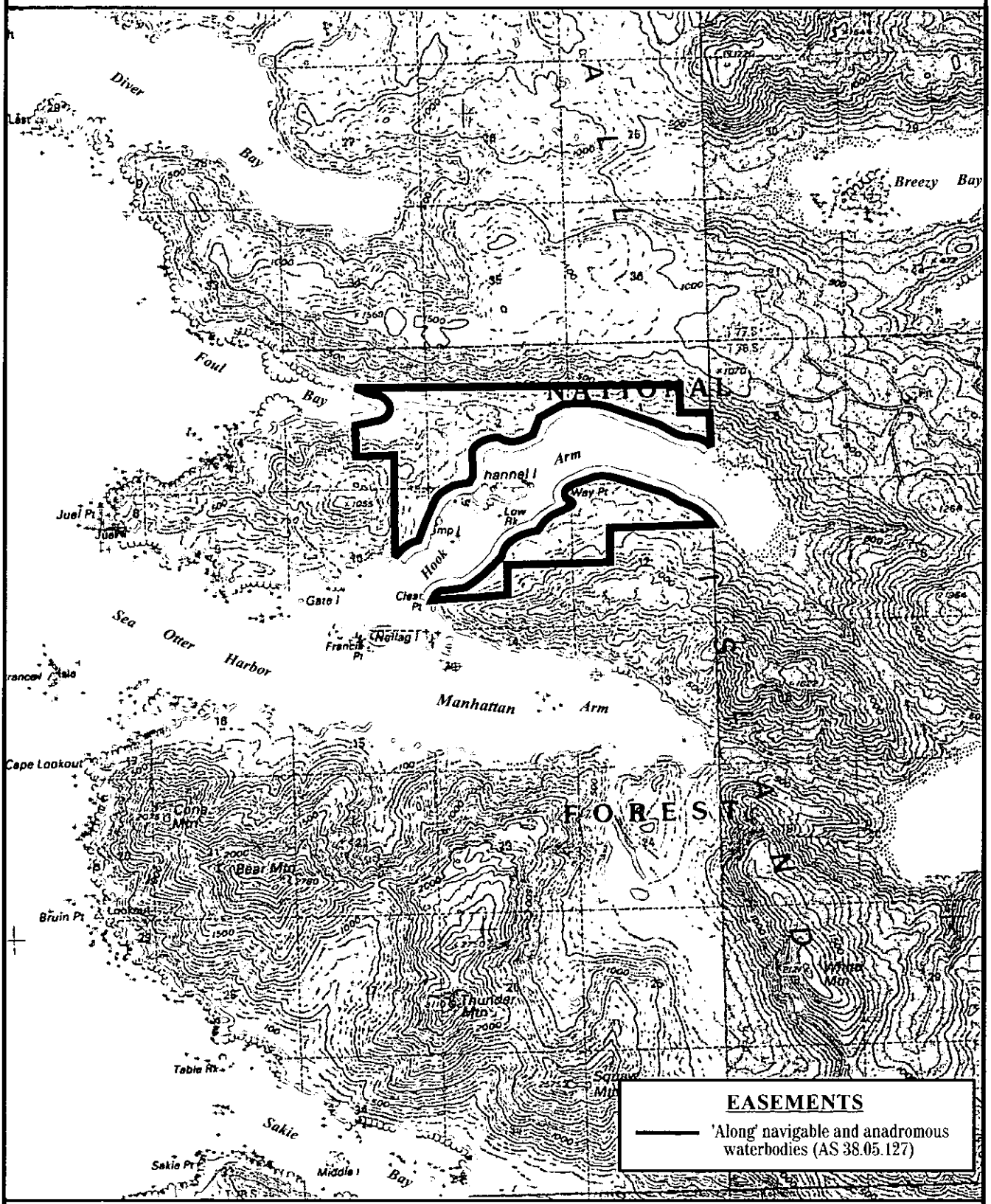
Prepared by: DNR
Source USGS Craig B2, B3, C2, C3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	73S-74S	83E-84E

Hook Arm

PW.HK.1001



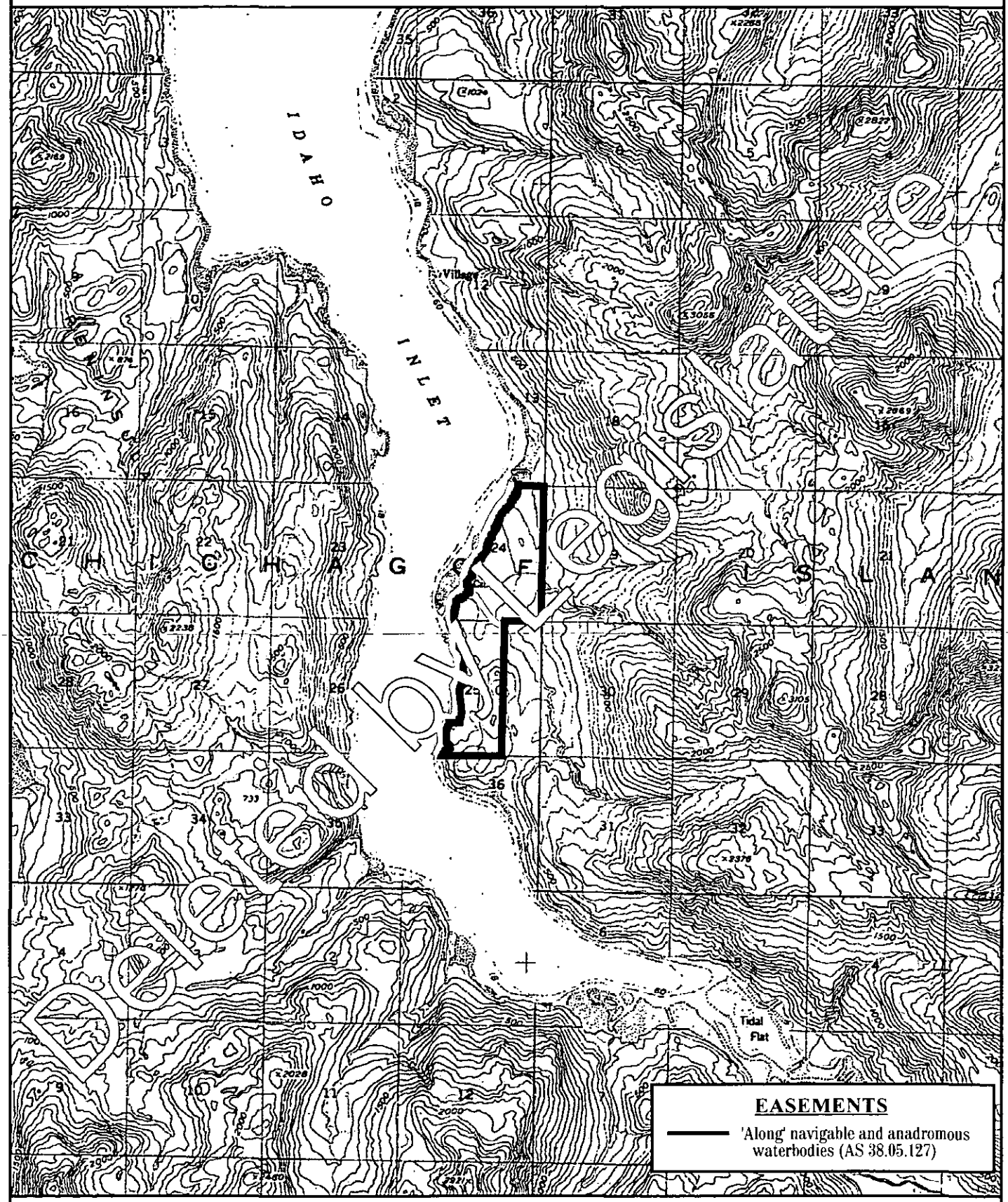
Prepared by: DNR, rhc
Source USGS, Craig A-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	78S	81E

Idaho Inlet

MF.1002



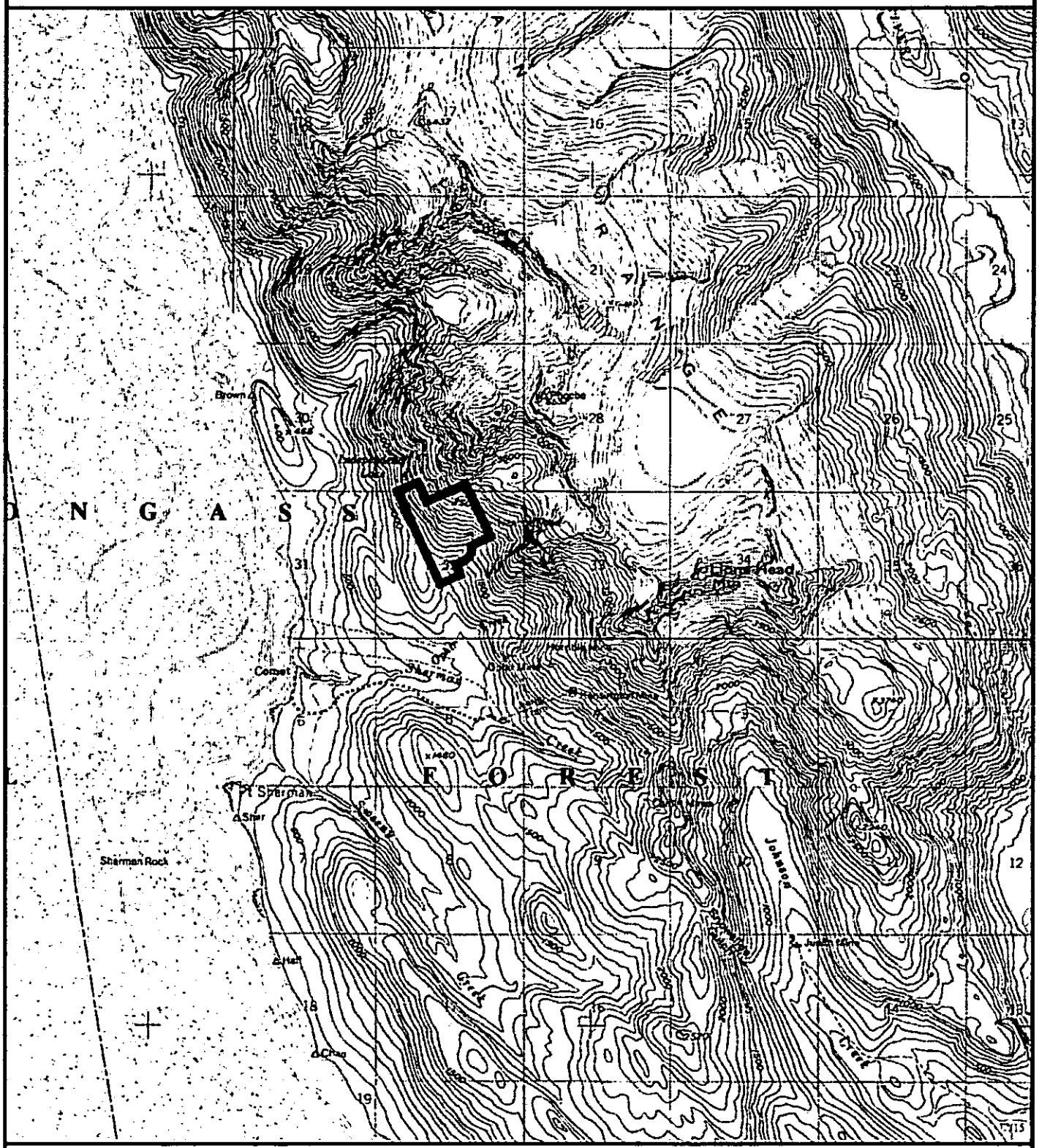
Prepared by: DNR
Source USGS Mt. Fairweather A-1
Date: 12/2004

one mile

Meridian	Township	Range
CRM	43S	56E

Ivanhoe

JU.NL.1001



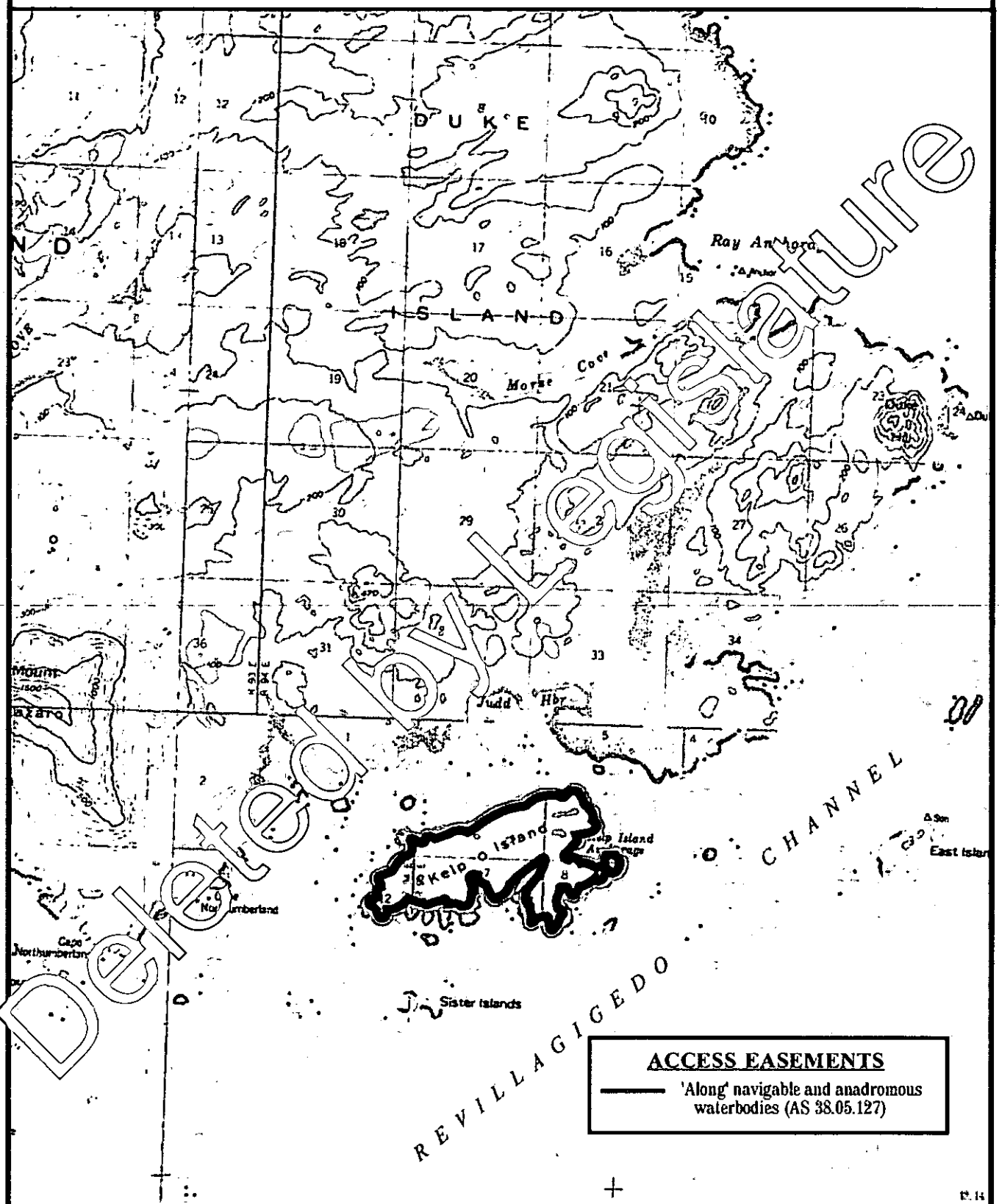
Prepared by: DNR
Source USGS Juneau D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	34S	62E

Kelp Island

CS.KI.1001



Deleted by legislature
REVILLAGIGEDO

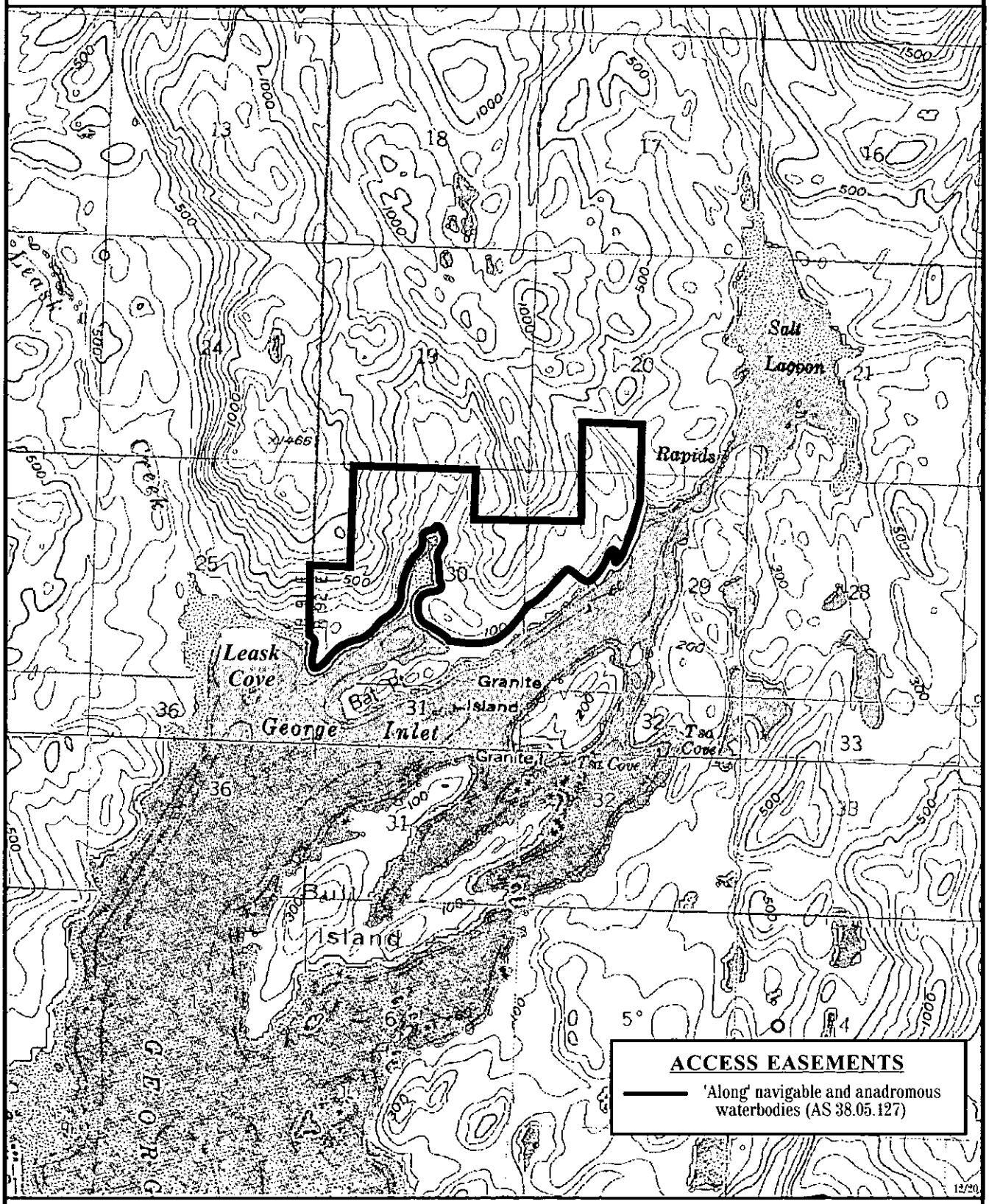
Prepared by: rhc
Source USGS, Prince Rupert D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	81S	94-95E

Leask Cove

CS.LE.1001



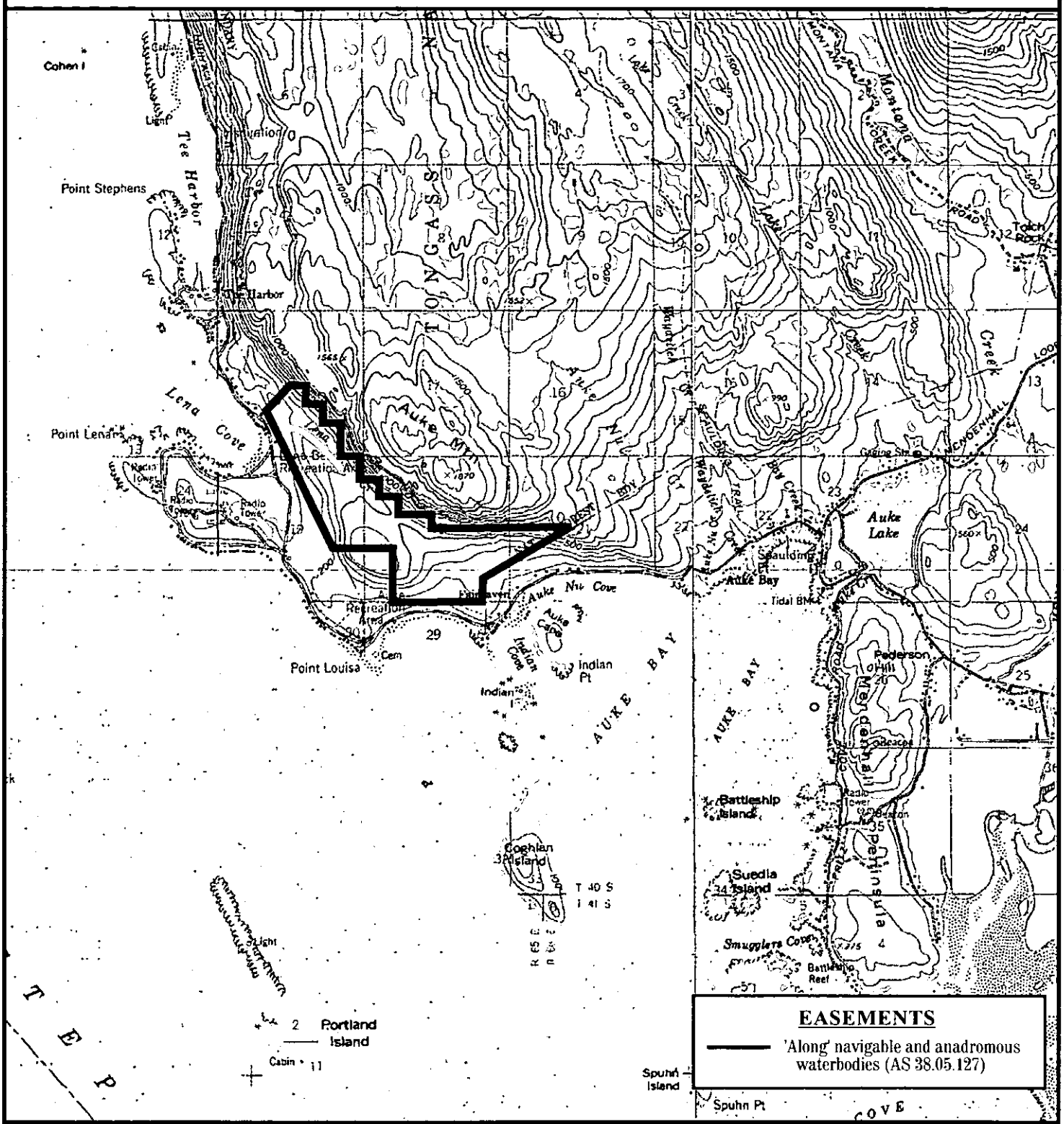
Prepared by: rhc
Source USGS, Ketchikan C-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	73S	92E

Lena Creek

JU.LM.1001



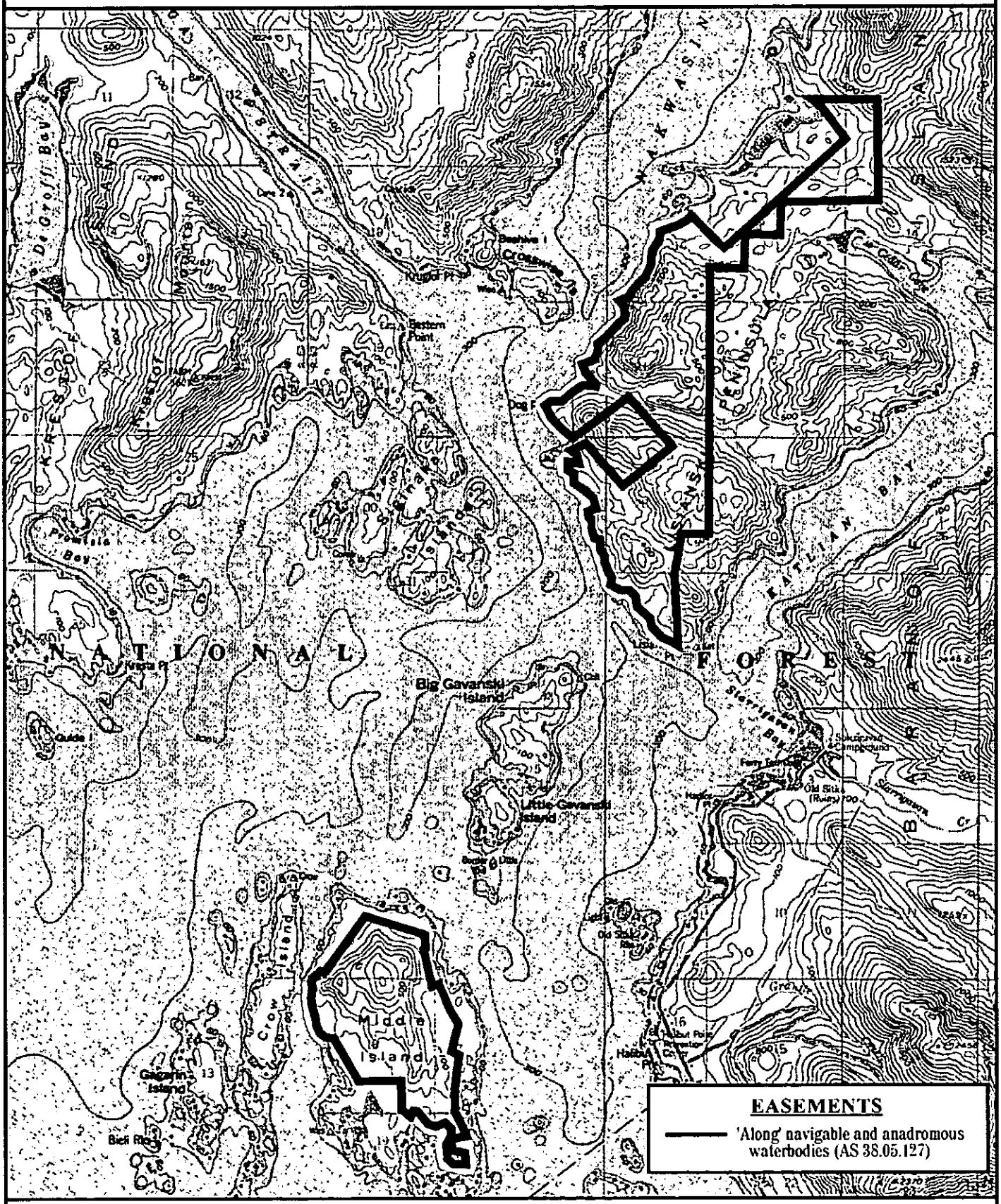
Prepared by: DNR
Source USGS, Juneau B-2, B-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	40S	65E

Lisianski Peninsula

ST.LS.1001



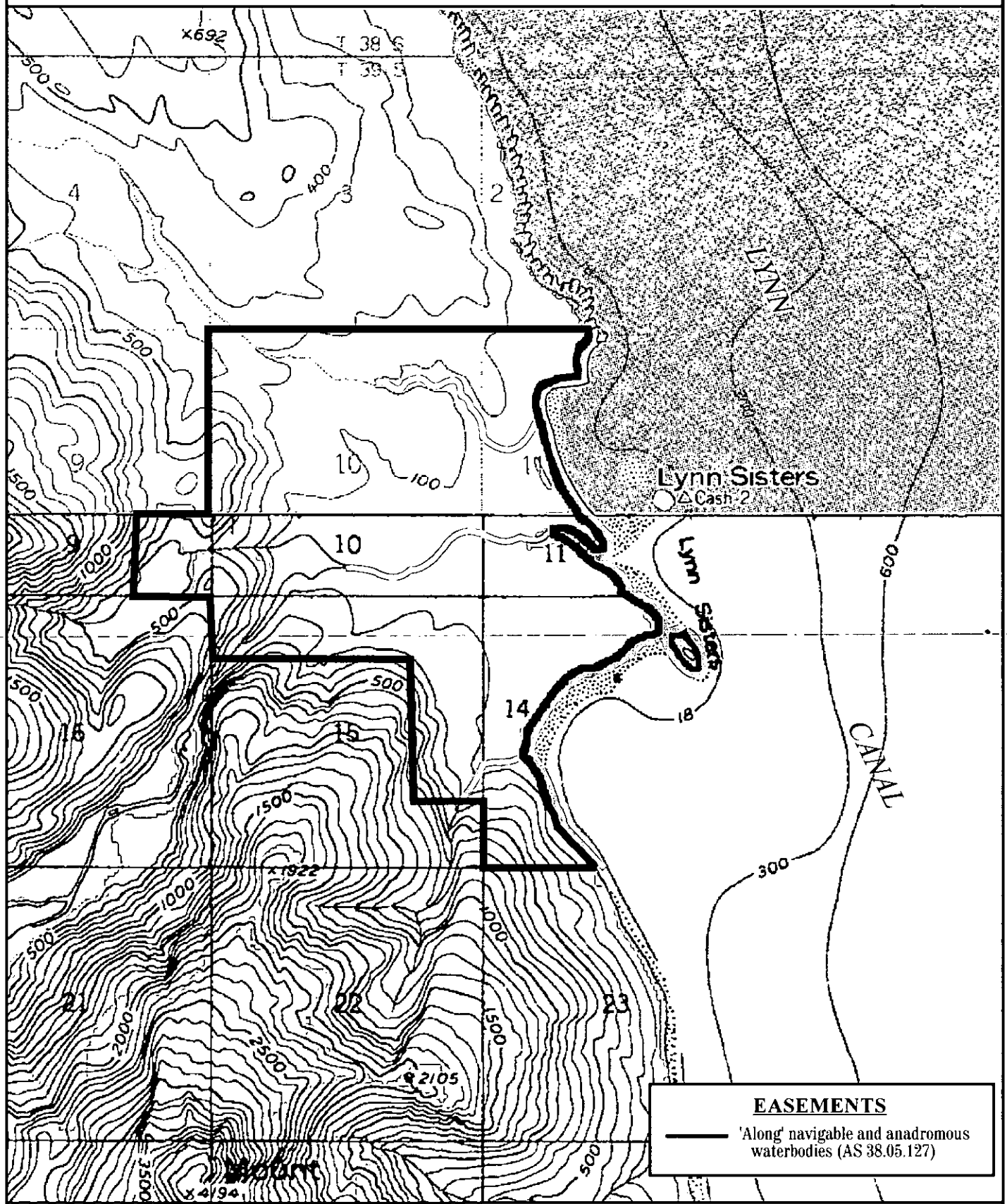
Prepared by: DNR
Source USGS Sitka A-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	54S	63E

Lynn Canal

JU.1002



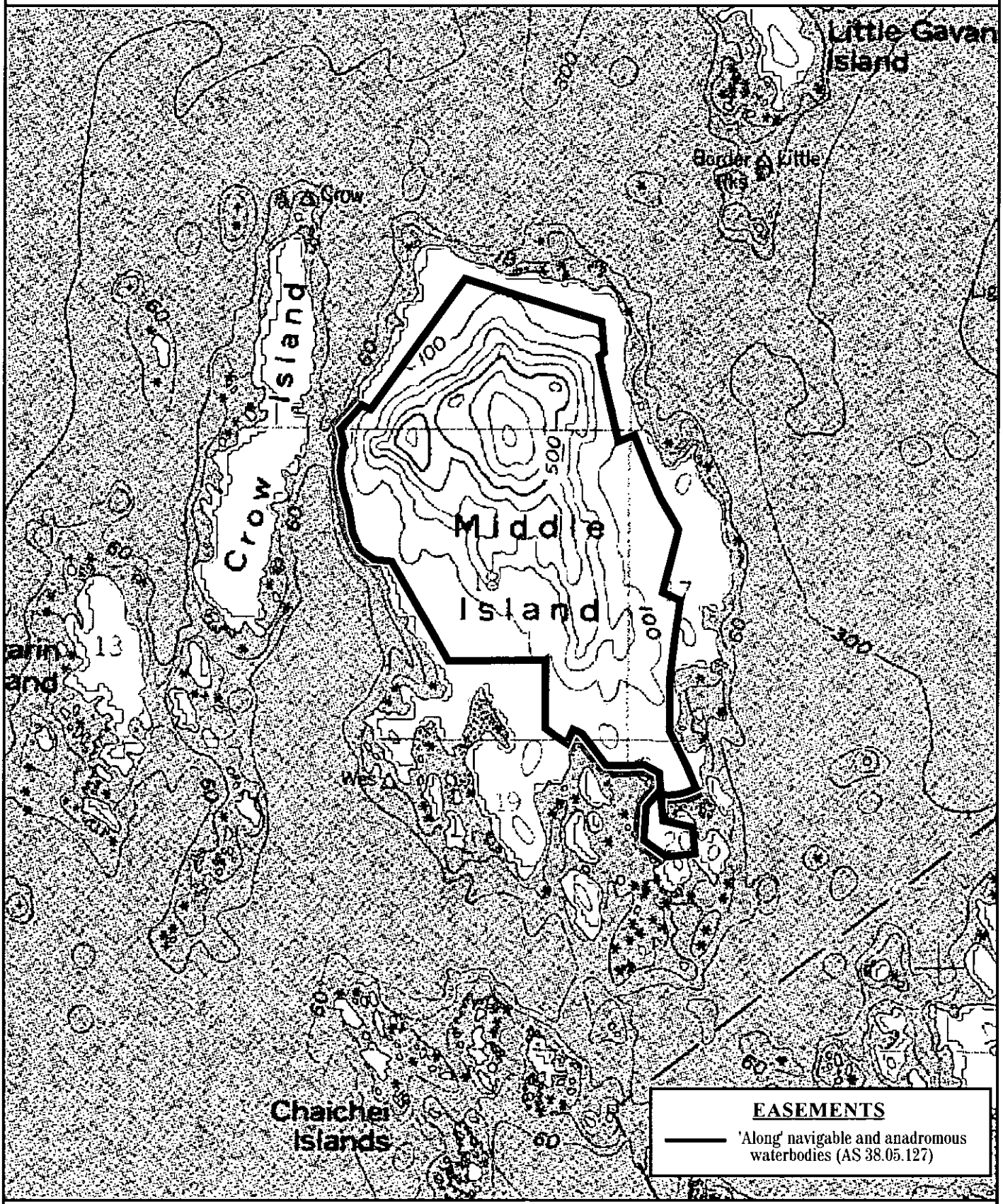
Prepared by: DNR
Source USGS Juneau C-4, B-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	39S	62E

Middle Island

ST.1001



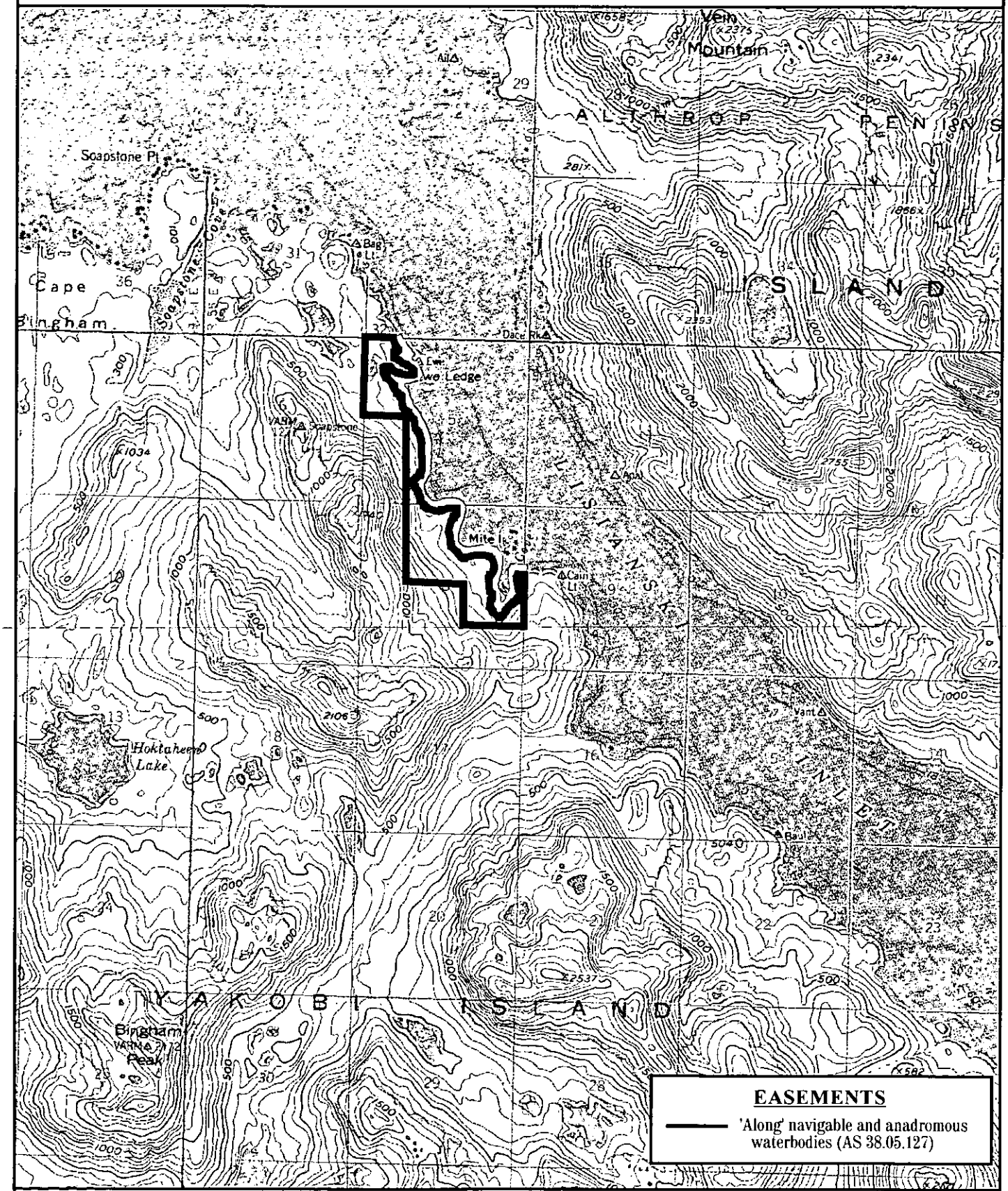
Prepared by: DNR
Source USGS Sitka A-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	55S	62-63E

Mite Cove

MF.1001



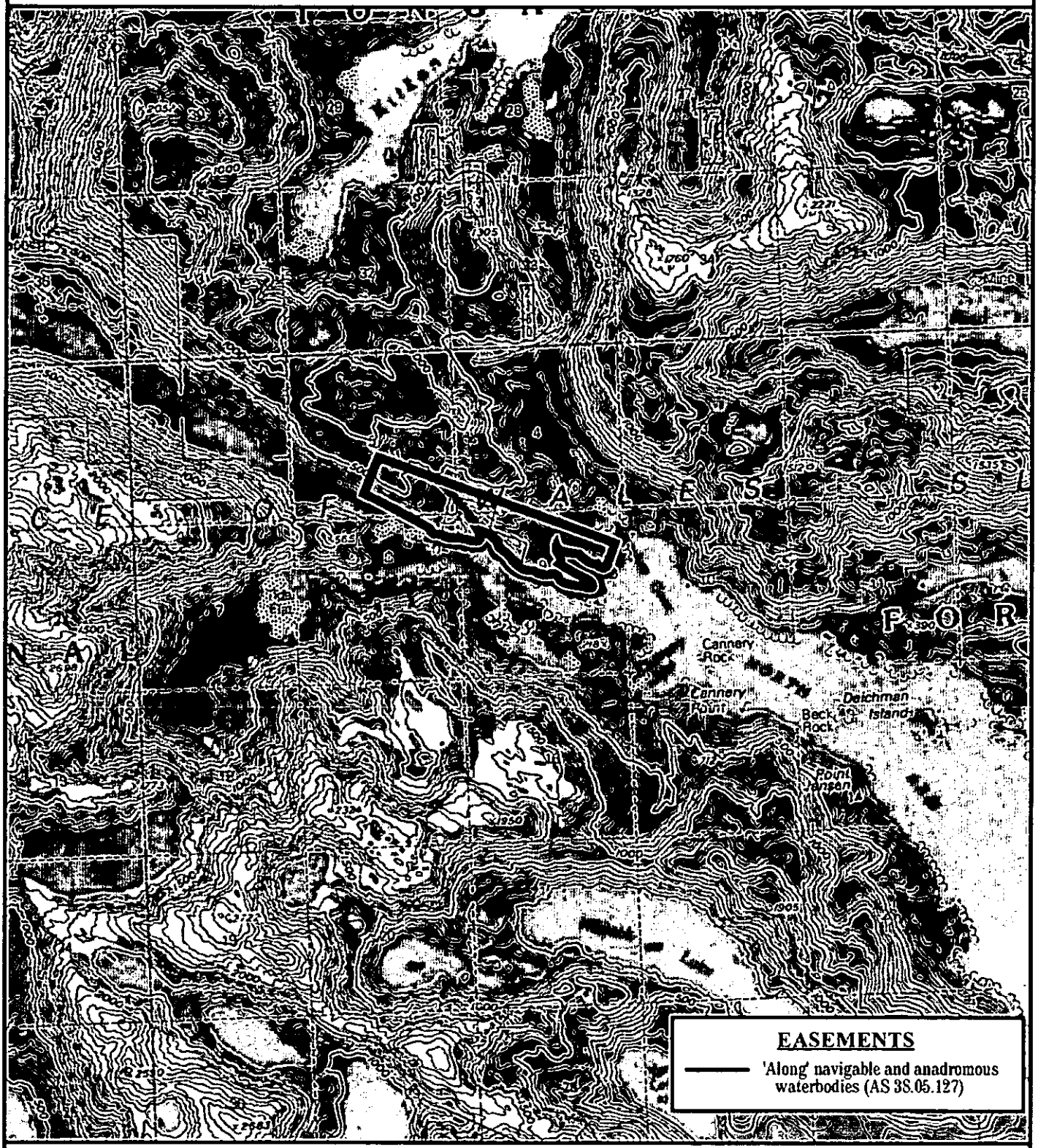
Prepared by: DNR
Source USGS Mt. Fairweather A-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	44S	55E

Moira Sound/Nowiskay Cove

PW.MS.1001



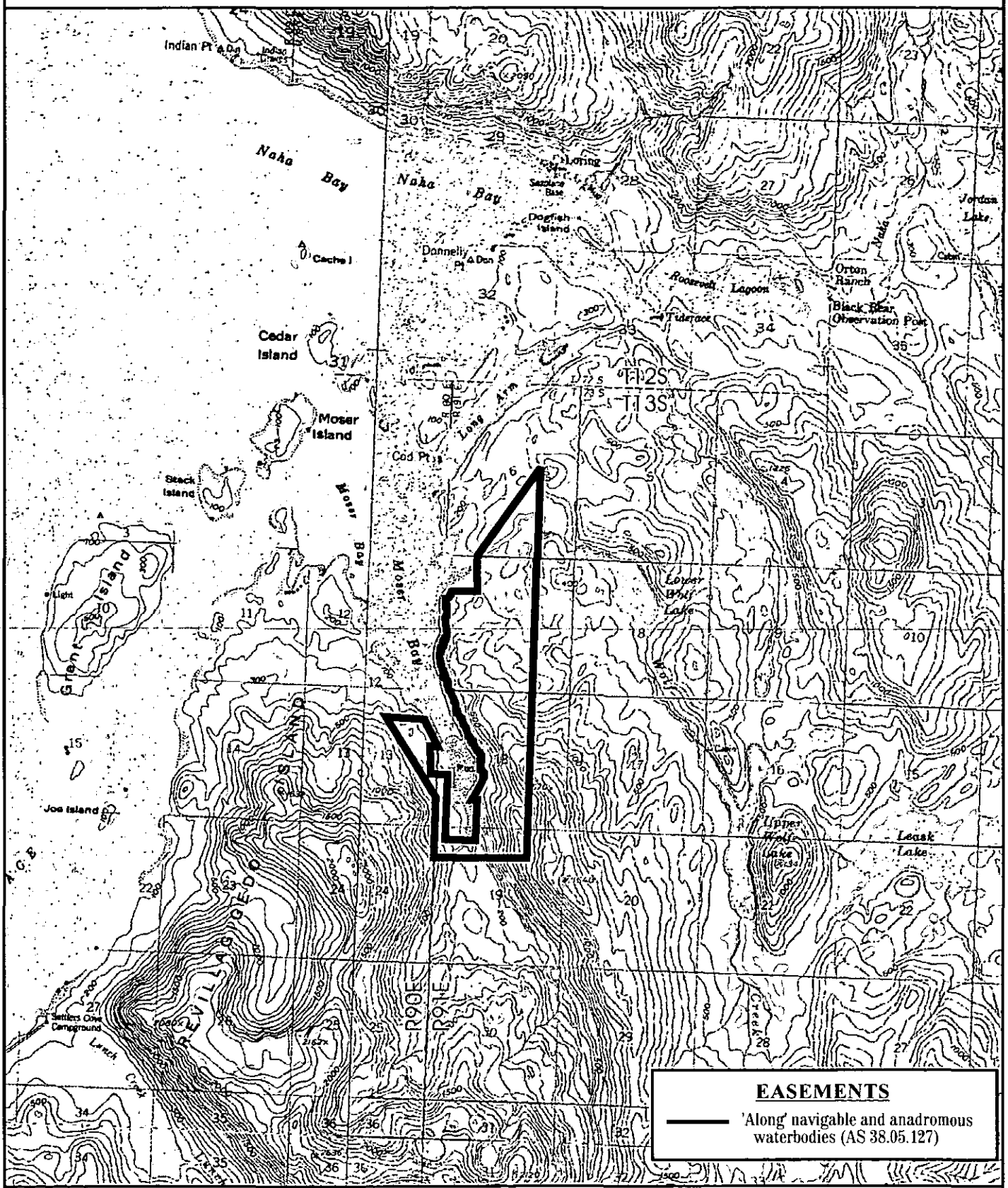
Prepared by: DNR
Source USGS Craig A-1
Date: 12/2004

one mile

Meridian	Township	Range
CRM	78S	88E

Moser Bay

CS.MB.1001



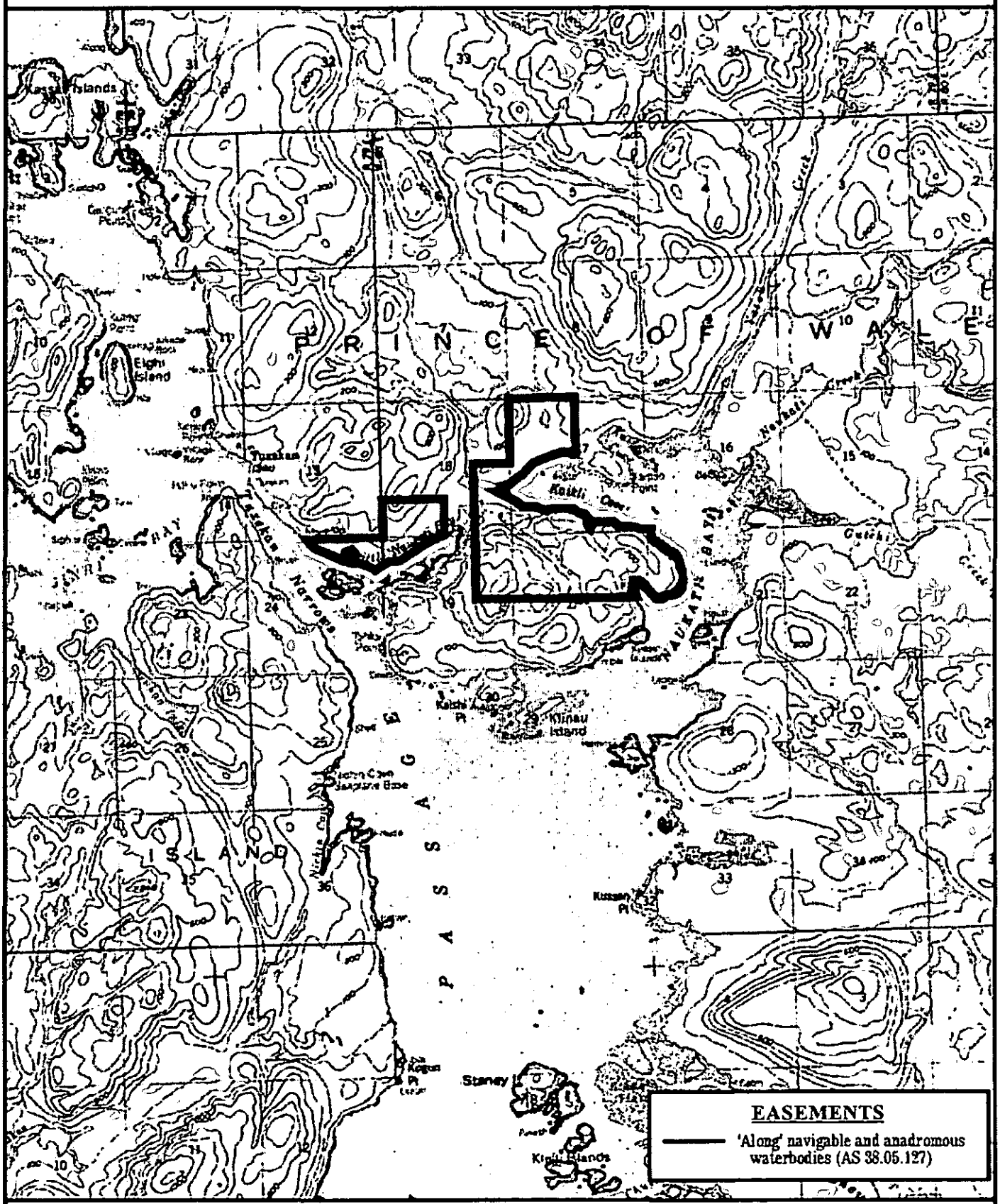
Prepared by: DNR
Source USGS Ketchikan C-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	73S	90E-91E

Naukati Sound

PW.NA.1001



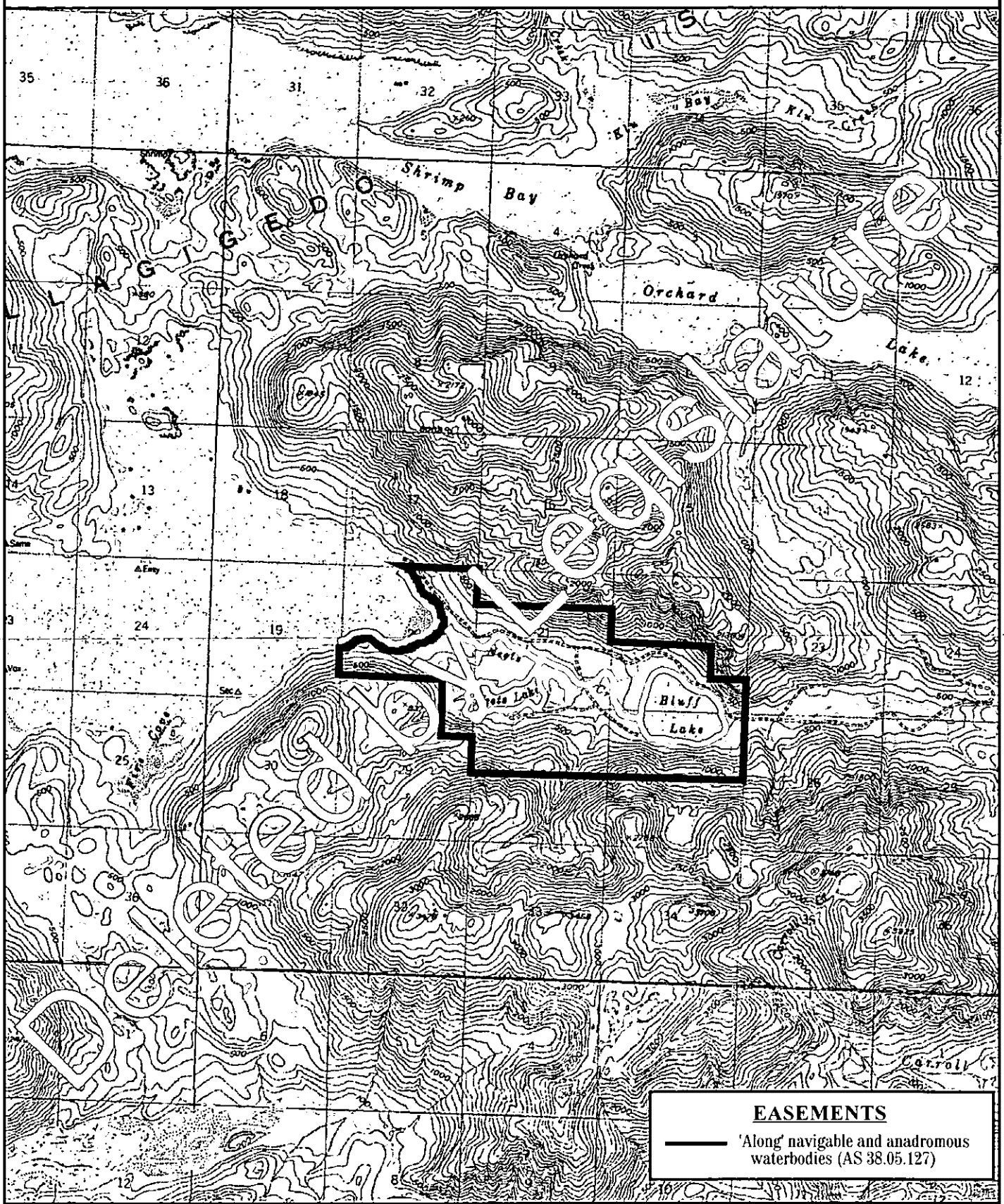
Prepared by: DNR
Source USGS Craig D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	69S	79E-80E

Neets Creek

KT.1004



EASEMENTS

'Along' navigable and anadromous waterbodies (AS 38.05.127)

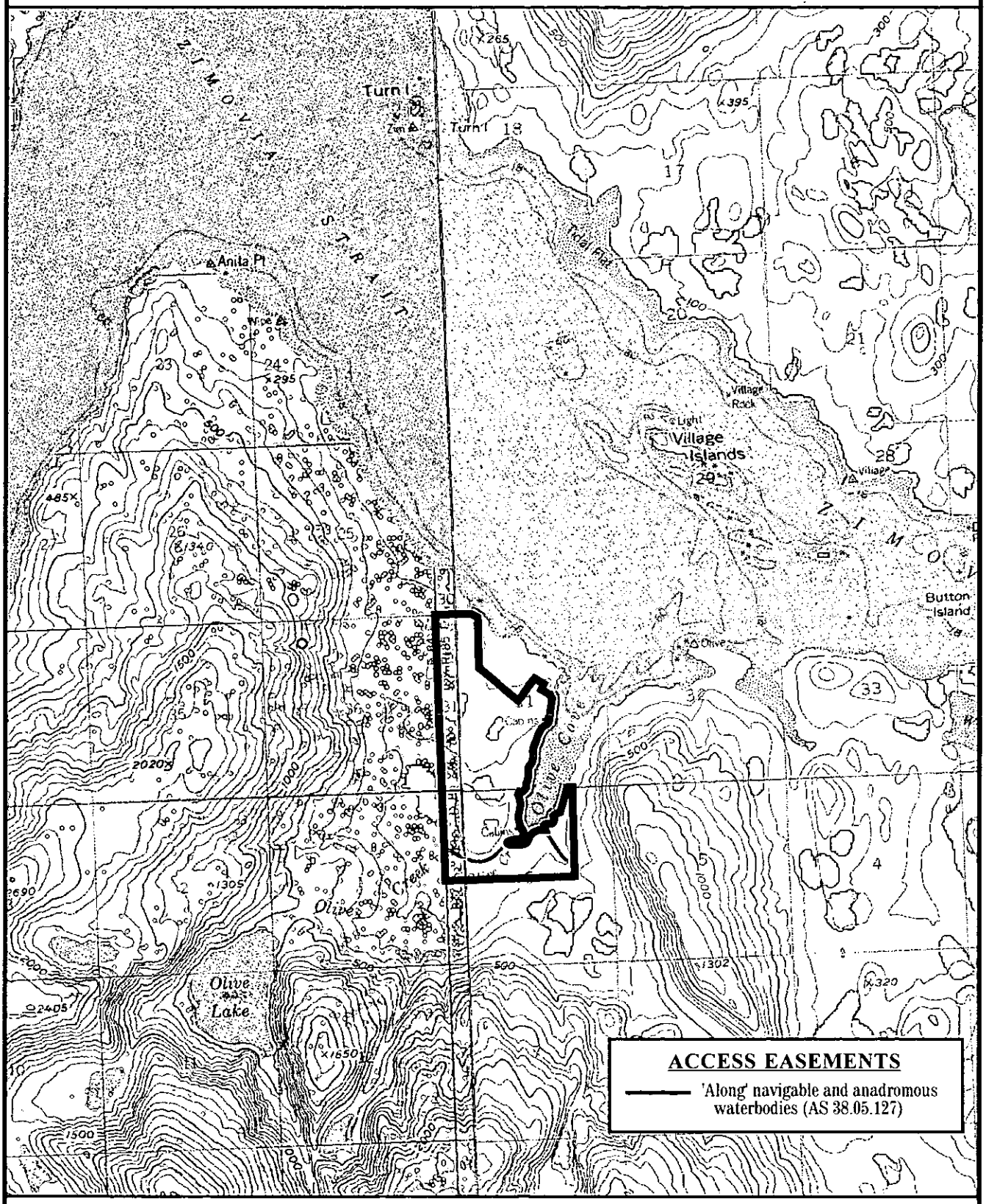
Prepared by: DNR
Source USGS Ketchikan D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	70S	91E

Olive Cove

CS.OV.1001



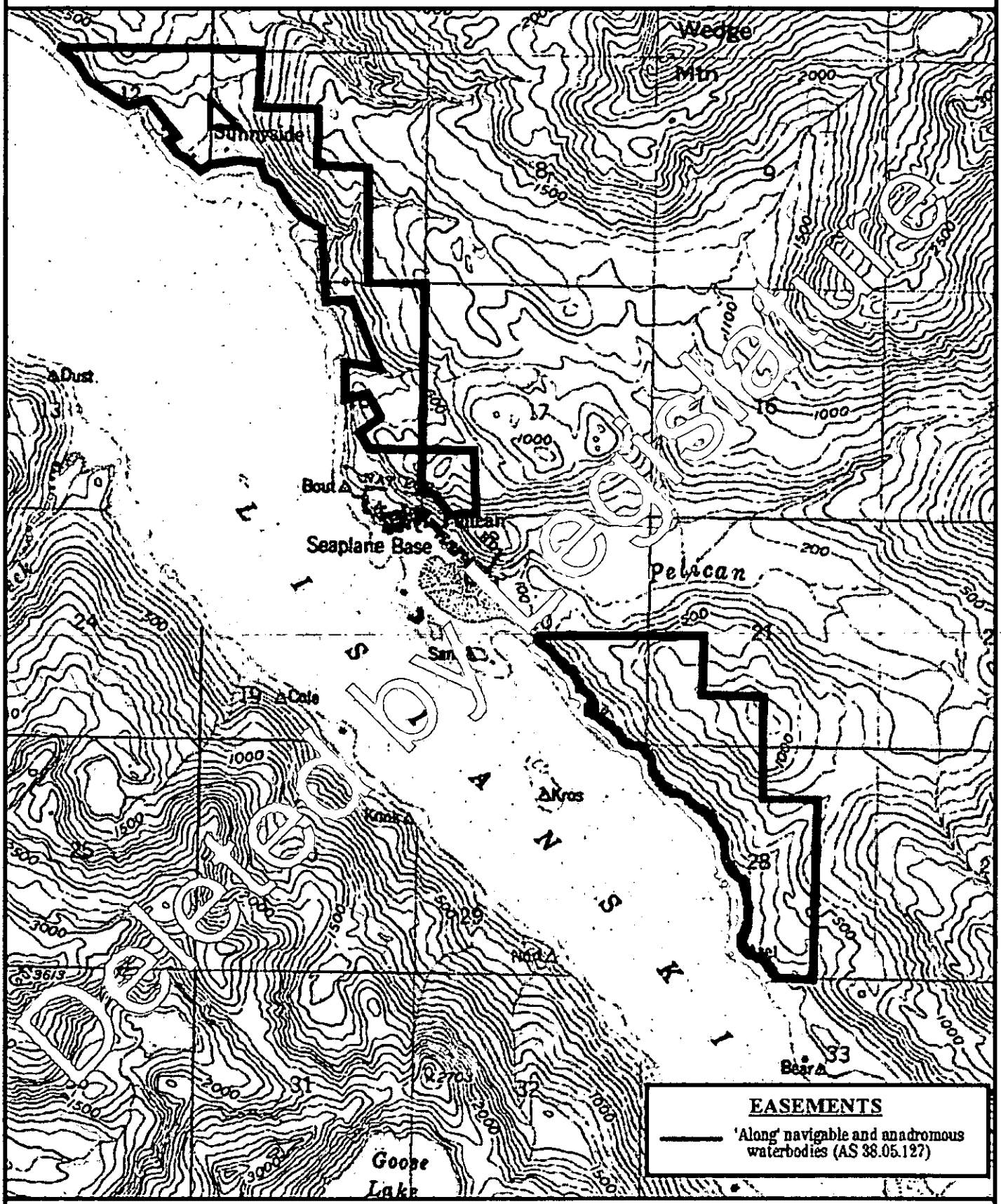
Prepared by: rhc
Source USGS, Petersburg A-1 & A-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	65 & 66S	85E

Pelican

ST.1002



Prepared by: DNR
Source USGS Sitka D-7
Date: 12/2004

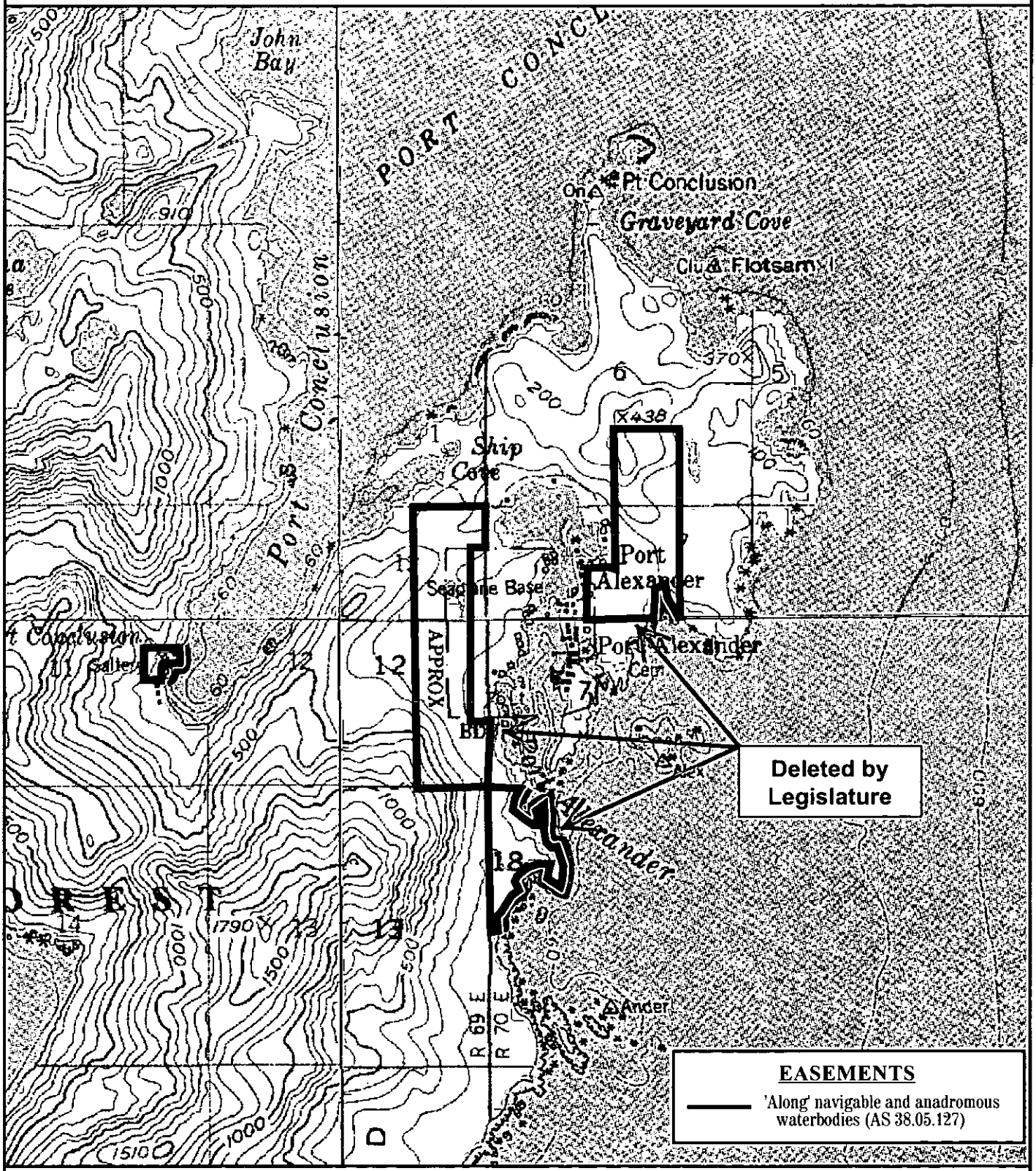
one mile

Meridian	Township	Range
CRM	45S	56-57E

Document is copyrighted

Port Alexander & Port Conclusion

PA.1001



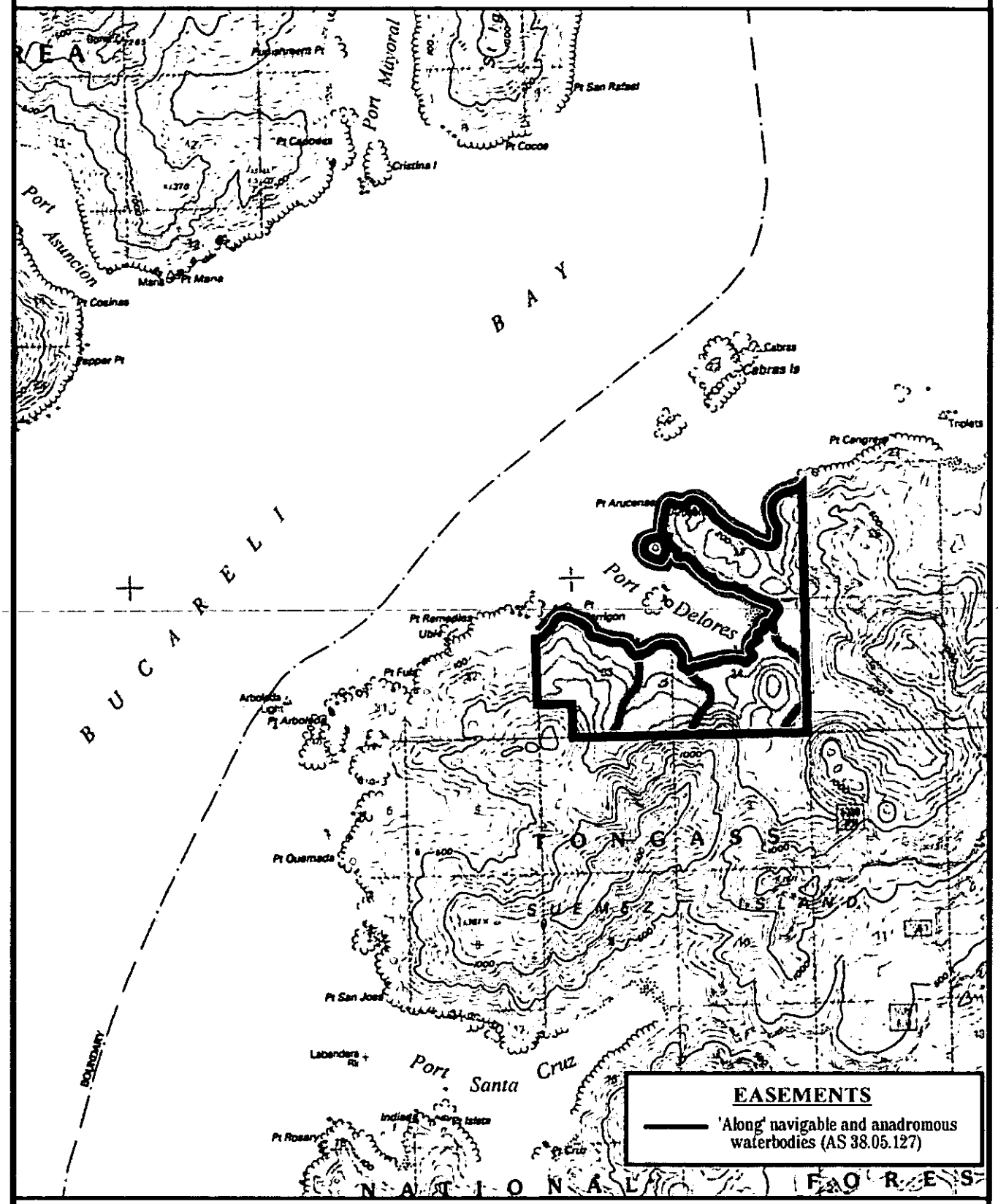
Prepared by: DNR
Source USGS Port Alexander B-2, B-3, A-2, A-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	65S	69-70E

Port Delores

PW.PD.1001



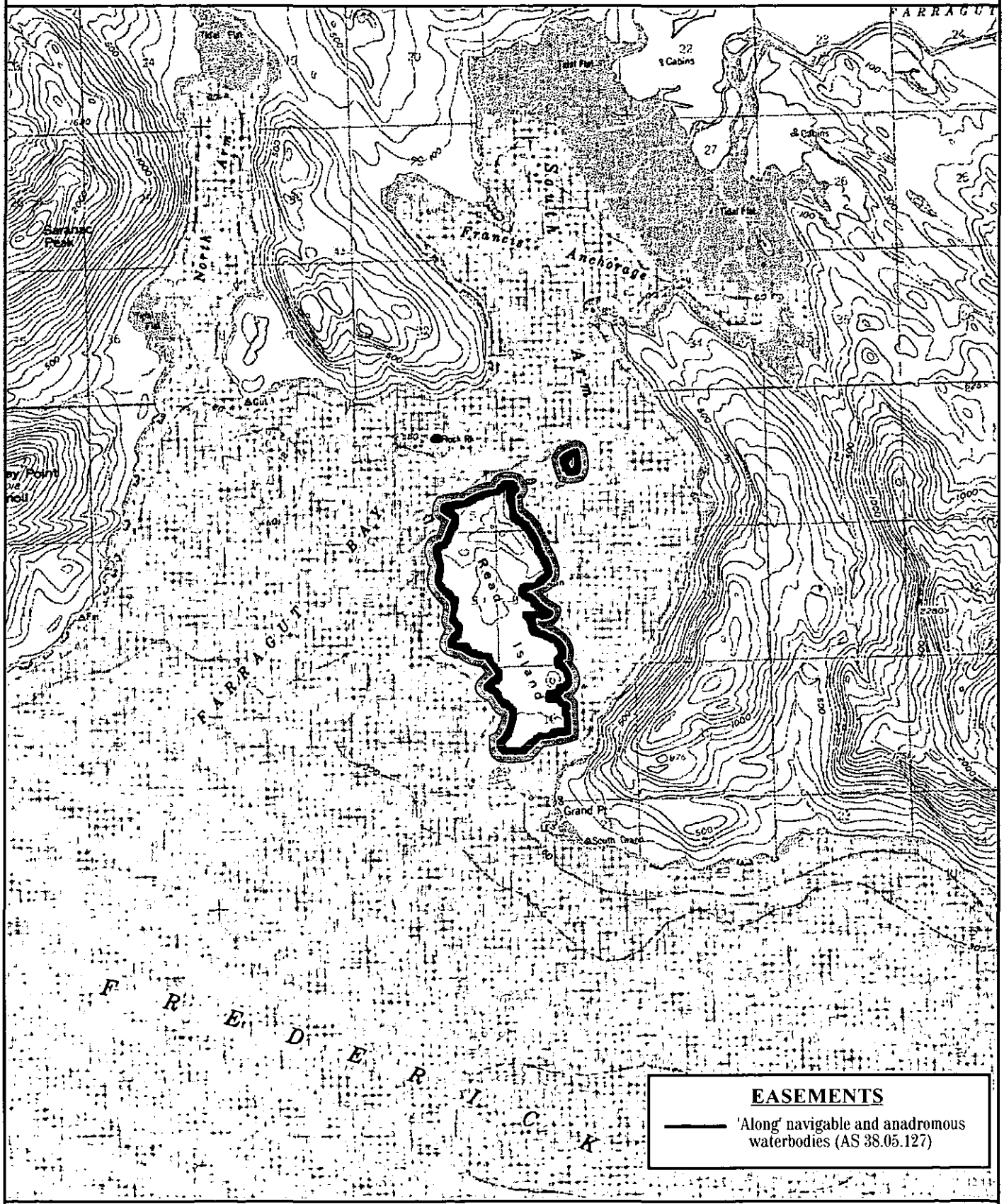
Prepared by: rhc
Source USGS, Craig B-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	75S	79E

Read Island

SD.1001



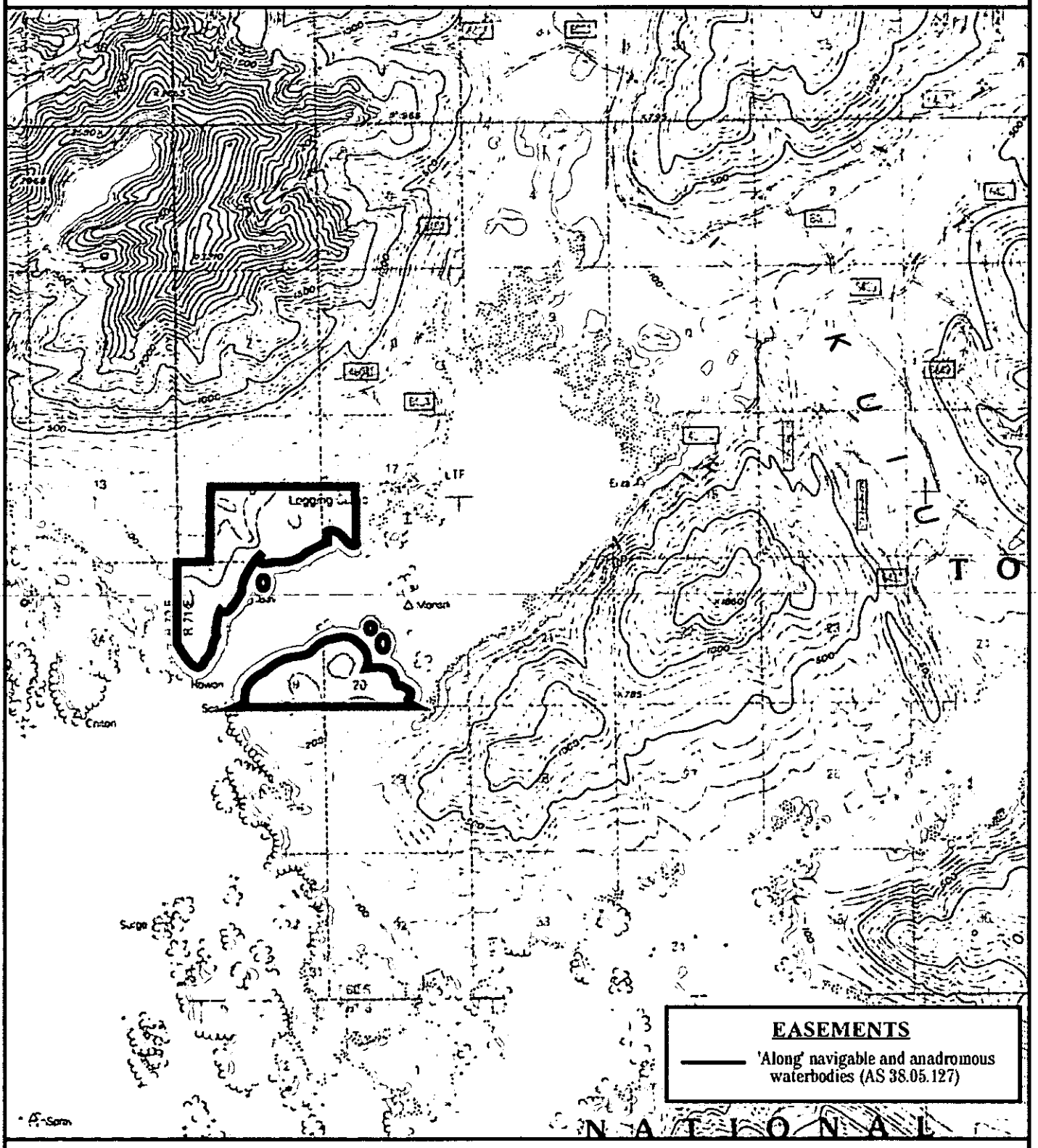
Prepared by: DNR
Source USGS Sumdum A-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	55S	77E

Rowan Bay

CS.RB.1001



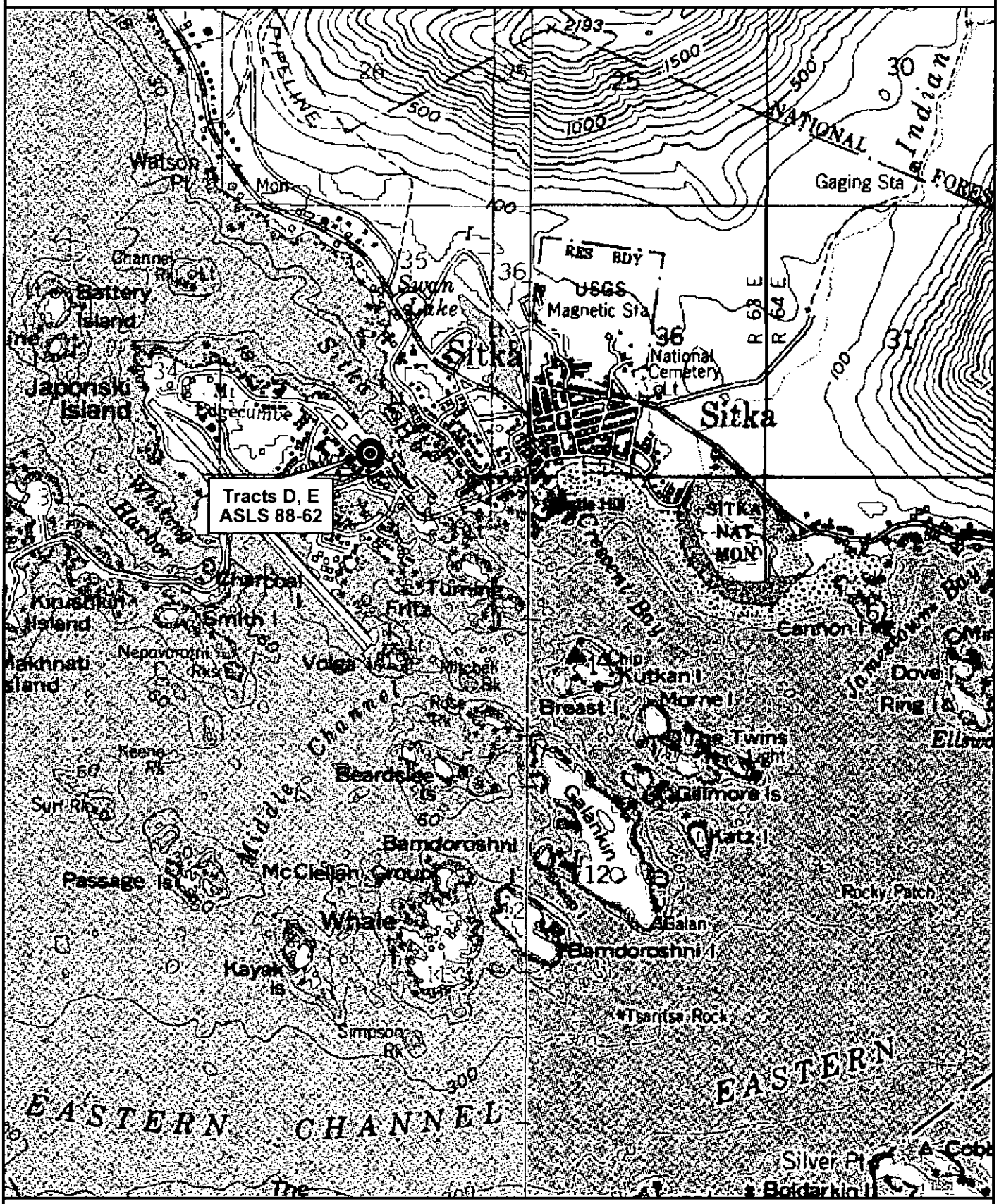
Prepared by: DNR
Source USGS Port Alexander C-1
Date: 12/2004

one mile

Meridian	Township	Range
CRM	60S	71E

Sitka (Campus)

ST.1001



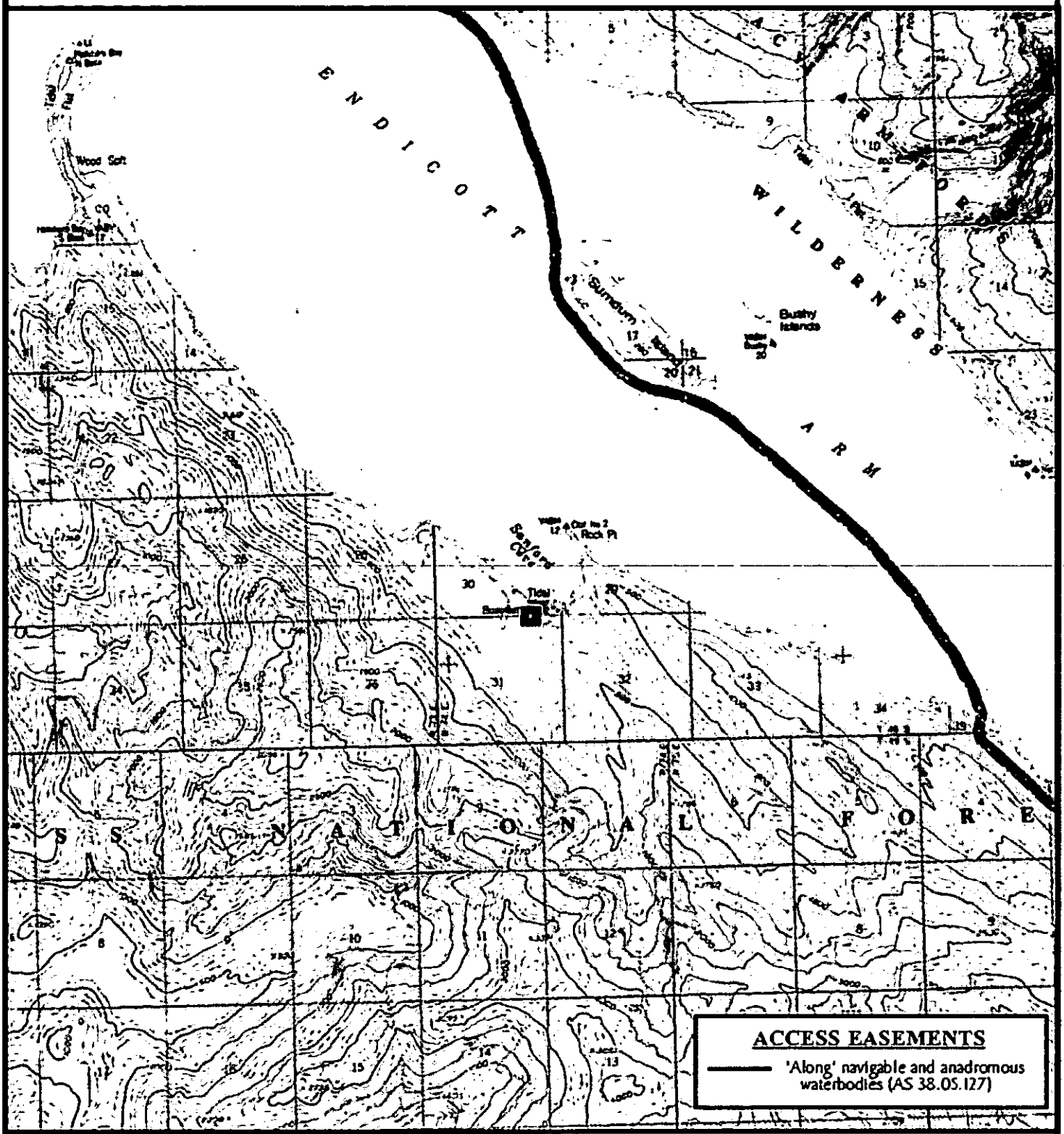
Prepared by: DNR
Source USGS Sitka A-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	55S	63E

Sumdum

SD.1001



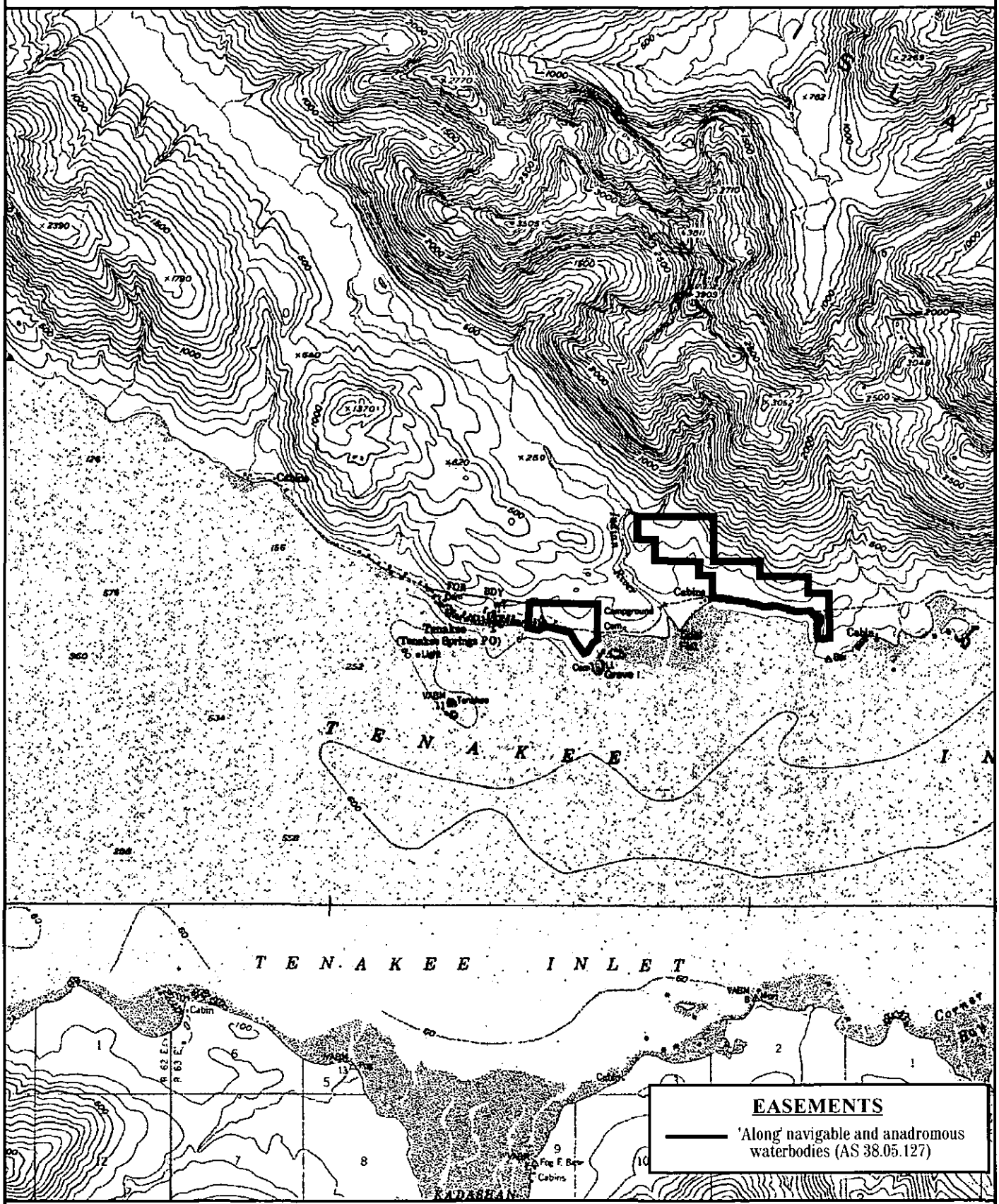
Prepared by: DNR
Source USGS, Sumdum C-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	48S	74E

Tenakee Springs

ST.1003



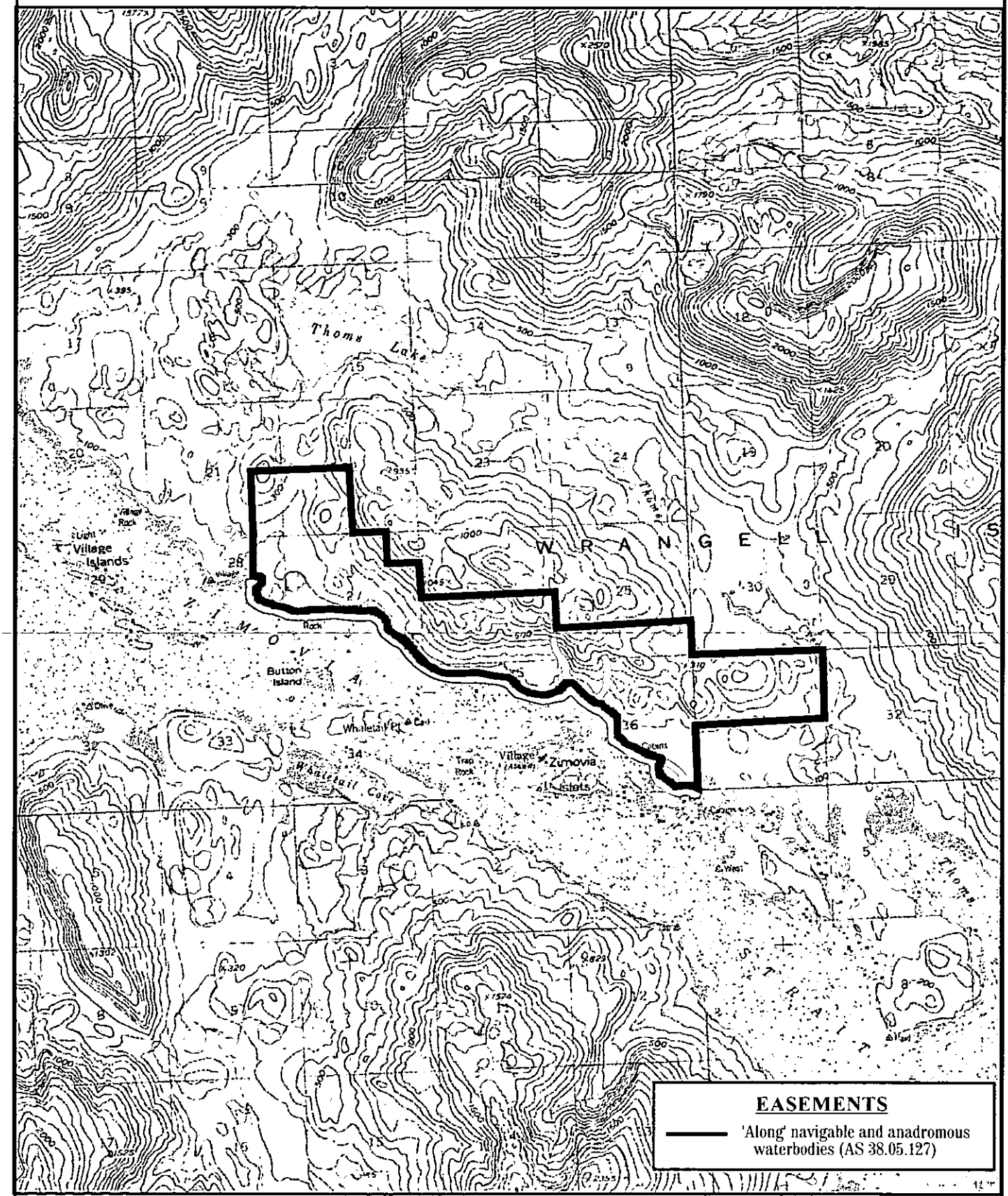
Prepared by: DNR
Source USGS Sitka D-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	47S	63E

Thoms Place

SD.1001



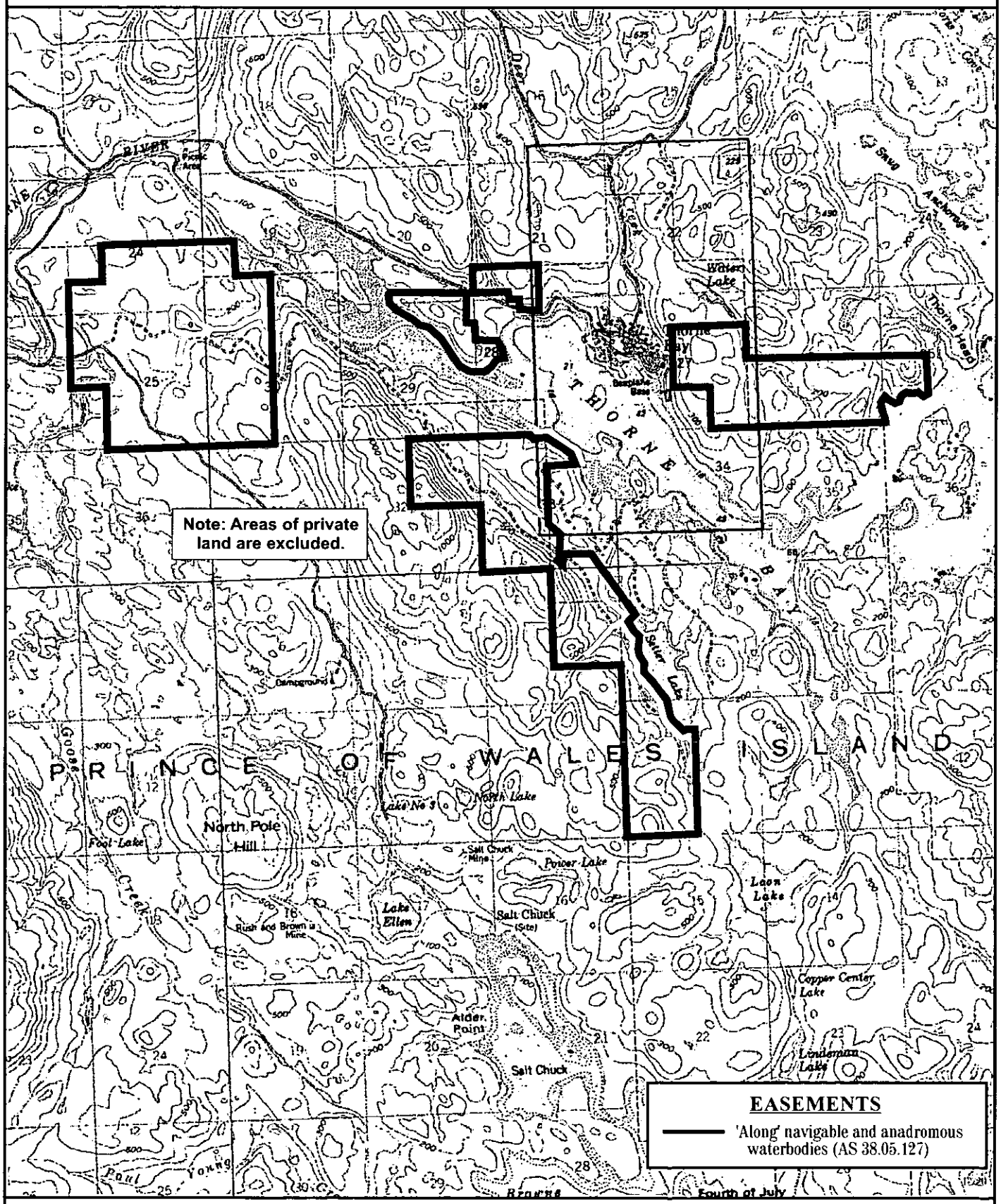
Prepared by: DNR
Source USGS Petersburg A-1
Date: 12/2004

one mile

Meridian	Township	Range
CRM	65S	85-86E

Thorne Bay

PW.TH.01



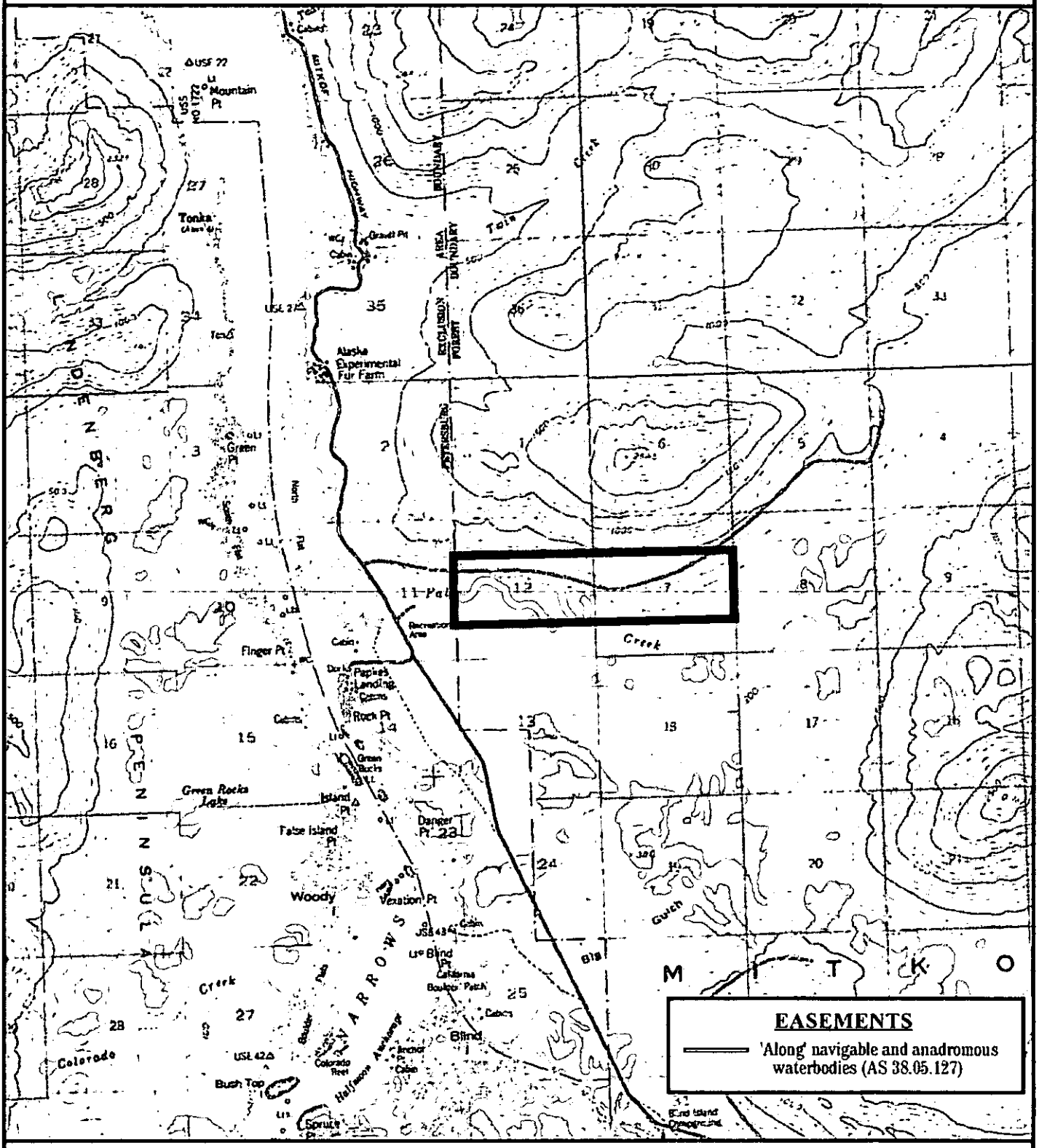
Prepared by: DNR
Source USGS Craig C-2
Date: 12/2004

one mile

Meridian	Township	Range
CRM	71S-72S	83E-84E

Three Lake Road

CS.TL.1001



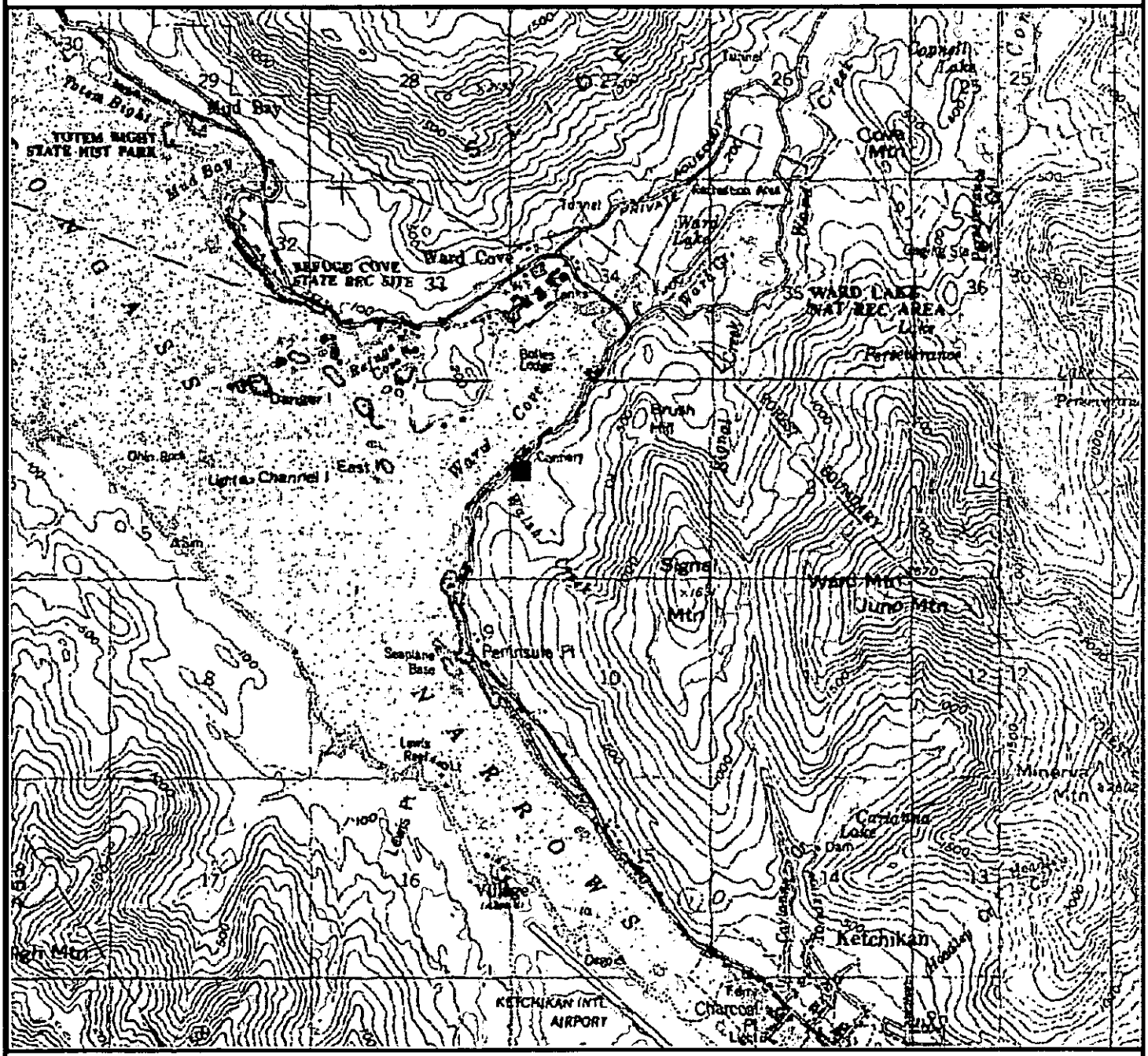
Prepared by: DNR
Source USGS Petersburg C-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	60S	79-80E

Ward Cove

CS.WC.1001

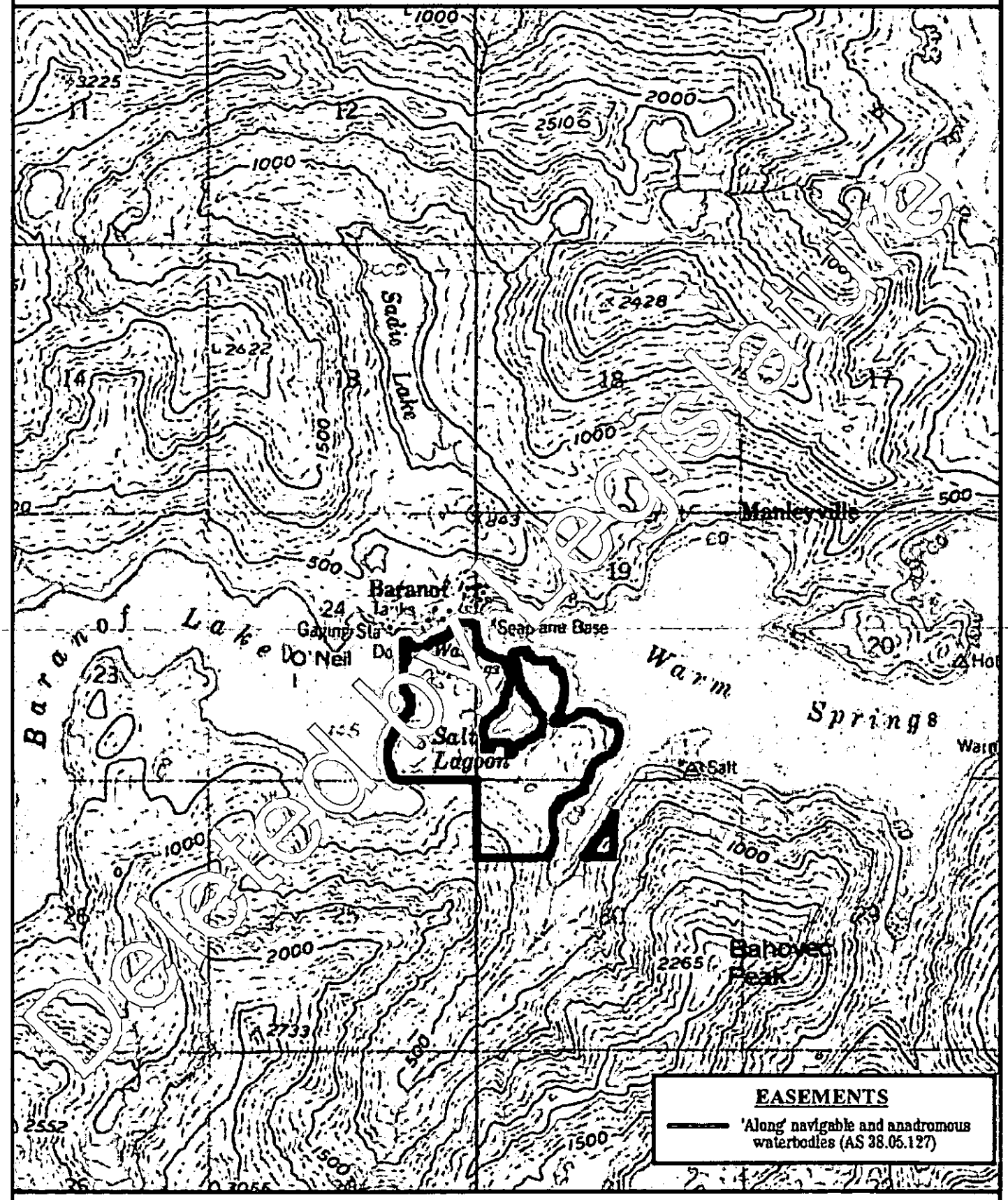


Prepared by: RHC
Source USGS, Ketchikan B-6
Date: 12/2004

one mile

Meridian	Township	Range
CRM	75S	R90E

Warm Springs Bay ST.1002



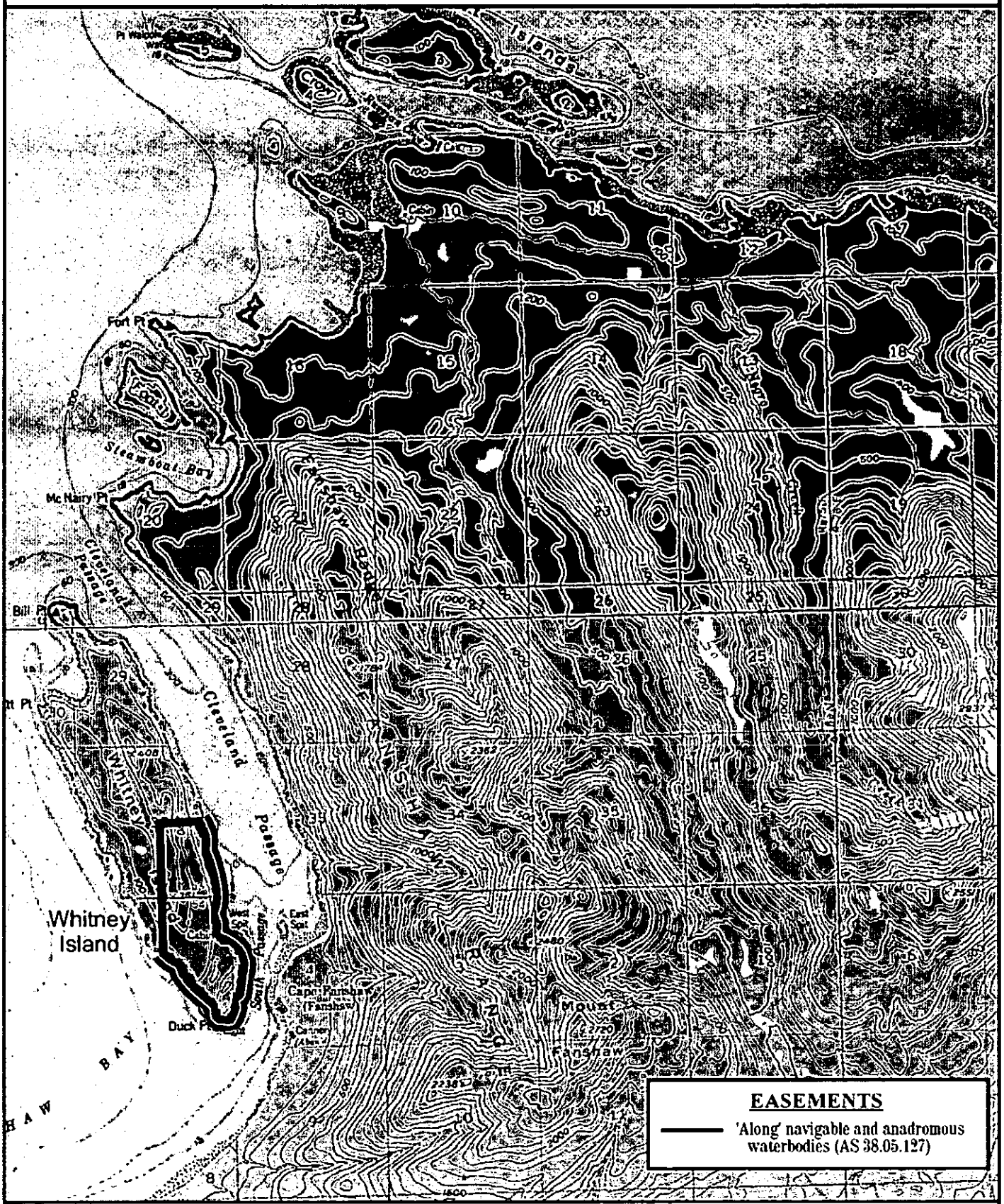
Prepared by: DNR
Source USGS Mt. Sitka A-3
Date: 12/2004

one mile

Meridian	Township	Range
CRM	55S	66-67E

Depicted

Whitney Island SD.1001

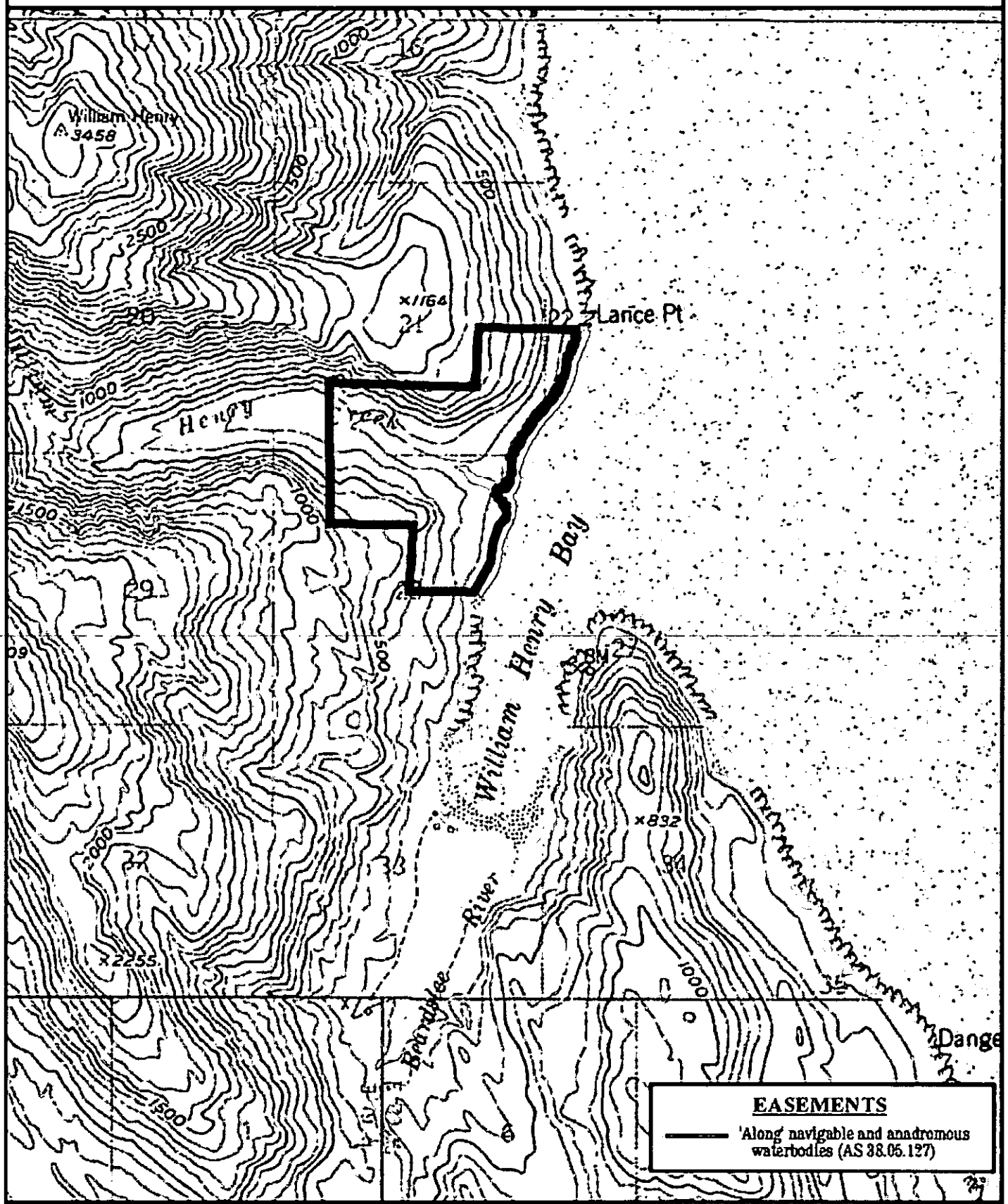


Prepared by: DNR
Source USGS Sumdum A-5, B-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	53-54S	75E

William Henry Bay JU.1001



Prepared by: DNR
Source USGS Juneau C-4
Date: 12/2004

one mile

Meridian	Township	Range
CRM	36S	61E

LAND LIST:

SUMMARY

Overview of The Land List
Revised 2010

This section provides a general description of the Land List and a table containing specific information related to the parcels in the Land List.

Geographic Distribution.

Most of the land proposed for transfer to the University of Alaska is in the Northern and Interior area of the state. This is primarily because the Nenana Oil and Gas Basin is in the Interior. Both South-central and Southeast have considerably smaller amounts of state land.

- Northern/Interior. Most state land on the Land List occurs in the Northern region, which comprises 150,953 acres or 75.5% of the total acreage. Most of this land is associated with oil and gas (90,000 acres) and coal (16,000 acres) resource values, or are intended for educational/research functions (35,961 acres). The oil and gas tract is situated west of Nenana and the coal tract, within an area known as 'Jarvis Creek', which is situated south of Delta Junction. Tracts with an intended education function are associated either with forestry research in the proposed Tok Research Forests (4,015 acres) or with watershed research in the Caribou and Poker creeks watersheds north of Fairbanks (24,250 acres). There is a small amount of investment properties in the Northern region, which are primarily intended for residential, commercial, or industrial development.

- Southcentral. South-central tracts total 14,230 acres (7.5% of the total) and consists mostly of investment properties near the Willow-Houston (1,730 acres) and McCarthy (12,500 acres) areas.

- Southeast. Southeast, with 34,655 acres or 17.3% of the total, consists largely of remote tracts and areas around communities, which have mostly settlement, general recreation, and some limited forestry values. These tracts are scattered throughout Southeast Alaska, extending from the Lynn Canal north of Juneau to Moira Sound/Nowiskay Cove southwest of Ketchikan. Most of these tracts are situated within Prince of Wales Island or near the communities of Wrangell, Sitka, and Tenakee Springs. Only a small amount (12 acres) of education properties occur in the Southeast (a research facility in Juneau and the Sitka Campus of the University).

Parcel Description

The table that follows gives a brief description of the each parcel proposed for transfer. It describes Investment and Oil and Gas tracts geographically by the three regions of Northern/Interior, South-central, and Southeast. A description of Educational Properties follow this listing. The table contains the following information: parcel number, parcel name, acreage, and a column titled 'Comments'. The Comments column indicates the general location of each parcel, describes the main features of the parcel, indicates its possible use, and indicates the land use designation(s) for the parcel based on existing DNR

land use plans. The land use designations contained in the DNR land use plans do not apply to the land after it is transferred to the University. Generally, the 'Investment Properties' parcels have been selected based upon their development potential and are designated in DNR land use plans for multiple use, settlement, or public recreation. These plan designations are italicized in the table.

This table is linked to the maps that follow the Land List. Parcel numbers and names are the same in the land list, table, and maps.

Summary of Parcel Resource Values

- Nenana Oil and Gas Tract (90,000 acres)

A 90,000 acre tract of state-owned land with oil and gas potential within the Nenana Basin is to be conveyed. This basin has a high probability for presence of gas source, and a high probability that reservoir quality rocks are also present. This tract excludes previous state subdivisions and DNR remote recreational cabin staking areas. Although the tract includes the remote recreational cabin staking area known as Teklanika II, where staking is still underway, buffers of state land will be retained by DNR before this tract is conveyed to the University. The area is part of the Oil and Gas License owned by Andex Corporation, and the land will be transferred subject to the License.

- Investment Properties *other than* in Southeast (39,222 acres)

Lands proposed for transfer include 39,222 acres of state land within the South-central and Northern/Interior regions that are considered to have investment potential. Certain of these tracts are probably best suited for commercial or industrial development; examples include the tracts along the Dalton Highway. The majority are probably best suited for some form of residential development, either for rural subdivisions near community areas (Willow Creek Road and Frying Pan Lake) or for remote recreational development (Lake Snohomish and Wien Lake).

The Jarvis tract provides a coal production potential. A 16,000 acre area near Jarvis Creek occupies the easternmost sub-basin of the Nenana Basin, a coal trend that holds the third largest coal reserve in Alaska. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. The areas of Mental Health Trust Land and active mining claims are excluded from the tract. The 2,560 acres of coal leases would be conveyed, subject to the continuation of the lease for the period of their duration.

- Southeast Alaska (34,643 acres)

34,643 acres of state land in Southeast Alaska are to be conveyed. Because the state owns only a small amount of land scattered throughout Southeast, these tracts are comparatively small in size and are distributed throughout Southeast. Most of these tracts were acquired by the state for community and recreational development and may be developed by the University for community or remote recreational settlement; examples include state land at

Hollis, Ketchikan, or Edna Bay. There are also a few that have commercial potential; examples include Harris Road Junction, Ward Cove, and El Capitan South, although most of these could also be used for residential purposes. A limited number of tracts have commercial timber potential. The latter are not considered essential to the existing DNR Southeast Alaska value-added forestry program.

- Educational Properties (35,973 acres)

This category includes eight properties that are either important to current University educational or research programs or that can be developed for such programs. Their primary purpose is educational, not for revenue-generation. These state land tracts occur in the Northern Region, except for the Sitka Campus and Auke Weir tracts in Juneau. One tract constitutes the bulk of the acreage in this category: the Caribou-Poker creeks watershed, consisting of about 24,250 acres, located north of Fairbanks and used exclusively by the University for hydrologic research.

Public Access

Public access is retained across the state land conveyed to the University. DNR has identified known access routes, including Omnibus Roads, existing state or federal rights-of-way, and RS2477 trails). These routes are depicted on the parcel maps. Public access is also retained along coastlines, navigable rivers and lakes, routes traditionally used by the public for access, and along section-line easements. Except for section line easements, these access routes are depicted on the parcel maps.

On-line information and Contact Information

This report, including the parcel maps, may be viewed at the DNR website: http://www.dnr.alaska.gov

For general information regarding the Land List, contact either Dick Mylius or Marty Parsons (269-8600) in Anchorage. For more detail on specific parcels, contact Bruce Phelps at 269-8592 in Anchorage or email: bruce.phelps@alaska.gov

PARCEL DESCRIPTIONS

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
Non-producing Oil and Gas Resources			
OG.NE.1001	Nenana Gas Basin Tract	90,000	This parcel has oil and gas potential. Situated within the Nenana geologic basin, this area has a high probability for the presence of gas source rocks and a high probability that reservoir rocks are also present. Parcel excludes previous state subdivisions and DNR remote staking areas, and a current DNR remote staking area (Teklanika II). Buffer areas are to be created around this staking area, reducing the size of the parcel to about 90,000 acres. Public access, including future road access to state lands to the north and west of the parcel, are retained. *Wildlife Habitat and Forestry*.
	2010 Revised Oil and Gas Resources, Subtotal	90,000	
Investment Properties			
Northern/ Interior Region			
DH.IS.1001	Dalton Highway MP 48 to 54	1,360	This parcel is located adjacent to the south bank of the Yukon River and the Dalton Highway. It is rather rugged topography, but has road access and views of the Yukon. *Public Recreation and Wildlife Habitat.*
DH.SR.1001	Dalton Highway MP 345 to 347	880	This parcel is south of the old Sagwon airstrip, includes the Sagavanirktok River, the Dalton Highway, and the Alyeska pipeline. It is located near the intersection of winter trails to Umiat, proposed for a major road. The APSC 8" fuel gas line runs through the property. May be subject to AS 19.40.200(b) (2). *Transportation Corridor Land*.
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700	This parcel includes portions of the Coldfoot development node on the Dalton Highway. *Settlement.*
M1.JC.1001	Jarvis Creek	16,000	This coalfield occupies the easternmost sub basin of the Nenana Basin, a coal trend that holds the third largest coal reserve base in Alaska. The coal bearing section of this field is about 2,000 feet thick. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. Tract excludes Mental Health Trust Land and active mining claims are excluded.

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
FA.JC.1001	Jennie M. Creek C	5	Situated near Fairbanks, this small parcel has good access and gentle to level slopes. It is situated within a residential subdivision. Zoned General Use. It occupies a small lot south of Chena Hot Springs Road 3 miles east of Two Rivers School. *No current classification.*
N1.LS.1001	Lake Snohomish	740	Parcel is located 10 miles southwest of the airstrip at Lake Minchumina, with access by trail. Terrain is flat, surrounding Lake Snohomish. *Settlement.*
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7	This parcel was added at the request of the University in order to resolve an old title problem created when DOT moved College Road to its current location. *No classification.*
N5.RS.1001	Summit Lake (Richardson Highway)	960	This parcel includes areas on the east and west side of Summit Lake, situated west of the Richardson Highway. This is a very popular winter recreation area, especially for snowmachiners. DNR land disposals are scheduled for other parts of lake. *Public Recreation and Wildlife Habitat*. Adjacent areas are designated *Settlement.*
FA.NS.1001	West Twin Lake	1,560	Situated in a remote area west of Nenana, this lake is considered to have recreation use potential and some recreational development already exists. Access via float plane or ATV. DNR land disposals are scheduled for other areas along the lake. *Settlement.*
N5.WL.1001	Wien Lake	1,780	This is a fly-in lake with access via snowmachine in winter located in the Kantishna area. Some property has been sold in the area. It is a popular Fairbanks recreation area. DNR land disposals are scheduled to occur along other parts of lake. *Settlement.*
	2010 Revised Northern Interior Region Subtotal	24,992	

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
Southcentral Region			
SU.DC.1001	Deception Creek	280	Situated east of Willow, this fairly level parcel is covered with mature birch with some spruce, and has some wetlands in its western part. There is road access to this parcel by way of state-maintained 4 Mile Road off the Willow Creek Road. ATV trails also provide some access. It is part of the land previously reserved for the Willow Capital Site. *Settlement*.
SU.FP.1001	Frying Pan Lake	450	Situated southeast of Willow, this lake has recreational potential for picnicking, swimming, and camping. It is located about a mile from the Parks Highway. It is part of the land previously reserved for the Willow Capitol Site. *Settlement.*
MA.MC.1001	McCarthy-Nizina	12,500	This large parcel is situated near the community of McCarthy, situated within the National Park. Considered good for settlement. Excludes area of possible land exchange and critical salmon spawning areas at Long Lake. *Wildlife Habitat and Public Recreation*.
SU.WC.1001	Willow Creek Road	1,000	Parcel is near Willow Creek Rd. and is part of the land formerly reserved for the Willow Capital Site. Tract is considered good for settlement. Deception Creek runs through this parcel. *Settlement.*
	2010 Revised Southcentral Region Subtotal	14,230	
	2010 Revised Investment Properties Total	39,222	

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
Southeast Region			
SD.1001	Beecher Pass	1,193	Parcel is located on Kupreanof Island, southwest of Petersburg. It consists of a gently sloping coastal plain, covered in parts by spruce bog. The steeper slopes inland contain dry uplands and are vegetated with hemlock and spruce forest. The parcel also contains part of a previous state subdivision (ASLS 81-9); areas within the subdivision remaining in state ownership and designated as Settlement are included. Another state subdivision (ASLS 81-8) occurs to the east. The parcel is considered appropriate for settlement. Beecher Pass State Park is situated immediately to the south. *General Use and Settlement*.
PA.1002	Biorka Island	438	This parcel, situated on Biorka Island southwest of Sitka, consists of two separate parts. The westerly parcel is situated northeast of an FAA radar facility, with access provided by a road which, in turn, accesses a landing/beach area for the island situated to the east. The easterly part is situated east of the main part of Biorka Island and is joined to it by a narrow beach area. Both parcels are flat and are covered by forested wetlands. Considered appropriate for settlement (remote cabin sites). *General Use*.
KT.1002	Cleveland Peninsula	4,055	This parcel consists of three distinct parts, all of which occupy the nothern part of the Cleveland Peninsula, located northwest of Ketchikan. The two large parcels occupy uplands at Spacious Bay and Sunny Bay, both of which are important recreational destinations. The third parcel occurs at Square Island, within Spacious Bay. The two larger parcels support hemlock and spruce along the coast and forested wetlands further inland. Both parcels contain commercial forest resources, most of which occur in the more inland, higher elevations. Square Island is a gently sloping and flat island covered by forest and muskeg, except for coastal rainforest along and near the coast. There is limited use of Square Island for recreation purposes. Considered appropriate for remote recreation or remote settlement. *General Use*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
PW.CC.1001	Coffman Cove	1,984	Parcel is situated in and near the community of Coffman Cove, on POW Island. It consists of three separate units of land, each of which is considered good for settlement or recreational development. University already owns land in area and this will infill around their existing holdings. Coffman Cove has protected waters and road access. *Settlement*.
CS.DI.1001	Duke Island *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	1,440	Parcel adjoins the southern coast and is generally flat, and has several good anchorages. It is considered best for commercial development related to marine services and associated residential uses. It is covered with mining claims. In selection status. *General Use.*
CS.EW.1001	Earl West Cove	3,564	Situated southeast of Wrangell, this parcel is considered good for land disposals and/or timber harvest. There is a hemlock and mixed hemlock/spruce forest that contains some commercial timber. An existing road system accesses previously harvested areas. An abandoned LTF provides water access. A crude ramp system also exists. *General Use*.
PW.ED.1001	Edna Bay	250	Parcel is situated in the community of Edna Bay, on POW Island. It includes fairly flat areas that are considered suitable for settlement. Parcel is near other University owned land. Roads access the parcel. Public docks are available and have improved the anchorage. *Settlement.*
PW.EC.1001	El Capitan North	1,847	Parcel occupies areas considered suitable for settlement and community recreation because of road access, terrain, and views of the protected waterway and Twin Lake. Parcel adjoins El Capitan Passage and Twin Island Lake. Parcel excludes Twin Island Lake and its islands. *Settlement.*
PW.ES.1005	El Capitan South	865	Parcel occupies most of El Capitan Island, which is strategically located in the protected waters of Sea Otter Sound. A small island, situated to the west, is also included in this parcel. Tract includes land suitable for commercial recreation and residential development. A particularly suitable site for commercial recreation development occurs in a sheltered bay on the south end of the island. Good anchorages exist. *Settlement/Commercial*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
NS.EX.1002	Excursion Inlet	477	This parcel, which consists of four separate parts, is situated north and east of the current subdivisions in Excursion Inlet. Access is provided by water, local roads, and an old Forest Service road. Topography varies from generally flat to moderately sloped. Vegetation consists of hemlock and spruce on the better drained soils and by wetlands in the wetter areas; portions of the parcel may be de-vegetated. Considered suitable for remote settlement. This parcel is the last holding of state land in Excursion Inlet. *Settlement and General Use*.
SD.1001	Favor Peak	1,290	This parcel is located on the southeastern tip of Mitkof Island, from Banana Point to Dry Strait. It is served by a well established road system (Forest Service Road 7). Several areas of commercial forest were harvested in the early 1970s and are dispersed throughout the unit. Areas of the parcel that adjoin the coast may be suitable for settlement. Areas north of the road are fairly steep, and contain areas of hemlock and spruce. *General Use*.
HA.CH.1001	Haines - Chilkoot *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	60	This parcel actually consists of four small individual tracts, all of which are situated south of the community of Haines. All adjoin existing residential areas and are accessed by road. *Settlement.*
CR.1001	Harris Road Junction	320	Parcel consists of fairly flat, vegetated terrain consisting of hemlock and spruce. It is situated along the main island road west of the community of Hollis, at its intersection with the Harris River. In selection status. Potential exists for residential development. *Settlement/Commercial*.
PW.HO.1001	Hollis	622	Parcel is situated in the community of Hollis, on POW Island. Parcel consists of three separate parts, two of which have direct road access (Klawock-Hollis highway) and adjoin areas of existing development. Land is suitable for residential development and, in some locations, commercial use. Previous state subdivsions occur throughout the Hollis. *Settlement*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
PW.HK.1001	Hook Arm	1,280	Parcel is situated on the west side of Dall Island, southwest of POW Island. This parcel has a good anchorage, high fish and game values, offshore commercial fishing activities, and resource development activities planned nearby. Tract may be suited for remote residential development or commercial use. In selection status. *General Use*.
MF.1002	Idaho Inlet *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	539	This parcel is situated on the east side of the Idaho Inlet, southeast of Elfin Cove. It has gentle to moderately sloping terrain near the coast and steeper terrain further inland. Parcel is heavily vegetated by spruce and western Hemlock, with scattered wetlands. A secure anchorage provides protection from northerly winds. This tract is considered a strategic site, allowing access to hearby active fishing and transportation waters. Considered appropriate for commercial recreation, general commercial, or remote residential. *General Use*.
JU.NL.1001	Ivanhoe	120	This parcel is comprised of patented mining claims in a known mineralized area north of Juneau. *Mineral and Habitat*
CS.KI.1001	Kelp Island *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	535	Kelp Island adjoins Duke Island and of the two locations, the best anchorage is situated here. It occupies a strategic location near a major navigation route. It would have the same type of commercial marine services and ancillary residential uses as Duke Island. In selection status. *General Use*.
CS.LE.1001	Leask Cove	460	Situated in upper George Inlet, north of Ketchikan, this parcel occupies relatively flat coastal areas, much of which has been previously harvested, and which has some potential for remote settlement. Most of the commercial forested area outside of the existing subdivision is in rotation. The cove provides a good anchorage. There are several previous state subdivisions nearby. *Settlement and General Use*.

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
JU.LM.1001	Lena Creek	610	This parcel is located near Lena Creek, north of downtown Juneau. This parcel excludes an approved municipal conveyance of approximately 100 acres to the CBJ. The exact location of this CBJ tract must still be surveyed, so the area conveyed to the UA is somewhat uncertain at this time. The parcel map indicates the general location. *Transportation, Settlement, Public Recreation--Dispersed.*
ST.LS.1001	Lisianski Peninsula	1,443	This parcel occupies the remaining areas of state land on the Lisianski Peninsula, situated directly north of Sitka. Portions of the parcel are relatively flat, although the central and southern parts are quite steep. Within areas along the coast and in some inland areas, hemlock and spruce forests predominate; other areas are occupied by scattered wetlands. Water access is available from Cedar Cove; a forest service road accesses the central portions of the parcel. Adjacent land to the north is part of the Tongass National Forest; MH Trust lands are situated to the east. Considered appropriate for remote residential. May have some limited commercial timber potential; some areas of previous harvest exist. *General Use*.
JU.1002	Lynn Canal	1,358	This parcel occupies a fairly flat area on the west side of Lynn Canal, north of Juneau, that is heavily vegetated with a mixture of wetlands in poorly drained areas and Western Hemlock and Sitka Spruce in drier, better drained sites. It is bounded on the west by the Tongass National Forest. The parcel is easily visible from the marine highway route in Lynn Canal, and is considered suitable for commercial recreation or settlement. *Public Facilities-Transfer, Public Recreation and Tourism-Undeveloped*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
ST.1001	Middle Island	665	This parcel includes the remaining state lands on Middle Island that are not part of the previous state subdivision (ASLS 87-129) or conveyed to the City/Borough of Sitka or the Mental Health Trust Authority. Middle Island is situated west of Sitka. The parcel occupies the central part of Middle Island, although portions front the water on the northwest and south. Except for areas near the coast on the south and northwest, which are considered suitable for settlement, the remainder of the parcel contains steep terrain. Forested wetlands cover most of the less severe terrain, while western Hemlock and Sitka Spruce cover the remainder. *Settlement, General Use*.
PA.1002	Mite Cove	320	This parcel occupies nearly 200 acres at the northeastern tip of Yakobi Island, at the end of Lisianski Inlet where the Inlet enters Icy Strait. Pelican is the nearest community. Mite Cove is a regionally significant anchorage that is used by both recreational and commercial boaters. It is vegetated with Western Hemlock and Sitka Spruce, and is characterized by steeply sloping terrain throughout most of its eastern and southern parts. Areas along the coast in the northern part of the parcel and near/adjacent to Mite Cove are relatively flat. Considered appropriate for remote residential or commercial recreation marine services. *Public Recreation and Tourism-Undeveloped*.
PW.MS.1001	Moira Sound/Nowiskay Cove	160	This small parcel occupies patented federal mining claims. It may be suitable for a variety of uses, including timber harvest and settlement. It is situated on Sound on POW Island. *General Use*.
CS.MB.1001	Moser Bay	906	Parcel is steep in eastern section but the western portion, adjacent to the coast, can accommodate settlement. Other residential use occurs nearby. Access is by water and it is relatively close to Ketchikan. Contains areas of commercial timber that may be suitable for selective logging. *Settlement*.
PW.NA.1001	Naukati Sound	937	Situated in the community of Naukati on POW Island, parcel occupies areas of generally flat land considered good for settlement. Development would be infill around current residential uses or adjacent to current road system. Road and water access. State land disposal is scheduled in Naukati. *Settlement and General Use*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
KT.1004	Neets Creek *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	1,500	Located at the head of Neets Bay northwest of Ketchikan, this parcel generally consists of a fairly flat area adjacent to the coast, two lakes, and the floodplain of Neets Creek. The valley walls are covered by a mixture of hemlock and spruce forests. The parcel may be accessed by either water or air, although previous logging roads are scattered throughout the parcel. A portion of the tract is used by a regional aquaculture association. Contains both previously harvest and available commercial timber (1,800 acres total). Considered appropriate for remote residential use; may have some commercial timber value. *General Use*.
CS.OV.1001	Olive Cove	450	Parcel occupies flat coastal plain vegetated by hemlock and spruce forest good for settlement. Adjoins an existing subdivision. Situated southwest of Wrangell on Zimovia Island. Direct water access to Zimovia Strait. *General Use.*
ST.1002	Pelican *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	851	This parcel occupies almost all of the remaining state land in and around the community of Pelican, on Lisianski Inlet. Portions of this parcel are relatively flat to moderately sloping near the coast or coastal valleys, but are steeply sloped in most of the remaining areas. There are two distinct parts of the parcel; the first part occupies areas north of this community, some of which are accessed by road. The other part is situated south of the community proper and access is only by water. Both parts adjoin Lisianski Inlet and are heavily vegetated with hemlock and spruce. A previous state subdivision, ASLS 80-183, is situated immediately to the south. *Public Recreation - Dispersed, Settlement*.

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
PA.1001	Port Alexander *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	267	This parcel contains some of the last remaining state land in and adjacent to the community of Port Alexander, situated at the southern tip of Baranof Island. Two parts adjoin the community to the west and east, while a third occupies an area southwest of the community. It consists of flat to moderately sloping terrain and is heavily vegetated by spruce and hemlock, with scattered wetland areas. Access is primarily limited to trails to the western and eastern parts, while the southern has good water access. Several small off shore islands are included in this parcel. *General Use. Some areas of Public Recreation -- Dispersed.*
PA.1001	Port Conclusion (See Port Alexander map)	10	This parcel occupies an area near the end of Port Conclusion, which is situated to the west of the community of Port Alexander. Except for an area near the coast, the parcel is steep and heavily vegetated with western Hemlock, Sitka Spruce, and by areas of forested palustrine wetlands. Considered suitable for remote settlement. *General Use*.
PW.PD.1001	Port Delores	1,100	Port Delores is a protected anchorage with potential for commercial recreation and remote settlement. Some commercial timber exists in the interior of the parcel which may be accessed via Forest Service roads. *Settlement*.
SD.1001	Read Island	706	Situated south of Cape Fanshaw, parcel consists of Read Island and two smaller islands. These occupy the entrance to Farragut Bay, an important commercial tour destination. Read Island is fairly flat, and except for a few small knobs that support dry uplands, the entire island is covered by wetlands. *Public Recreation and Tourism-Undeveloped*.
CS.RB.1001	Rowan Bay	665	Parcel occupies flat and gently rolling coastal plain adjoining Rowan Bay, on the west side of Kuiu Island. Considered good for timber harvest and remote settlement. There have been previous timber harvests. Direct water and road access. *General Use.*
SD.1001	Sumdum	5	This small parcel occupies the head of Sanford Cove, and lies adjacent to a popular cruise ship, charter and recreational boat travel corridor to Endicott Arm. Considered a regionally significant recreational site. *Public Recreation -- Dispersed.*

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
ST.1003	Tenakee Springs	346	This parcel consists of three distinct parts and constitutes the last remaining developable state land in Tenakee Springs. The first is situated at the end of the main area of community development near the ADOT/PF boat harbor. It abuts the harbor and is used for marine and other types of storage, and is fairly level and heavily vegetated. The second consists of a heavily vegetated, generally flat area that extends further east to Indian River and an old LTF. The third consists of an interior part within sections 15 and 22 situated eastward and upslope of the community, and a part within section 23 that stretches along the coast. This area, which is generally level and heavily vegetated, could be used for commercial and industrial development. *Public Facilities-Retain, Settlement-Commercial*.
SD.1001	Thoms Place	2,360	Situated south of the community of Wrangell, this parcel consists of fairly level to moderately sloping land situated to the west of the Thoms Place community. It is vegetated by hemlock and spruce forest. The unit adjoins Zimovia Strait, which is used as a route of the Alaska Marine Highway. A previous state subdivision and the Thoms Place State Marine Park exist to the south. Considered suitable for settlement. *Settlement, General Use*.
PW.TH.1001	Thorne Bay	2,557	Parcel consists of three separate tracts, two of which have direct road access and are near the community of Thorne Bay. These are considered good for commercial/industrial development. The other adjoins an existing subdivision and has direct road access. *Settlement/Commercial*.
CS.TL.1001	Three Lake Road	640	Situated south of Petersburg, this parcel is near popular fishing streams and adjoins Three Lake Road. Portions of this parcel are previously harvested and are heavily vegetated. It has commercial as well as residential potential. *General Use.*
CS.WA.1001	Ward Cove	3	Small parcel adjoining Tongass Highway north of Ketchikan. This OSL parcel is believed to be part of an old cannery. *Settlement/Commercial.*

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
ST.1002	Warm Springs Bay *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	267	This parcel consists of the remaining state land in the southern part of the Warm Springs community, a popular recreation area for the Sitka community. Area is generally flat and is covered by a mixture of forested wetlands and spruce/hemlock coastal rainforest in the drier parts. Considered suitable for commercial recreation or remote settlement. Previous state subdivision exists on the north side of Warm Springs Bay. *Public Recreation -- Dispersed*.
SD.1001	Whitney Island	316	This unit occupies the generally level southern end of Whitney Island, which is situated immediately west of Cape Fanshaw, an important commercial and recreational anchorage. Most of the island is covered by wetlands except for areas adjacent to the coast covered by spruce and hemlock forest where this parcel is situated. *Public Recreation and Tourism-Undeveloped*.
JU.1001	William Henry Bay	321	Parcel is situated on the west side of Lynn Canal, northwest of Juneau. It occupies the drainage of William Henry Creek in the northwestern part of William Henry Bay. Hemlock and spruce are the dominant vegetation. Areas adjoining the coast at the mouth of the creek are somewhat flat, but are steeper inland. Considered to have commercial recreation or remote settlement potential. *General Use*.
	2010 Revised Southeast Region Subtotal	34,643	

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
Educational Properties			
JU.AU.1002	Auke Weir	6	Situated close to the UAJ campus along Auke Creek in Juneau, an anadromous fish stream, the parcel includes a fish weir and is suitable for academic and research projects of the UAJ. Includes existing UAJ facilities. *Public Recreation/Habitat*.
LG.PC.01	Caribou-Poker Creeks Drainage	24,250	Situated north of Fairbanks, parcel is currently used and administered by University for hydrologic and water quality research. Occupies portion of the current research watershed used by UA. *Watershed.*
MA.XS.1001	Delta Ag & Forestry Exp. Station	363	Parcel is currently patented to the UA (No. 15524) with restrictions on use to forestry an agricultural research, and contains a reverter. University wants to acquire unrestricted title to allow other uses. *Agriculture and Settlement.*
N2.FA.1004	Fairbanks Parking Garage (includes Court House conveyance) *COURTHOUSE CONVEYED UNDER OTHER AUTHORITY*	1	Parcel is already conveyed. UAF agreed to "count" the acreage should there be a State Land Grant. Parcel was acquired by DOT/PF with federal funds. Provides addition to the University campus. *Not classified.*
NZ.FA.1004	Key Bank Site (See Fairbanks Area Parcels map) *CONVEYED UNDER OTHER AUTHORITY*	1	This parcel adds land to UAF from an area of excess highway right-of-way. It was acquired by DOT/PF with federal funds; the University may be required to reimburse ADOT/PF, to compensate for the loss of federal highway funds. *Not classified.*
MA.KR.1001	Kodiak Rocket Range *DELETED FROM 2005 LAND LIST BY LEGISLATURE*	2,880	This parcel occupies an area on southern Kodiak Island that includes the Kodiak Launch Complex. Portions of the parcel are used for grazing. Conveyance would be subject to the current Inter-agency Land Management Agreement for the Rocket Launch Facility and the grazing lease. Current access and public use areas are retained, including access to Fossil Beach. *Grazing, General Use*.
MA.PF.1002	Poker Flat (Special Use Area)	6,680	This is a large area under permit that the University has reserved for a buffer for its Poker Flat research activities. *Resource Management, Forestry, Mining, Public Recreation, Wildlife Habitat*.
MA.PF.1001	Poker Flat Lease	533	This area is under lease (ADL 414207) from the state and contains university-owned facilities. *Forestry, Mining, Public Recreation*.

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Parcel #	Name	Approx. Area in Acres	Description/*Plan Designation*
MA.SF.1001	Silver Fox Mine	120	This proposal is adjacent to patented federal claims which the University owns in fee. Now used for UAF mining program. *Settlement.*
ST.1001	Sitka Campus	6	Parcel contains the Sitka campus. Management authority would be transferred from the Department of Education to the University. *Public Facilities.*
TV.RF.1001	Tok Research Forest	4,015	Parcel is to be used for forestry research by UAF. *Forestry.*
TV.TV.1001	University Research Forest *CONVEYED UNDER HB 130*	51,820	This parcel contains portions of the Tanana Valley State Forest as well as other state land classified Forestry and Settlement. Parcel is to be rtetained and managed by DNR for the next fifty years after which it will be conveyed to the University. Parcel would also be used for forestry research by UAF. DNR would continue to manage the other uses that occur within this area, including timber harvest and public recreation. Public access is to be maintained. *Forestry and Settlement.*
	2010 Revised Educational Properties Subtotal	35,973	
2010 REVISED TOTAL		**199,838**	

HISTORICAL INFORMATION

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

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January 14, 2005

Dear Interested Alaskan:

The Governor is announcing new legislation that would transfer 260,000 acres of state land managed by the Department of Natural Resources to the University of Alaska. I am pleased to provide this list of lands for this transfer. The transfer will fulfill the intent of Senate Bill 7 passed by the 2000 Alaska Legislature as Chapter 136 SLA 2000. It will do so in a manner that is quicker, less expensive, and provides more valuable lands to the university than the process envisioned by SB 7.

Background — Senate Bill 7. In 2000, the Alaska Legislature passed SB 7, which provided a 10-year process during which the University of Alaska would select up to 260,000 acres of state-owned land to be conveyed to the university for the primary purpose of generating revenue for the university. Specifically, the bill provided that:

- "most land grant colleges in the western United States have obtained a larger land grant from the federal government than the University of Alaska has received;
- an academically strong and financially secure state university system is a cornerstone to the long-term development of a stable population and to a healthy, diverse economy in the state;
- it is in the best interests of the state and the University of Alaska that the university take ownership of a significant substantial portfolio of income producing land in order to provide income for the support of public higher education in the state;"

SB 7 had a 10-year fiscal note and forecast the need for approximately $1.7 million each year to complete the selection, decision, and transfer process.

Unfortunately, implementing the bill proved difficult, expensive, time-consuming, and subject to litigation. To date, no lands have been conveyed to the University of Alaska to implement the law. In addition, uncertainty over what state land the university may or may not select creates a disincentive for investment and development, and the 10-year conveyance process had the potential to discourage the development and use of state land.

Land List and Accompanying Legislation. Over the course of the past several years, the University of Alaska and the Department of Natural Resources (DNR) have worked to reach agreement on lands proposed for transfer to the university to fulfill the intent of SB 7. These lands include some that were not selectable under SB 7. However, the proposal includes a portfolio of lands that should produce income for the university both in the near-term and long-term, and will provide more income than was available to the university under the provisions of SB 7. The new

legislation requested by the Governor eliminates the lengthy selection process required under SB 7 and directs DNR to convey these specific lands to fulfill the 260,000-acre intent of SB 7.

This new legislation provides a single decision for determining what lands will be transferred to the University of Alaska, rather than a protracted 10-year decision process. This is a quicker and significantly less expensive process. It also eliminates the potential disincentive to development because once the legislation passes, the eventual land manager is immediately clear.

Summary of the Lands to be Transferred to the University of Alaska. The lands proposed to be conveyed to the university are summarized below:

Type of Property	No. of Parcels	Approximate Acreage
Investment Properties, Southeast Alaska	44	40,102
Investment Property, Other than Southeast	14	39,222
Nenana Basin Oil and Gas	1	90,000
Educational Properties	12	90,676
Total:	**71**	**260,000**

In developing a list of investment properties to be transferred, DNR and the University of Alaska focused primarily on lands that had been designated settlement, general use, or general public recreation in DNR Area Plans. The list does not include any lands designated for timber harvest in Southeast Alaska because conveying these to the university would decrease DNR's allowable cut there. Nor does it include lands tentatively scheduled for sale by DNR within the next five years, as conveying these would leave DNR unable to meet near-term land sale goals. The list does not include lands on which municipal selection applications have been filed. The list does not include any producing oil and gas or mineral properties, nor legislatively designated State Game Refuges, Critical Habitat Areas, Parks, or Public Use Areas.

The 44 parcels in southeast are expected to have the greatest near-term income potential. Because of the limited state land in southeast, these tracts are comparatively small and are distributed throughout southeast Alaska.

The remaining investment properties, distributed throughout the state, include some lands suited for commercial or industrial development, but the majority is suited for residential or recreational development.

The Nenana Basin Oil and Gas property is a single 90,000-acre tract within the Nenana Basin. It is located west of the Nenana River generally across the river from the City of Nenana. DNR and the University believe the tract has significant potential for gas development, and the area is part of the Oil and Gas License owned by Andex Corporation. The tract would be transferred to the University of Alaska subject to the Andex license.

The 12 educational properties are intended to strengthen the University of Alaska's education and research programs. Most are located in the Fairbanks area. The largest is a 51,820-acre tract southwest of Fairbanks within the Tanana Valley State Forest. This area, which includes the Bonanza Creek Experimental Forest, would become the University Research Forest. It will be one of the largest university-related forests in the country and will be an important asset to the university for forestry and related research. For at least the next 50 years, DNR would continue to manage the

public uses in this area, such as recreation, and would continue to use the area for commercial timber sales, consistent with the needs of the University Research Forest.

Land Transfer Process. Under the proposed legislation, DNR will convey the lands to the University of Alaska within three years of the bill's passage. During those three years, DNR will complete the required title search, and will reserve appropriate public access easements, navigable waters, etc. Actual authority for management will change on the date the deeds are recorded.

Conveying these lands will accomplish the goals of SB 7 in a manner that is faster and less expensive than the 10-year process previously envisioned. I am pleased to recommend this portfolio of lands for transfer to the University of Alaska. I believe that these lands will provide the university with significant value and future revenue to help fund public education. The transfer helps fulfill the promise of a land grant University.

Sincerely,

Tom Irwin
Commissioner

01/12/05

University of Alaska
Land Grant List 2005

Parcel #	Name		Approx. Area in Acres
Non-producing Oil and Gas Resources			
	Nenana Gas Basin Tracts - Mineral	*	90,000
	Nenana Gas Basin Tracts - Land **	*	90,000
	Oil and Gas Resources, Subtotal		**90,000**
Investment Properties			
Northern/ Interior Region			
DH.IS.1001	Dalton Highway MP 48 to 54		1,360
DH.SR.1001	Dalton Highway MP 345 to 347		880
MA.HR.1001	Haul Road Nodes-Coldfoot		1,700
M1.JC.1001	Jarvis Creek (Mineral)		16,000
FA.JC.1001	Jennie M. Creek C		5
N1.LS.1001	Lake Snohomish		740
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)		7
N5.RS.1001	Summit Lake (Parks Highway)		960
N1.WT.1001	West Twin Lake		1,560
N5.WL.1001	Wien Lake		1,780
	Northern Interior Region Subtotal		24,992
Southcentral Region			
SU.DC.1001	Deception Creek		280
SU.FP.1001	Frying Pan Lake		450
MA.MC.1001	McCarthy-Nizina		12,500
SU.WC.1001	Willow Creek Road		1,000
	Southcentral Region Subtotal		14,230
	Investment Properties Total		**39,222**

* The mapped extent of the parcel exceeds this amount, but will be reconfigured when the Remote Staking for Teklanika II has been completed to equal approximately 90,000 acres.

** The University will provide, at no charge to the state, reasonable access to the state land and resources west and north of the Nenana parcel.

University of Alaska
Land Grant List 2005

Parcel #	Name	Approx. Area in Acres
Southeast Alaska		
SD.1001	Beecher Pass	1,193
PA.1002	Biorka Island	438
KT.1002	Cleveland Peninsula	4,055
PW.CC.1001	Coffman Cove	1,984
CS.DI.1001	Duke Island	1,440
CS.EW.1001	Earl West Cove	3,564
PW.ED.1001	Edna Bay	250
PW.EC.1001	El Capitan North	1,847
PW.ES.1005	El Capitan South	865
NS.EX.1002	Excursion Inlet	477
SD.1001	Favor Peak	1,290
HA.CH.1001	Haines - Chilkoot	60
CR.1001	Harris Road Junction	320
PW.HO.1001	Hollis	622
PW.HK.1001	Hook Arm	1,280
MF.1002	Idaho Inlet	539
JU.NL.1001	Ivanhoe	120
CS.KI.1001	Kelp Island	535
CS.LE.1001	Leask Cove	460
JU.LM.1001	Lena Creek	610
NS.NS.1001	Lisianski Peninsula	1,443
JU.1002	Lynn Canal	1,358
NS.MI.1001	Middle Island	665
PA.1002	Mite Cove	320
PW.MS.1001	Moira Sound/Nowiskay Cove	160
CS.MB.1001	Moser Bay	906
PW.NA.1001	Naukati Sound	937
KT.1004	Neets Creek	1,500
CS.OV.1001	Olive Cove	450
ST.1002	Pelican	851
PA.1001	Port Alexander	267
PA.1001	Port Conclusion (See Port Alexander map)	10
PW.PD.1001	Port Delores	1,100
SD.1001	Read Island	706
CS.RB.1001	Rowan Bay	665
SD.1001	Sumdum	5
ST.1003	Tenakee Springs	346
SD.1001	Thoms Place	2,360
PW.TH.1001	Thorne Bay	2,557
CS.TL.1001	Three Lake Road	640
CS.WA.1001	Ward Cove	3

University of Alaska
Land Grant List 2005

Parcel #	Name	Approx. Area in Acres
ST.1002	Warm Springs Bay	267
SD.1001	Whitney Island	316
JU.1001	William Henry Bay	321
	Southeast Region Subtotal	**40,102**
Educational Properties		
JU.AU.1002	Auke Weir	6
LG.PC.01	Caribou-Poker Creeks Drainage	24,250
MA.XS.1001	Delta Ag & Forestry Exp. Station	363
N2.FA.1004	Fairbanks Parking Garage (includes Court House conveyance)	2
NZ.FA.1004	Key Bank Site (See Fairbanks Area Parcels map)	1
MA.KR.1001	Kodiak Rocket Range	2,880
MA.PF.1002	Poker Flat (Special Use Area)	6,680
MA.PF.1001	Poker Flat Lease	533
MA.SF.1001	Silver Fox Mine	120
ST.1001	Sitka Campus	6
TV.RF.1001	Tok Research Forest	4,015
TV.TV.1001	University Research Forest	51,820
	Educational Properties Subtotal	**90,676**
TOTAL		**260,000**

HB

297

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 31, 2010

SUBJECT: Sectional Summary for CSHB 297(EDC)
(Work Order No. 26-GH2771/P)

TO: Representative Paul Seaton
Chair of the House Education Committee
Attn: Louie Flora

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described amendment.

As a preliminary matter, note that a sectional summary should not be considered an authoritative interpretation and the bill itself is the best statement of its contents. If you would like an interpretation of the amendment as it may apply to a particular set of circumstances, please advise.

Section 1. Requires school districts to determine eligibility of student for a merit-based scholarship award and include that determination in the student's permanent record.

Section 2. Amends the list of duties required of the Department of Education to include administering the governor's scholarship program.

Section 3. Authorizes the Alaska Commission on Postsecondary Education to carry out the purposes of the governor's scholarship program.

Section 4. Establishes the governor's scholarship program for Alaska high school graduates who meet specified academic qualifications and who attend a qualified postsecondary institution in the state. Provides for three levels of scholarship awards for academic and one level for career scholarships, all of which are based on a general range of academic merit demonstrated through gpa, test scores, and course selection. Requires registration with the United States military, the absence of defaults on other student aid, and no felony convictions. Requires the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education to carry out specified duties under the program and to provide an annual report to the legislature by those and other departments and the University of Alaska.

Includes (1) goals related to rigorous curriculum in high school and increasing participation in postsecondary institutions by students in the state among others; (2) a two year limit on extensions of six-year eligibility period for students in the military; (3) specified gpa requirements for various levels of awards; (4) virtual curriculum to satisfy curriculum requirements; and (5) an unmet need scholarship supplement to pay for a percentage of allowable costs of attendance for eligible students.

Section 5. Provides for eligibility for private school students if the school complies with specified statutory requirements.

Section 6. Authorizes the Department of Labor and Workforce Development to administer duties under the governor's scholarship program.

Section 7. Adds contracts for the governor's scholarship program by the Alaska Commission on Postsecondary Education and the Student Loan Corporation to the list of exceptions to the procurement code.

Section 8. Establishes a scholarship fund to be managed by the commissioner of revenue. Provides that a specified portion of the fund is to be identified as available for annual appropriation to scholarships provided for in the bill.

Section 9. Provides for transitional eligibility of current high school juniors without completing all curriculum requirements and for those who graduated after June 30, 2010, and before July 1, 2011. Provides an exception for one year of mathematics and science from the eligibility requirements in the bill for current high school students.

Section 10. Authorizes the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education to adopt regulations to implement the program established in the bill.

Section 11. Provides for an immediate effective date for the regulation provision above.

Section 12. Provides a September 1, 2010, effective date except as provided by the immediate effective date.

JMM:ljw
10-227.ljw

LEGAL SERVICES

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MEMORANDUM March 31, 2010

SUBJECT: Sectional and Comparison (CSHB 297(EDC)(Work Order No. 26-GH 2771/P) and HB 297 (Work Order No. 26-GH 2771\A))

TO: Representative Paul Seaton
Chair, House Education Committee
Attn: Louie Flora

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described amendment.

As a preliminary matter, note that a sectional summary should not be considered an authoritative interpretation and the bill itself is the best statement of its contents. If you would like an interpretation of the amendment as it may apply to a particular set of circumstances, please advise.

Please note that when the two versions have the same section numbers for the same statutory references, the differences, if any, will be described in the body of the summarized section. Otherwise, the first section number will be listed for the "P" version and the second for the "A" version.

Section 1. Requires school districts to determine eligibility of student for a scholarship award and include that determination in the student's permanent record. The "P" version specifies that the determination is made in relation to a merit based award only and not an unmet needs based supplement award.

Section 2. Amends the list of duties required of the Department of Education to include administering the governor's scholarship program.

Section 3. Authorizes the Alaska Commission on Postsecondary Education to carry out the purposes of the governor's scholarship program.

Section 4. Establishes the governor's scholarship program for Alaska high school graduates who meet specified academic qualifications and who attend a qualified postsecondary institution in the state. Version A provides for three levels of scholarship awards for academic and one level for career scholarships, all of which are based on a general range of academic merit demonstrated through gpa, test scores, and course selection. Both versions require registration with the United States military, the absence of defaults on other student aid and no felony convictions. Requires the Department of

Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education to carry out specified duties under the program and to provide an annual report to the legislature by those and other departments and the University of Alaska.

Version P adds (1) goals related to rigorous curriculum in high school and increasing participation in postsecondary institutions by students in the state; (2) a two year limit on extensions of six year eligibility period for students in the military; (3) specified gpa requirements for various levels of awards; (4) virtual curriculum to satisfy curriculum requirements; and (5) an unmet need scholarship supplement to pay for a percentage of allowable costs of attendance for eligible students.

Section 5. Provides for eligibility for private school students if the school complies with specified statutory requirements.

Section 6. Authorizes the Department of Labor and Workforce Development to administer duties under the governor's scholarship program.

Section 7, version "P" only. Adds contracts for the governor's scholarship program by the Alaska Commission on Postsecondary Education and the Student Loan Corporation to the list of exceptions to the procurement code.

Section 8, version "P" and Section 7, version "A". Establishes a scholarship fund to be managed by the commissioner of revenue. Provides that a specified portion of the fund is to be identified as available for annual appropriation to scholarships provided for in the bill.

Section 9, version "P" and Section 8, version "A" . Provides for transitional eligibility of current high school juniors without completing all curriculum requirements and for those who graduated after June 30 2010 and before July 1 2011. Version "P" provides an exception for one year of mathematics and science from the eligibility requirements in the bill for current high school students.

Section 10, version "P" and section 9, version "A". Authorizes the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education to adopt regulations to implement the program established in the bill.

Section 11, version "P" and section 10, version "A". Provides for an immediate effective date for the regulation provision above.

Section 12, version "P" and section 11, version "A". Provides a September 1, 2010, effective date except as provided by the immediate effective date.

JMM:ljw
10-025.lmb

26-GH2771\~~A~~P

Mischel
3/12/10

CS FOR HOUSE BILL NO. 297(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE ~~RULES~~EDUCATION COMMITTEE ~~BY REQUEST OF THE GOVERNOR~~

~~Introduced: 1/19/10~~
Offered:
Referred: ~~Education, Finance~~

Sponsor(s): THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a merit-based governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall ~~include~~state in ~~a~~ the student's permanent record the highest ~~tier~~level of funding for which the student is eligible. A district shall provide a student with an opportunity to request that

the district correct ~~any errors~~an error in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by ~~adding a new~~ regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will assure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;

(9) exercise general supervision over elementary and secondary

correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any Alaskan through a centralized office a correspondence study program;

(10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph ~~to read:~~authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent

increases in student proficiency on standards-based assessments in math, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

(C) a process for districts to petition the department for continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15);

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the

commission by this chapter, AS-_14.43, AS-_14.44, or AS-_14.48, except its power to adopt regulations and its duty to consider appeals under AS-_14.43.100(b) and AS _14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsccondary education or other individuals or organizations to make studies, conduct surveys, submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS-_14.43.091 - 14.43.750, 14.43.990, and AS-_14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

*** Sec. 4.** AS-_14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship Program.

Sec. 14.43.810. Governor's performance scholarship program established; Alaska residency. (a) The governor's performance scholarship program is established for the purpose of ensuring that a rigorous curriculum is available in all high schools in the state and to provide ~~scholarship opportunities for Alaska resident~~scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship ~~and~~, a merit-based career and technical school scholarship~~.~~, and an unmet financial need scholarship supplement. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The ~~Department of Education and Early Development~~department shall

design the programmatic standards for the scholarships and appeals of adverse decisions. ~~The Alaska Commission on Postsecondary Education~~ The commission shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non-loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS-44.62 after consultation with each other. The department may change the regulations under AS-44.62 ~~for requirements for~~relating to the programmatic standards for required academic achievement for eligibility only by giving ~~advanced~~advance public notice at least one school year before the effective date of the change.

(c) For purposes of ~~this~~the program, a student is an Alaska resident if the student meets the ~~eligibility~~requirements for establishing residency ~~as described in~~under AS-01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in ~~grades~~ kindergarten through grade 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities~~.~~;

(9) providing a rigorous curriculum in all high schools in the state;

(10) increasing participation of Alaska high school students in Alaska

postsecondary institutions.

Sec. 14.43.815. Qualifications of applicants. (a) A student may ~~submit an application~~apply for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate ~~no~~not later than six months after the date of the application, from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate ~~no~~not later than six months after the date of the application, from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include ~~an Alaska resident~~ a circumstance in which a high school student ~~having~~who is an Alaska resident has attended high school in the state and has left the state because of the military service of the student's ~~Alaska resident~~ custodial parent who is an Alaska resident;

(3) will receive and ~~utilize~~use, while an Alaska resident, the scholarship at a qualified postsecondary institution in the state ~~no~~not later than six years after the beginning of the first school year after a student's graduation from high school, unless the ~~applicant~~student qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time ~~must~~may include ~~time while~~not more than two additional years if the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship if the ~~person~~student

(1) has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements ~~were applicable~~apply to the student;

(2) is currently in default or owes a refund on a federal financial aid

loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade ~~point~~ average that the student must have achieved in high school to be eligible for each of the three ~~tiers~~award levels of academic scholarship under AS 14.43.827; for the first award level, a student must have an A average; for the second award level, a student must have a B average; and for the third award level a student must have a C plus average; the grade-point average for an A average is 3.5 or higher, for a B average, less than 3.5 but not less than 3.0, and for a C plus average, less than 3.0 but not less than 2.5; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score on a college entrance examination that the student must have achieved to be eligible for each of the three ~~tiers~~award levels of academic scholarship~~;~~ under AS 14.43.827;

(4) a process by which a student who meets the grade standards in (2) of this subsection for a particular award level, but does not meet the minimum scores established under (3) of this subsection for that level, may apply for a lower

scholarship award level;

(5) enrollment in a course of study at a qualified ~~university or college in this state~~postsecondary institution as described in AS 14.43.835 that is intended to result in the award of a certificate or degree;

(~~5~~6) a process through which a student who is no longer eligible can regain eligibility;

(~~6~~7) a process through which a home-schooled or private-schooled student may submit evidence to the qualified ~~university or college~~postsecondary institution that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to ~~a student~~an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade ~~point~~ average that the student must have achieved in high school; the minimum is C plus average; the C plus average requirement is a grade-point average of 2.5 or higher; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's

level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section, and the programmatic standards established under AS 14.43.820(b), the maximum awards and allowable uses for the ~~program~~merit-based programs are as follows:

(1) for the merit-based academic scholarship, the following three ~~tiers~~levels of scholarship financing ~~awards; the highest tier of~~ award ~~per~~ for a semester ~~must be~~:

(A) the first award level is an amount that is equal to the cost of approved tuition at the University of Alaska in school year 2010 ~~through~~ 2011 ~~for a student taking 15 credits,~~ and ~~require~~requires an A grade average and a very high ~~academic achievement;~~minimum score on a college entrance examination;

(B) the second ~~tier must be~~award level is an amount that is equal to 75 percent of the ~~highest tier and require~~first award level and requires a B grade average and a high ~~academic achievement;~~minimum score on a college entrance examination;

(C) the third ~~tier must be~~award level is an amount that is equal to 50 percent of the ~~highest tier and require moderate academic achievement;~~ first award level and requires a C plus grade average and a moderately high minimum score on a college entrance examination;

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 ~~per~~a school year;

(3) subject to (e) of this section, a ~~student's~~student who qualifies for a

merit-based academic ~~achievement must be determined by~~scholarship may apply the ~~student's high~~award to the costs of attending a qualified career and technical school ~~grade point average and score on an examination~~program as described in AS 14.43.~~820(b)(3) and 14.43.825(b)(3~~835(a)(2).

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award ~~on a pro rata basis.~~of 50 percent of the amount of scholarship award for which the student is eligible under (a) of this section.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of time allowed by the department. ~~The department shall recognize the student's military service in making allowances under this subsection.~~

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses~~.~~, or for up to two calendar years of attendance at a qualified career or technical school. A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non-loan financial aid awarded to the student.

Sec. 14.43.828. Eligibility for an unmet need scholarship supplement and maximum awards. (a) Subject to appropriation, the commission shall award an unmet need scholarship supplement to a student who meets the eligibility criteria for the award.

(b) A student is eligible to receive an unmet need scholarship supplement if the student

(1) is eligible for a merit-based academic scholarship or a merit-based career and technical school scholarship; and

(2) can demonstrate, in a year in which the student receives a scholarship, that the student has unmet financial need greater than $2,000.

(c) The maximum amount for an unmet need scholarship supplement is 50 percent of the unmet financial need that exceeds $2,000.

(d) The qualified postsecondary institution attended by the student shall determine unmet financial need by subtracting from the student's allowable standard costs of attendance at the institution all non loan sources of financial support, including an expected family contribution and all federal, state, and private scholarships or grants received by the student.

(e) In this section,

(1) "allowable standard costs of attendance" means

(A) for a student who receives a merit-based academic scholarship, the lesser of the

(i) standard costs of attendance at the University of Alaska, as determined by the commission; or

(ii) actual costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission;

(B) for a student who receives a merit-based career and technical school scholarship, the costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission based on room and board costs that do not exceed the standard room and board costs at the University of Alaska as determined by the commission;

(2) "expected family contribution" means the amount a student or the student's family is expected to pay toward the student's cost of attendance, as determined by use of the most recent federal Free Application for Federal Student Aid.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway ~~for~~to allow students who are not eligible for a scholarship to make up a deficit by

alternative means if the deficit was caused by circumstances ~~that would make it unfair not to allow the student to make up the deficit.~~beyond the student's control. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the ~~fairness to~~effect on students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which ~~fairness requires that~~ a student may be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or is exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program.

The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund to the state the amount of the scholarship awarded in error.

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay

scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the ~~governor's performance scholarship~~ program.

(b) ~~No~~Not more than 10 days after the ~~start~~convening of each ~~year's~~regular legislative session, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the ~~governor's performance scholarship~~ program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) the dollar amount of scholarships awarded in past years and ~~expected~~ the dollar amounts expected to be awarded for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context requires otherwise,

(1) ~~"commission" means the Alaska Commission on Postsecondary Education;~~

~~(2) "commissioner" means the commissioner of education and early development;~~

~~(3) "department" means the Department of Education and Early Development;~~

~~(4)~~ "grade-point average" means the average of all grades on a four-point scale~~, or five point scale for advanced placement classes,~~ obtained by the student in high school;

(~~5~~2) "military service" means active duty in the armed forces of the United States;

(~~6~~3) "program" means the governor's performance scholarship program established under AS 14.43.810 - 14.43.890;

(~~7~~4) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

*** Sec. 5.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [~~and~~AND] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

*** Sec. 6.** AS 23.05.060 is amended to read:

Sec. ~~AS~~ 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons;

(7) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 7.** AS 36.30.850(b) is amended to read:

(b) This chapter applies to every expenditure of state money by the state, acting through an agency, under a contract, except that this chapter does not apply to

(1) grants;

(2) contracts for professional witnesses to provide for professional services or testimony relating to existing or probable lawsuits in which the state is or may become a party;

(3) contracts of the University of Alaska where the work is to be performed substantially by students enrolled in the university;

(4) contracts for medical doctors and dentists;

(5) acquisitions or disposals of real property or interest in real property, except as provided in AS 36.30.080 and 36.30.085;

(6) disposals under AS 38.05;

(7) contracts for the preparation and transportation of ballots under AS 15;

(8) acquisitions or disposals of property and other contracts relating to airports under AS 02.15.070, 02.15.090, 02.15.091, and AS 44.88;

(9) disposals of obsolete property under AS 19.05.060;

(10) disposals of obsolete material or equipment under AS 35.20.060;

(11) agreements with providers of services under AS 47.25.071 - 47.25.095; AS 47.07; AS 47.08; AS 47.10; AS 47.12; AS 47.14; AS 47.17; AS 47.24; and AS 47.27, including contractors under AS 47.27.050;

(12) contracts of the Department of Fish and Game for flights that involve specialized flying and piloting skills and are not point-to-point;

(13) purchases of income-producing assets for the state treasury or a public corporation of the state;

(14) [REPEALED

(15)] a contract that is a delegation, in whole or in part, of investment powers held by

(A) the commissioner of revenue under AS 14.42.200, 14.42.210, AS 18.56.095, AS 37.10.070, 37.10.071, or AS 37.14;

(B) the Board of Regents of the University of Alaska under

AS 14.40.250 - 14.40.491;

(15) [(16)] a contract that is a delegation, in whole or in part, of investment powers or fiduciary duties of

(A) the Board of Trustees of the Alaska Permanent Fund Corporation under AS 37.13;

(B) the Alaska Mental Health Trust Authority under AS 37.14.001 - 37.14.099;

(16) [(17)] the purchase of books, book binding services, newspapers, periodicals, audio-visual materials, network information services access, approval plans, professional memberships, archival materials, objects of art, and items for museum or archival acquisition having cultural, historical, or archaeological significance; in this paragraph

(A) "approval plans" means book selection services in which current book titles meeting an agency's customized specifications are provided to the agency subject to the right of the agency to return those books that do not meet with the agency's approval;

(B) "archival materials" means the noncurrent records of an agency that are preserved after appraisal because of their value;

(C) "audio-visual materials" means nonbook prerecorded materials, including records, tapes, slides, transparencies, films, filmstrips, cassettes, videos, compact discs, laser discs, and items that require the use of equipment to render them usable;

(D) "network information services" means a group of resources from which cataloging information, holdings records, inter-library loans, acquisitions information, and other reference resources can be obtained;

(17) [(18)] contracts for the purchase of standardized examinations for licensure under AS 08;

(18) [(19)] contracts for home health care provided under regulations adopted by the Department of Health and Social Services and for adult residential care services provided under regulations adopted by the Department of Health and Social Services or by the Department of Administration;

(19) [(20)] contracts for supplies or services for research projects funded by money received from the federal government or private grants;

(20) [(21)] guest speakers or performers for an educational or cultural activity;

(21) [(22)] contracts of the Alaska Industrial Development and Export Authority for a clean coal technology demonstration project that

(A) is attempting to develop a coal-fired electric generation project;

(B) uses technology that is capable of commercialization during the 1990's; and

(C) qualifies for federal financial participation under P.L. 99-190 as amended;

(22) [(23)] operation and protection of assets or disposals of equipment and supplies acquired through foreclosure or other legal proceedings relating to loans issued under AS 03.10;

(23) [(24)] purchases of curatorial and conservation services to maintain, preserve, and interpret

(A) objects of art; and

(B) items having cultural, historical, or archaeological significance to the state;

(24) [(25)] acquisition of confidential seismic survey data necessary for pre-sale oil and gas lease or gas only lease analyses under AS 38.05.180;

(25) [(26)] contracts for village public safety officers;

(26) [(27)] purchases of supplies and services to support the operations of the Alaska state troopers or law enforcement officers engaged in fish and wildlife protection if the procurement officer for the Department of Public Safety makes a written determination that publicity of the purchases would jeopardize the safety of personnel or the success of a covert operation;

(27) [(28)] expenditures when rates are set by law or ordinance;

(28) [(29)] construction of new vessels by the Department of Transportation and Public Facilities for the Alaska marine highway system;

(29) [(30)] contracts entered into with a regional development organization; in this paragraph, "regional development organization" has the meaning given in AS 44.33.895;

(30) [(31)] contracts that are to be performed in an area outside of the country and that require a knowledge of the customs, procedures, rules, or laws of the area;

(31) [(32)] contracts that are between the Department of Law and attorneys who are not employed by the state and that are for the review or prosecution of possible violations of the criminal law of the state in situations where the attorney general concludes that an actual or potential conflict of interest makes it inappropriate for the Department of Law to review or prosecute the possible violations;

(32) [(33)] contracts between the Department of Natural Resources and contractors qualified to evaluate hydrocarbon development, production, transportation, and economics, to assist the commissioner of natural resources in evaluating applications for royalty increases or decreases or other royalty adjustments, and evaluating the related financial and technical data, entered into under AS 38.05.180(j);

(33) [(34)] contracts of the Alaska Industrial Development and Export Authority made with the developer of an integrated transportation and port facility owned by the authority;

(34) [(35)] procurements of contracts with the media for advertising;

(35) [(36) REPEALED

(37)] contracts between the state medical examiner and a provider of medical services to perform or assist in performing the duties assigned to the state medical examiner in AS 12.65.020;

(36) [(38)] contracts between the commissioner of revenue and an independent contractor under AS 43.82.240;

(37) [(39)] contracts for a convener under AS 44.62.730 or for a facilitator under AS 44.62.760 related to a negotiated regulation making process under AS 44.62.710 - 44.62.800;

(38) [(40) REPEALED

(41)] a tourism marketing contract awarded under AS 44.33.125;

(39) [(42)] grants and contracts with qualified entities for services under AS 47.18.330 for the foster care transition program;

(40) [(43)] contracts for travel services, including airplane travel, hotel accommodations, and travel agency services, but excluding motor vehicle rentals;

(41) [(44)] contracts of the Alaska Commission on Postsecondary Education or the Alaska Student Loan Corporation for the guarantee and disbursing of financial aid money to institutions of postsecondary education under the financial aid programs under AS 14.43.091 - 14.43.750 and AS 14.44.025;

(42) contracts of the Alaska Commission on Postsecondary Education for the servicing and disbursing of financial aid money to institutions of postsecondary education under the financial aid programs under AS 14.43.810 - 14.43.890;

(43) [(45)] contracts for an arbitration panel to determine whether a project is uneconomic under AS 43.90.240, and contracts for the development of application provisions for licensure and for the evaluation of those applications under AS 43.90;

(44) [(46)] contracts for delivery of home heating assistance under AS 47.25.626;

(45) [(47)] contracts of the Alaska Pension Obligation Bond Corporation under AS 37.16.010 - 37.16.900.

*** Sec. 8.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional contributions that may be made to the fund. The commissioner shall invest the assets

of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall provide reports to the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts ~~that had~~ previously ~~been~~ identified as available for appropriation to the governor's performance scholarship fund income account but ~~that had~~ not ~~been~~ appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

~~* Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to read:~~

* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and

Workforce Development, after consultation with the Alaska Commission on Postsecondary Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. 4 of this Act, so that ~~students~~a student

(1) may be eligible for the program ~~even though they did not fully meet~~if the ~~required core academic curriculum~~ student, for the school years ~~beginning~~between July 1, 2010~~through~~, and June 30, 2013, has completed the core curriculum requirements in language arts and social studies for the scholarship, and three or more years each of mathematics and science; and

(2) who graduated from high school in this state after June 30, 2010, and before July 1, 2011, and ~~meet~~meets eligibility requirements for the program may apply for ~~their scholarships~~a scholarship beginning July 1, 2011.

*** Sec. 9~~10~~.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

*** Sec. 11. ~~10.~~** Section 9~~10~~ of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 12. ~~11.~~** Except as provided in sec. ~~10~~11 of this Act, this Act takes effect September 1, 2010.

26-GH2771\E
Mischel
3/11/10

CS FOR HOUSE BILL NO. 297(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a merit-based governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall state in the student's permanent record the highest level of funding for which the student is eligible. A district shall provide a student with an opportunity to request that the district correct an error in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will assure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;

(9) exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any

Alaskan through a centralized office a correspondence study program;

(10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in math, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

(C) a process for districts to petition the department for

continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15)**;**

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to adopt regulations and its duty to consider appeals under AS 14.43.100(b) and AS 14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsecondary education or other individuals or organizations to make studies, conduct surveys, submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

* **Sec. 4.** AS 14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship Program.

Sec. 14.43.810. Governor's performance scholarship program established; Alaska residency. (a) The governor's performance scholarship program is established for the purpose of ensuring that a rigorous curriculum is available in all high schools in the state and to provide scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship, a merit-based career and technical school scholarship, and an unmet financial need scholarship supplement. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The department shall design the programmatic standards for the scholarships and appeals of adverse decisions. The commission shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply

for other non loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS 44.62 after consultation with each other. The department may change the regulations under AS 44.62 relating to the programmatic standards for required academic achievement for eligibility only by giving advance public notice at least one school year before the effective date of the change.

(c) For purposes of the program, a student is an Alaska resident if the student meets the requirements for establishing residency under AS 01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in kindergarten through grade 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities;

(9) providing a rigorous curriculum in all high schools in the state;

(10) increasing participation of Alaska high school students in Alaska postsecondary institutions.

Sec. 14.43.815. Qualifications of applicants. (a) A student may apply for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate not later than six months after the date of the application, from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate not later than six months after the date of the application, from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include a circumstance in which a high school student who is an Alaska resident has attended high school in the state for not less than two years, and has left the state because of the military service of the student's custodial parent who is an Alaska resident;

(3) will receive and use, while an Alaska resident, the scholarship at a qualified postsecondary institution in the state not later than six years after the beginning of the first school year after a student's graduation from high school, unless the student qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time must include two additional years if the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship if the student

(1) has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;

(2) is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school to be eligible for each of the three award levels of academic scholarship under AS 14.43.827; for the first award level, a student must have an A average; for the second award level, a student must have a B average; and for the third award level a student must have a C plus average; the grade-point average for an A average is 3.5 or higher, for a B average, less than 3.5 but not less than 3.0, and for a C plus average, less than 3.0 but not less than 2.5; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score on a college entrance examination that the student must have achieved to be eligible for each of the three award levels of academic scholarship under AS 14.43.827;

(4) a process by which a student who meets the grade standards in (2) of this subsection for a particular award level, but does not meet the minimum scores established under (3) of this subsection for that level, may apply for a lower scholarship award level;

(5) enrollment in a course of study at a qualified postsecondary institution as described in AS 14.43.835 that is intended to result in the award of a certificate or degree;

(6) a process through which a student who is no longer eligible can regain eligibility;

(7) a process through which a home-schooled or private-schooled

student may submit evidence to the qualified postsecondary institution that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school; the minimum is C plus average; the C plus average requirement is a grade-point average of 2.5 or higher; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section and the programmatic standards established under AS 14.43.820(b), the maximum awards and allowable uses for the merit-based programs are as follows:

(1) for the merit-based academic scholarship, the following three levels of scholarship financing award for a semester:

(A) the first award level is an amount that is equal to the cost of approved tuition at the University of Alaska in school year 2010 - 2011 and requires an A grade average and a very high minimum score on a college entrance examination;

(B) the second award level is an amount that is equal to 75 percent of the first award level and requires a B grade average and a high minimum score on a college entrance examination;

(C) the third award level is an amount that is equal to 50 percent of the first award level and requires a C plus grade average and a moderately high minimum score on a college entrance examination;

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 a school year;

(3) subject to (e) of this section, a student who qualifies for a merit-based academic scholarship may apply the award to the costs of attending a qualified career and technical school program as described in AS 14.43.835(a)(2).

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award of 50 percent of the amount of scholarship award for which the student is eligible under (a) of this section.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of time allowed by the department.

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses, or for up to two calendar years of attendance at a qualified career or technical school. A student receiving a

merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non loan financial aid awarded to the student.

Sec. 14.43.828. Eligibility for an unmet need scholarship supplement and maximum awards. (a) Subject to appropriation, the commission shall award an unmet need scholarship supplement to a student who meets the eligibility criteria for the award.

(b) A student is eligible to receive an unmet need scholarship supplement if the student

(1) is eligible for a merit-based academic scholarship or a merit-based career and technical school scholarship; and

(2) can demonstrate, in a year in which the student receives a scholarship, that the student has unmet financial need greater than $2,000.

(c) The maximum amount for an unmet need scholarship supplement is 50 percent of the unmet financial need that exceeds $2,000.

(d) The qualified postsecondary institution attended by the student shall determine unmet financial need by subtracting from the student's allowable standard costs of attendance at the institution all non loan sources of financial support, including an expected family contribution and all federal, state, and private scholarships or grants received by the student.

(e) In this section,

(1) "allowable standard costs of attendance" means

(A) for a student who receives a merit-based academic scholarship, the lesser of the

(i) standard costs of attendance at the University of Alaska, as determined by the commission; or

(ii) actual costs of attendance at the qualified

postsecondary institution that the student attends or plans to attend, as determined by the commission;

(B) for a student who receives a merit-based career and technical school scholarship, the costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission based on room and board costs that do not exceed the standard room and board costs at the University of Alaska as determined by the commission;

(2) "expected family contribution" means the amount a student or the student's family is expected to pay toward the student's cost of attendance, as determined by use of the most recent federal Free Application for Federal Student Aid.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway to allow students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances beyond the student's control. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the effect on students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which a student may be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following

institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or is exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program. The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered

by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund to the state the amount of the scholarship awarded in error.

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the program.

(b) Not more than 10 days after the convening of each regular legislative session, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) the dollar amount of scholarships awarded in past years and the dollar amounts expected to be awarded for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context

requires otherwise,

(1) "grade-point average" means the average of all grades on a four-point scale obtained by the student in high school;

(2) "military service" means active duty in the armed forces of the United States;

(3) "program" means the governor's performance scholarship program established under AS 14.43.810 - 14.43.890;

(4) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

*** Sec. 5.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [AND] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

*** Sec. 6.** AS 23.05.060 is amended to read:

Sec. 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons;

(7) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

* **Sec. 7.** AS 36.30.850(b) is amended to read:

(b) This chapter applies to every expenditure of state money by the state, acting through an agency, under a contract, except that this chapter does not apply to

(1) grants;

(2) contracts for professional witnesses to provide for professional services or testimony relating to existing or probable lawsuits in which the state is or may become a party;

(3) contracts of the University of Alaska where the work is to be performed substantially by students enrolled in the university;

(4) contracts for medical doctors and dentists;

(5) acquisitions or disposals of real property or interest in real property, except as provided in AS 36.30.080 and 36.30.085;

(6) disposals under AS 38.05;

(7) contracts for the preparation and transportation of ballots under AS 15;

(8) acquisitions or disposals of property and other contracts relating to airports under AS 02.15.070, 02.15.090, 02.15.091, and AS 44.88;

(9) disposals of obsolete property under AS 19.05.060;

(10) disposals of obsolete material or equipment under AS 35.20.060;

(11) agreements with providers of services under AS 47.25.071 - 47.25.095; AS 47.07; AS 47.08; AS 47.10; AS 47.12; AS 47.14; AS 47.17; AS 47.24; and AS 47.27, including contractors under AS 47.27.050;

(12) contracts of the Department of Fish and Game for flights that involve specialized flying and piloting skills and are not point-to-point;

(13) purchases of income-producing assets for the state treasury or a public corporation of the state;

(14) [REPEALED

(15)] a contract that is a delegation, in whole or in part, of investment

powers held by

(A) the commissioner of revenue under AS 14.42.200, 14.42.210, AS 18.56.095, AS 37.10.070, 37.10.071, or AS 37.14;

(B) the Board of Regents of the University of Alaska under AS 14.40.250 - 14.40.491;

(15) [(16)] a contract that is a delegation, in whole or in part, of investment powers or fiduciary duties of

(A) the Board of Trustees of the Alaska Permanent Fund Corporation under AS 37.13;

(B) the Alaska Mental Health Trust Authority under AS 37.14.001 - 37.14.099;

(16) [(17)] the purchase of books, book binding services, newspapers, periodicals, audio-visual materials, network information services access, approval plans, professional memberships, archival materials, objects of art, and items for museum or archival acquisition having cultural, historical, or archaeological significance; in this paragraph

(A) "approval plans" means book selection services in which current book titles meeting an agency's customized specifications are provided to the agency subject to the right of the agency to return those books that do not meet with the agency's approval;

(B) "archival materials" means the noncurrent records of an agency that are preserved after appraisal because of their value;

(C) "audio-visual materials" means nonbook prerecorded materials, including records, tapes, slides, transparencies, films, filmstrips, cassettes, videos, compact discs, laser discs, and items that require the use of equipment to render them usable;

(D) "network information services" means a group of resources from which cataloging information, holdings records, inter-library loans, acquisitions information, and other reference resources can be obtained;

(17) [(18)] contracts for the purchase of standardized examinations for licensure under AS 08;

(18) [(19)] contracts for home health care provided under regulations adopted by the Department of Health and Social Services and for adult residential care services provided under regulations adopted by the Department of Health and Social Services or by the Department of Administration;

(19) [(20)] contracts for supplies or services for research projects funded by money received from the federal government or private grants;

(20) [(21)] guest speakers or performers for an educational or cultural activity;

(21) [(22)] contracts of the Alaska Industrial Development and Export Authority for a clean coal technology demonstration project that

(A) is attempting to develop a coal-fired electric generation project;

(B) uses technology that is capable of commercialization during the 1990's; and

(C) qualifies for federal financial participation under P.L. 99-190 as amended;

(22) [(23)] operation and protection of assets or disposals of equipment and supplies acquired through foreclosure or other legal proceedings relating to loans issued under AS 03.10;

(23) [(24)] purchases of curatorial and conservation services to maintain, preserve, and interpret

(A) objects of art; and

(B) items having cultural, historical, or archaeological significance to the state;

(24) [(25)] acquisition of confidential seismic survey data necessary for pre-sale oil and gas lease or gas only lease analyses under AS 38.05.180;

(25) [(26)] contracts for village public safety officers;

(26) [(27)] purchases of supplies and services to support the operations of the Alaska state troopers or law enforcement officers engaged in fish and wildlife protection if the procurement officer for the Department of Public Safety makes a written determination that publicity of the purchases would jeopardize the safety of

personnel or the success of a covert operation;

(27) [(28)] expenditures when rates are set by law or ordinance;

(28) [(29)] construction of new vessels by the Department of Transportation and Public Facilities for the Alaska marine highway system;

(29) [(30)] contracts entered into with a regional development organization; in this paragraph, "regional development organization" has the meaning given in AS 44.33.895;

(30) [(31)] contracts that are to be performed in an area outside of the country and that require a knowledge of the customs, procedures, rules, or laws of the area;

(31) [(32)] contracts that are between the Department of Law and attorneys who are not employed by the state and that are for the review or prosecution of possible violations of the criminal law of the state in situations where the attorney general concludes that an actual or potential conflict of interest makes it inappropriate for the Department of Law to review or prosecute the possible violations;

(32) [(33)] contracts between the Department of Natural Resources and contractors qualified to evaluate hydrocarbon development, production, transportation, and economics, to assist the commissioner of natural resources in evaluating applications for royalty increases or decreases or other royalty adjustments, and evaluating the related financial and technical data, entered into under AS 38.05.180(j);

(33) [(34)] contracts of the Alaska Industrial Development and Export Authority made with the developer of an integrated transportation and port facility owned by the authority;

(34) [(35)] procurements of contracts with the media for advertising;

(35) [(36)] [REPEALED

(37)] contracts between the state medical examiner and a provider of medical services to perform or assist in performing the duties assigned to the state medical examiner in AS 12.65.020;

(36) [(38)] contracts between the commissioner of revenue and an independent contractor under AS 43.82.240;

(37) [(39)] contracts for a convener under AS 44.62.730 or for a

facilitator under AS 44.62.760 related to a negotiated regulation making process under AS 44.62.710 - 44.62.800;

(38) [(40) REPEALED

(41)] a tourism marketing contract awarded under AS 44.33.125;

(39) [(42)] grants and contracts with qualified entities for services under AS 47.18.330 for the foster care transition program;

(40) [(43)] contracts for travel services, including airplane travel, hotel accommodations, and travel agency services, but excluding motor vehicle rentals;

(41) [(44)] contracts of the Alaska Commission on Postsecondary Education or the Alaska Student Loan Corporation for the guarantee and disbursing of financial aid money to institutions of postsecondary education under the financial aid programs under **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750] and AS 14.44.025;

(42) [(45)] contracts for an arbitration panel to determine whether a project is uneconomic under AS 43.90.240, and contracts for the development of application provisions for licensure and for the evaluation of those applications under AS 43.90;

(43) [(46)] contracts for delivery of home heating assistance under AS 47.25.626;

(44) [(47)] contracts of the Alaska Pension Obligation Bond Corporation under AS 37.16.010 - 37.16.900.

*** Sec. 8.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional

contributions that may be made to the fund. The commissioner shall invest the assets of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall provide reports to the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts previously identified as available for appropriation to the governor's performance scholarship fund income account but not appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

*** Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and Workforce Development, after consultation with the Alaska Commission on Postsecondary

Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. 4 of this Act, so that a student

(1) may be eligible for the program even though the student did not fully meet the required core academic curriculum for the school years beginning July 1, 2010, through June 30, 2013; and

(2) who graduated from high school in this state after June 30, 2010, and before July 1, 2011, and meets eligibility requirements for the program may apply for a scholarship beginning July 1, 2011.

*** Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

*** Sec. 11.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 12.** Except as provided in sec. 11 of this Act, this Act takes effect September 1, 2010.

Louie Flora

From: Kennedy_Crystal [Kennedy_Crystal@asdk12.org]
Sent: Wednesday, February 24, 2010 12:39 AM
To: Rep. Paul Seaton
Cc: Rep. Peggy Wilson
Subject: HB 297-Postsecondary scholarships

Categories: Louie

Dear Rep. Seaton,
There are two things I hope you will consider during your discussions of the scholarship bill. One is that it seems that only references to college attendance are being made. As this is called the post-secondary scholarship bill I would expect that there would also be mention of those seeking post-secondary vocational training. Please keep in mind that one reason we lose students before they graduate is that they have decided in their junior or senior year they do not want to attend college as that is not where their interests lie and they then feel that high school no longer holds anything meaningful for them if the goal is simply to prepare them for college. I would hope that this bill would include some way to entice those students who would prefer post-secondary vocational training to stay in high school until graduation and to financially help them seek that training after graduation. Even though there is a philosophy that a college prepared student is also a career prepared student, these students choose to drop out before they get to the point of being a college prepared student. Please keep in mind that our data (ASD) shows that almost all of our drop-outs have passed the HSGQE (High School Graduation Qualifying Exam) so it is not a question of academic ability!

Secondly, there seems to be another critical element that is being ignored and that is the alignment of what is required of our students as they take college entry and placement tests such as UA's Accuplacer, and the tests that our school districts use to determine if our students are eligible to graduate and considered to be prepared for college. In conversations with the Chugiak- Eagle River branch of UAA, it was pointed out that the test they use for determining the level of math and language arts classes students will be assigned to does not line up with either the Work Keys or the HSGQE (High School Graduation Qualifying Exam). They have offered to field test 20 of our students by having them take the Accuplacer test and the Work Key tests just to see how they compare. They already know they are not comparable but would like to see just how varied they really are.
Aligning these tests would greatly diminish the need for remediation which essentially boils down to an inconsistent system.

As you and Representative Wilson pointed out during a committee meeting on the initial discussion of this bill, there is a need to be careful of the criteria that is required for this scholarship program because that will determine academic programs . And obviously, if our University system already requires that students will need to take the Accuplacer tests to determine their math placements, then we should ensure that our districts are using curriculum that is aligned with those tests as well, or we will always be facing this conflict between what students have been directed to accomplish in their schools and what the University's expectations are. There is a need for a more indepth discussion between our University system and DEED on this issue so that we can all be "on the same page of music!"
Thank you!

Crystal Kennedy
Anchorage School Board member
907-696-2624

Louie Flora

From: M.A [m.acord16@gmail.com]
Sent: Thursday, February 18, 2010 10:35 AM
To: Rep. Paul Seaton
Subject: HB297

Representative Seaton,
My name is Marlena Acord and I am a 2010 graduate. When you are discussing the HB297 Governors Performance Scholarship, please consider amending the bill in favor of the 2010 graduates, who would not be receiving this opportunity.
Thank you for your consideration,
Your constituent,
Marlena Acord

Louie Flora

From: Christopher Corwin McConnell [ASCCM10@uaa.alaska.edu]
Sent: Wednesday, February 17, 2010 8:32 PM
To: Rep. Paul Seaton
Subject: Governor Parnell's Scholarship Plan

Representative Paul Seaton,

My name is Chris McConnell and I am a student at the University of Alaska Anchorage. I am writing you today to urge you to support a needs-based component to the Governor's Scholarship Plan.

Investing in our Universities creates an economic engine, states that have invested in their students see higher high school graduation rates, improved college readiness and a return on their investment by having a home grown workforce.

The most effective programs in other states, including Wyoming's Hathaway plan, have included a needs based component and I hope you will consider improving, strengthening and balancing the plan by including one.

Thank you for your consideration,

Christopher C. McConnell
Student Senator
University of Alaska Anchorage
(907) 301-2031

UNIVERSITY OF ALASKA
SOUTHEAST
Juneau•Ketchikan•Sitka

Student Government

February 17, 2010

Dear Representative Seaton,

With the advent of the Governor's Performance Scholarship and the formation of the UA Booster's Caucus this session, we perceive a climate within the Legislature that is both pro-education and open to collaboration with members of the University's academic community. With that in mind, we write you today to express our support for the creation of a new scholarship program for Alaskan students. We applaud the Governor for his initiative and are glad to see an administration that seeks to reinforce Alaska and its workforce through supplementary funding of higher education.

As you are undoubtedly aware, the Governor's program is based on "Taylor plan" legislation that has been successfully implemented in twenty-two other states. As a result, its similarity to these other programs has often been cited as an argument for its inception in Alaska. However, it should be pointed out that of the twenty-two states cited by this argument, twelve are actually hybrid need/merit-based programs.

In light of this fact and given the language of the Governor's proposed legislation, we would be remiss as student advocates if we did not note its distinct lack of need-based aid, which we consider a vital component to *any* legislation that seeks to provide funding for Alaska's students. Alaska ranks last in college enrollment rates for low-income students, a position that it has held for sixteen years. If solely merit-based legislation passes, we worry that the majority of the funding will go to those students who have benefited from stronger support networks at home & in the community rather than those who against the odds have reached the doors of the University and are now most deserving of our support.

68% of all aid within the UA system already comes in the form of loans (2008-09). With the recent federal financial crisis, we have seen a simultaneous increase of tuition and tightening of credit requirements across the country. As a result, it is becoming increasingly more difficult for prospective students to find funding, even through our own AlaskaAdvantage loans. Without need-based aid, this situation is the final nail in the coffin, sealing off access to higher education for students who have exhausted their other financial means or worse, never had them to begin with.

For the last two years, UAS student government and the Coalition of Student Leaders have advocated for House Bill 94 and Senate Bill 33 and the Alaska Achiever's Incentive Program (or AAIP) that would be created by them. We here at UAS still strongly support this original legislation. However, with the Governor's newly proposed scholarship receiving much of the attention devoted to post-secondary financial aid, we recognize that the best option for passing need-based aid may be the addition of this component to GPS. With those two thoughts in mind, we ask that you lend your support to legislation that will implement need-based aid within the UA system, regardless of the vehicle.

Thank You,

President Tyler Preston

Vice-President CJ Reeves II

Senator Amy Bond

Senator Jessica Eller

Senator David House

Senator Ivy Smith

www.uas.alaska.edu
11120 Glacier Highway, Juneau, Alaska 99801 • (907) 796-6517 office • (907) 796-6358 fax • (907) 796-6528 receptionist

Louie Flora

From: Rep. Paul Seaton
Sent: Wednesday, February 17, 2010 9:38 AM
To: Louie Flora
Subject: FW: Parnell's $400 million scholarship plan

-----Original Message-----
From: Margie Bauman [mailto:margieb42@mtaonline.net]
Sent: Sunday, January 31, 2010 11:08 PM
To: Rep. Paul Seaton
Subject: Parnell's $400 million scholarship plan

Hi Paul...

Saw your comments in the Homer Tribune regarding the governor's proposed scholarship program. What struck me in particular was these comments:

³Kids who get good grades generally come from families who are higher on the social-economic level. Are we accomplishing the goal of increasing the breadth of students who go to college if we focus only on grades?² Seaton asked. ³These are the students who will go to college anyway. I am wondering about those who might fall through the cracks if that is our only criteria.²

You make a good point here. Ought not some substantial funds go to the middle schools for some intensive tutoring and other help for students identified as having a desire to go to college but struggling for a variety of reqsons to get good grades.

Reasons could be from a financially struggling family (homeless to not enough food in the house, or clothes on the kids' backs, or a decent place to study at home--or parents and other relatives with medical or mental health/substance abuse problems...or abuse issues at home which the kids are afraid to talk about.

Could also be that the student needs a good medical check-up to identify something that keeps them from being a good student--anything from allergy to gluten to hearing and eyesight issues. I've known of kids with a variety of such issues that went untreated for years, sometimes unintentionally, most often for financial reasons.

At any rate, all our Alaskan kids deserve equal footing in this effort-if they want to go to college or trade school - and a lot of them are NOT getting it from home.

As a single parent - my son was born in Fairbanks - I did something a lot of people still tell me is weird. Knowing it was up to me, I started saving for my son's college education before he was born. It took me 17 years, but he went on to college at the University of Nevada-Reno and when he graduated,he had no outstanding loans.

College is getting more and more expensive. The kids need help, but I agree with you that heaping the bulk of the state funding upon only the A students is NOT the solution. There are a lot of very bright, successful people that we both know who never were A students... But smart in other ways.

Best regards,
margieb

Louie Flora

From: Ellis's [ellis7@gci.net]
Sent: Tuesday, February 16, 2010 9:35 AM
To: Rep. Paul Seaton
Subject: HB297

February 16, 2010

Representative Paul Seaton,

I am writing to you in regards to HB297. I do not believe it is the state's place to fund higher education. This bill would set up an entitlement mentality that the government owes us a college education. At this time, the legislature should be holding the line on spending and concentrating on ways to improve the job situation in Alaska.

That said, HB297 has many flaws:

1) The bill's stated goal is higher graduation rates but instead is setting new curriculum requirements. DEED already has the ability to change curriculum requirements for graduation. To improve graduation rates you need to reach the students at the elementary level and make sure they receive a sound education. This enables them to be engaged at the middle and high school levels. This bill assumes that students are dropping out due to lack of funding for postsecondary education. This is an unsubstantiated assumption.
2) The bill is inequitable in how it allocates funding for educational choices. If a student is qualified for the program they should be able to use the funds in any university, college or vocational school in the state. Allowing a set dollar amount per year or the cost of tuition, whichever is less, would accomplish this. We should not allocate more money to students who chose a university education over students who choose a vocational school.
3) This bill uses a combination of test scores, GPA and curriculum content to qualify students for this scholarship. This is where the bill again deviates from its' purpose of increasing graduation outcomes to focusing on how students are educated and by whom. How the education was acquired should not be the issue but that the student did acquire the education. DEED would and should no longer be involved in setting curriculum requirements for private, charter or non-public homeschools.
4) This bill should award the scholarship to any student who graduates and has a qualifying SAT or ACT score. Both the SAT and ACT are the standard across the nation for qualifying for entrance to post secondary institutions. The objective is to graduate and move these students on to higher education.

The Merit Scholarship program is in place and rewards the top 10% of all public school children. Will you do away with this program? How many of the students receiving the Merit Scholarship graduate from college? Is this program successful?

Alternately, making money available through student loans to all students, including private and non-public homeschoolers, attending Alaska universities and/or vocational schools would encourage students to stay in Alaska. Portions of the loans could be forgiven after students receive their degrees or certificates and based on the number of years they remain in Alaska.
Because of the many flaws in this bill I hope you will not support HB 297. Please contact me if you have any questions regarding this matter.

Sincerely,

Anne Ellis
3160 N. Longspur Dr.
Wasilla, Alaska
907-376-9382

Louie Flora

From: Cameron & Leslie Seddon [seddon5@mtaonline.net]
Sent: Tuesday, February 16, 2010 9:26 AM
To: Rep. Paul Seaton
Subject: HB297 - Governor's Performance Scholarship

Representative Paul Seaton,

Last night (early morning) I was able to catch up to the latest on HB297, the Governor's Performance Scholarship. I have to say that we are quite upset at the turn of events and do not feel that we are being listened to. When your committee made the decision to exclude this year's graduating seniors from partaking in this program, you cut out a lot of Alaskan youths that have made great sacrifices since the announcement of this proposed scholarship.

Our son is one of the students that were advised from his school that this scholarship was being put together. He met with school staff after the school year started and changed his classes to meet with the criteria for the program. In order to achieve all the credit requirements before graduating, he gave up sports and after school activities. He gave up electives that he had previously signed up for. He gave up the opportunity to work a part time job. He did all of this so that he could double up on his math and spend all of his time pressing forward with his nose to the grind stone.

Our son, Charles, has also followed this bill from the beginning and has written letters of encouragement to the governor's office. You can't imagine his disappointment at the lack of responses to his letters and queries. Alaska has effectively sent this student out of its reaches when it excluded him from this valuable program. This will be Alaska's loss more than his because Charles is an A student that has already taken college level classes and has now met the credit requirements of the GPS.

I am certain that Charles is not the only graduating senior this year that is grossly disappointed in yesterday's committee decision. We hope that it is not too late to make the change that would keep our son and other's graduating youth from leaving the state to pursue their higher level of education.

Please make an amendment to include the 2010 graduating class in the Governor's Performance Scholarship. Don't send our greatest performers out of Alaska.

Thank you,

Leslie Seddon

Sunrise Creek Farm
Cameron & Leslie Seddon
P.O. Box 4528
Palmer, AK 99645

To: The Governor and all Legislatures
From: Lucille McSorley, 745-7607, 1640 S. Chugach #A, Palmer, AK 99645
RE: HB 297 Performance Scholarship
Date: 2/9/10

I am in full support of a college level scholarship. I went to college, U of O, on the Alaska Grant Program, 1979-1981. 50% of my loans were forgiven when I returned home and worked for 5 years.

I support the grant only being used in Alaska because the dollars will have a double purpose; they will help our young adults and support current employees of the Alaskan Universities.

In fairness it should be open to all High school students that complete high school with a GPA of 2 and above. We want all of our young adults to have a chance at further education, regardless of teenage attitudes.

Once in college with 13 or more credit (full time) the Alaskan college students should receive a corresponding GPA percentage granted/forgiven to them for that year of preformance. Many bright high school students with good high school GPA's go on to college only to fail due to social choices. These students should not get scholarship/grant money.

The problem with basing the percentage on the high school GPA and 4 math/4 science is that many (my current high schooler included) were in advanced math and science throughout middle school and now as a junior's in high school, only have one class to finish for his Senior year. He has completed all math and science that he needs to graduate. He will take classes that he can get college credit for: Welding, accounting 1 & 2, logistics during his Senior year. BUT this will only give him 3 maths ALTHOUGH his last Math was Algebra 2. He will take Pre-calculus and Chemistry in College which he will have to take regardless of having taken them in high school.

In addition, any Alaskan High School graduate, that is currently enrolled in an Alaskan University's should be able to qualify for this the grant program.

Thank you for your support of all Alaskan Education, pre-school to college.

Louie Flora

From: Anne Adasiak-Andrew [anne_andrew@mac.com]
Sent: Friday, March 05, 2010 4:27 PM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Bob Buch; Rep. Berta Gardner
Cc: Gullickson_Janice
Subject: World Language Concerns for Gov. Scholarship program

Importance: High

Categories: Louie

Dear Representatives Seaton and Munoz, and members of the House Education Committee:

Although in general we support the idea of the Governor's Performance scholarship program, the way the program is currently worded, requiring 4 years of English, Math and Science, it would have the unintended effect of eliminating the upper division levels of World Language study in Alaskan high schools. This would be a huge step backwards in our education.

Currently, many students find it almost impossible to fit in three to four years of world language study, an art class, and band or orchestra each year of high school in addition to all of the required classes for graduation. Yet all of the research shows that students who study a world language or study music have a greatly enriched learning experience and perform better on national standardized tests. (Even Senators Murkowski and Begich had their children in Anchorage immersion schools before moving to D.C. Other Alaskan Senators and Representatives have chosen to put their children in immersion programs as well.)

Our concern with the current proposal requiring four years of English, math, and science is that it will pull students away from higher levels of achievement in world languages and the arts. Requiring four years of English, math, and science could even discourage students from participating in semester and year-long exchange programs to other countries. How awful to have an "A" student disqualified from the State scholarship program because he took his junior year of high school and lived in Russia or China, becoming fluent in the language and culturally competent, but only having three official years of English, math and science!

Since there is already a requirement in the Anchorage School District for four years of English and social studies, three years of science and two and ½ years of math, *we would like to see the language in the Governor's Performance Scholarship changed to "four years of English, plus any two of the following: four years of math or science or world language or the arts."* This would allow students to show excellence in a variety of ways and still qualify for the Governor's scholarship. We have so many talented musicians and artists in Alaska, and such a wonderful variety of immersion language schools across the state, I would like to see the Governor's Performance Scholarship encourage those students too -- not only those strong in English, math, and science.

Current Credits required for graduation
Language Arts 4 credits (8 semesters)
Social Studies 4 credits (8 semesters)
Mathematics 2½ credits (5 semesters)
Sciences 3 credits (6 semesters)
PE/Health 1½ credits (3 semesters)
Electives **7½ credits (15 semesters)**
Total 22½ credits

Proposed Credits required for Governors Scholarship

Language Arts 4 credits (8 semesters)
Social Studies 4 credits (8 semesters)
Mathematics 4 credits (8 semesters)
Sciences 4 credits (8 semesters)
PE/Health 1½ credits (3 semesters)
Electives **5 credits (10 semesters) - very little time to reach advanced levels of Language or Music/Art**
Total 22½ credits

Anchorage World Language Statistics:

- 44% of Anchorage High School Students are studying a World Language
- There are five K-12 immersion schools in Anchorage, (2 Spanish, 1 Russian, 1 German and 1 Japanese) each with a significant wait list of parents wanting to get their children enrolled.
- Most universities require between 2 and 4 years of language study to be accepted
- 50% of Europeans are bilingual, whereas only 10% of Americans are bilingual. World language has been identified as an area in which Americans are deficient and we have built strong language programs in Anchorage to help change this trend.

Thank you for your consideration on behalf of the ASD World Language Curriculum committee and other concerned language teachers:

Anne Adasiak-Andrew
French Teacher, World Languages Department Chair
Eagle River High School
5251 E. 41st Ave
Anchorage, AK 99508
907-337-6527

Please see below a list of **over 50 names** of concerned constituents who are all World Language teachers in Anchorage and Fairbanks.

Janice Gullickson, World Languages Curriculum Coordinator ASD
Laurel Dirkson - World Languages Curriculum Support ASD

Yoko Grove -East High, Japanese
Todd Smoldon - East High, Japanese
Regina Lunkes - East High
Angie Nishimura - East High, Spanish

Helen Hsieh - Service, Spanish
Virginie Duverger - Service, French
Karen Cafmeyer - Service, Spanish
Kathleen Walgren - Service, French

Dorena Montgomery - Bartlett, French
Brenda Hearn - Bartlett, French
Ashley Van Hemert - Bartlett
Kelly Hughes – Bartlett, German
Ross Grove – Bartlett, Spanish
Louie Jarussi – Bartlett, Spanish
Yan Wang - Bartlett, Chinese

Aline Hopkins - Dimond, French
Victoria Gellert - Dimond, Japanese
Susan Adams – Dimond, German
Rie Davis – Dimond, Japanese

Anne Adasiak-Andrew, Eagle River, French
Jennifer Doerry - Eagle River, German
Karen Cordero - Eagle River, Spanish

Adam Cooley - West High, Spanish
Nancy Clifton - West High, French

Carolina Carr - West High, Spanish
Michele Whaley - West High, Russian

Laurie Salyer - South High, French
Elizabeth Dick - South High, German
Kristin Dahl - South High, Spanish & French
Ilana Kerschbaum
Catherine Richards

Valerie Ekberg-Brown – Chugiak High, Russian
Sarah Birmanns – Chugiak High, Spanish

ANCHORAGE MIDDLE SCHOOLS
Stephanie McElroy- Wendler
Aurora Hovland - Hanshew Spanish
Debra Abshier - Begich, Spanish
Susan Oakley - Goldenview, French
Nick Rothman - Romig, French
Sarah Hansen - Clark, French

ANCHORAGE ELEMENTARY SCHOOLS
Eric Elliott- Spanish Government Hill Elementary
Georgette Yang - Chinese Teacher Scenic Park Elementary
Kristen Newcomer – Chugiak Elementary, Spanish Immersion
Patricia MacNaughton – Chugiak Elementary, Spanish Immersion
Peter Birmanns – Rilke Schule, German

FAIRBANKS
Judy Tolbert - French & Education, UAF
Claudia Markham - Lathrop High, French & German
Eileen Julian - Ben Eielson Jr/Sr High
Rachael Jackson - West Valley High
Jaime M. James - North Pole High, French & German
Leanna Buckwalter - West Valley, French

Louie Flora

From: Anne Adasiak-Andrew [anne_andrew@mac.com]
Sent: Wednesday, March 03, 2010 9:31 AM
To: larry.ledoux@alaska.gov
Cc: Gullickson_Janice; Rep. Sharon Cissna; Sen. Hollis French; Sen. Bettye Davis; Sen. Kevin Meyer; Sen. Joe Thomas; Rep. Paul Seaton
Subject: Governor's Scholarship Concern
Attachments: Governor Parnell Ltr.doc

Importance: High

Categories: Louie

Dear Commissioner Ledoux,

Please see the attached letter that I wrote to the Governor last fall regarding my concerns about the Governor's Performance Scholarship bill.

In concept it is a great idea; however the way it is currently worded it will completely wipe out the advanced levels of World Languages, Music and Art in the Anchorage School District.

Our country DESPERATELY needs linguists. The Anchorage School District has worked very hard over the last 25 years to build fantastic immersion programs and successful high school language programs for its students who regularly reach the Advanced Placement levels. Please read my specific comments in my attached letter to the Governor that explains how a slight change in the requirements of this bill can enable excellence while continuing to support higher levels of advanced World Language study.

Thank you for your support.

Sincerely,

Anne Adasiak-Andrew
French Teacher
Eagle River High School

Anchorage Resident
5251 E. 41st Ave.
Anchorage, AK 99508

October 9, 2009

Dear Governor Parnell,

First, let me say that I whole heartedly support your idea of investing in our youth and offering an incentive to pay for all or part of their higher education here in Alaska based on their high school achievements. This is a fantastic proposal to motivate students to stay in school, to do well, and to go on to college or trade school in Alaska - a win for developing a professional workforce in Alaska and also for supporting Alaska's institutions of higher learning.

Although I agree with your proposal requiring students to seek an academically challenging array of courses, I strongly recommend allowing some measure of flexibility in demonstrating that excellence beyond the proposed four years of English, math and science, and three years of social studies. Students in the Anchorage School District are only allowed 7.5 elective credits beyond the 15 required credits to graduate (where .5 credit equals one semester and 1 credit equals one year) totaling 22.5 credits for graduation. Currently, many students find it almost impossible to fit in three to four years of world language study, an art class, and band or orchestra each year of high school in addition to all of the required classes for graduation. Yet all of the research shows that students who study a world language or study music have a greatly enriched learning experience and perform better on national standardized tests. (Even Senators Murkowski and Begich had their children in Anchorage immersion schools before moving to D.C.)

My concern with the current proposal requiring four years of English, math, and science is that it will pull students away from higher levels of achievement in world languages and the arts. Requiring four years of English, math, and science could even discourage students from participating in semester and year-long exchange programs to other countries. How awful to have an "A" student disqualified from the State scholarship program because he took his junior year of high school and lived in Russia or China, becoming fluent in the language and culturally competent, but only having three official years of English, math and science!

Since there is already a requirement in the ASD for four years of English and social studies, three years of science and two and ½ years of math, *I would like to see the language in the Governor's Performance Scholarship changed to "four years of English, plus any two of the following: four years of math or science or world language or the arts."* This would allow students to show excellence in a variety of ways and still qualify for the Governor's scholarship. We have so many talented musicians and artists in Alaska, and such a wonderful variety of immersion language schools across the state, I would like to see the Governor's Performance Scholarship encourage those students too -- not only those strong in English, math, and science.

Thank you for your consideration, and for investing in our children.

Sincerely,

Anne Adasiak-Andrew, French Teacher
5251 E. 41st Ave.
Anchorage, AK 99508

A Resolution in Support of Increasing Need-based Financial Aid for Alaska Postsecondary Students

WHEREAS, the State of Alaska does not provide enough need based or grant aid for students seeking postsecondary education compared to most other states; and

WHEREAS, the University of Alaska began the UA Scholars program in 1999, which has grown in usage over time and is funded entirely out of the university's Land Grant Trust Fund; and

WHEREAS, Senator Johnny Ellis and Representative David Guttenberg have introduced legislation to provide additional sources of financial assistance to help financially eligible students attend an eligible postsecondary institution; and

WHEREAS, the University of Alaska's Coalition of Student Leaders, which advocates on behalf of the UA system's 30,000 students across the state, supports the legislative efforts to increase need-based aid, and, in fact, has been integral in its creation; and

WHEREAS, the University of Alaska Board of Regents has long supported all efforts to increase access to postsecondary education, workforce training and lifelong learning; and increased financial aid, both merit- and need-based, is critical for improving access to higher education for both rural and urban residents as well as current and future students; and

NOW THEREFORE BE IT RESOLVED that the University of Alaska Board of Regents supports the legislation introduced by Senator Ellis and Representative Guttenberg and the efforts of the Coalition of Student Leaders; and

BE IT FURTHER RESOLVED that the University of Alaska Board of Regents urges additional support from the Alaska Legislature for both merit- and need-based programs that will be before the Alaska Legislature in the 2010 session; and

BE IT FURTHER RESOLVED that this resolution be appropriately engrossed and conveyed to the Honorable Governor Sean Parnell and Honorable members of the Alaska State Legislature, with a copy to be incorporated into the official minutes of the November 30-December 1, 2009 meeting of the University of Alaska Board of Regents.

A Resolution in Support of the Governor's Performance Scholarship

WHEREAS, the State of Alaska does not provide enough need based or grant aid for students seeking postsecondary education compared to most other states; and

WHEREAS, the University of Alaska began the UA Scholars program in 1999, which has grown in usage over time and is funded entirely out of the university's Land Grant Trust Fund; and

WHEREAS, Governor Sean Parnell has proposed the Governor's Performance Scholarship, a grade- and curriculum based program that would provide financial assistance for students wishing to attend a postsecondary institution within the state of Alaska; and

WHEREAS, the University of Alaska Board of Regents has long supported all efforts to increase access to postsecondary education, workforce training and lifelong learning; and increased financial aid, both merit- and need-based, is critical for improving access to higher education for both rural and urban residents as well as current and future students; and

NOW THEREFORE BE IT RESOLVED that the University of Alaska Board of Regents supports Governor Sean Parnell's proposed Governor's Performance Scholarship; and

BE IT FURTHER RESOLVED that the University of Alaska Board of Regents urges additional support from the Alaska Legislature for both merit- and need-based programs that will be before the Alaska Legislature in the 2010 session; and

BE IT FURTHER RESOLVED that this resolution be appropriately engrossed and conveyed to the Honorable Governor Sean Parnell and Honorable members of the Alaska State Legislature, with a copy to be incorporated into the official minutes of the November 30-December 1, 2009 meeting of the University of Alaska Board of Regents.

JUNEAUEMPIRE.COM

Governor's scholarship program is biased

Sunday, February 21, 2010

Story last updated at 2/21/2010 - 12:54 pm

Governor's scholarship program is biased
Juneau Empire

Funding for Post-Secondary Education is a top priority for this year's Legislature. The proposed Governor's Performance Scholarship is a merit-based scholarship that seeks to provide students with financial motivation to complete a more rigorous course of high school academics.

Sounds familiar right? That's because it is. It's just a beefed- up version on the University of Alaska Scholar program that's already implemented in the UA system. But that's not the real problem; the problem is that the course load required to access the scholarship isn't even offered in all Alaska schools (specifically those in the Bush), which is unfair and biased, not to mention classist and racist, if you look at the demographics.

This is why I'm supporting the Alaska Achievers' Incentive Scholarship Program (AAIP). It is a need-based scholarship for low income students that are making the grades and need a little extra help getting by. I'll bet you didn't know that Alaska has been ranked last for low-income college students for more than a decade and that it is the only state in the country with a state school that doesn't have a needs-based scholarship fund. Alaska needs AAIP. An investment in education is an investment in the future, and it is never the wrong time to do that. Contact to your senators to get this approved and help the youth of Alaska.

Amy Bond-Campion

Juneau

Distributed by Senator Johnny Ellis

Anchorage Daily News Letters to the Editor – 2-16-2010

Scholarships help

I commend Gov. Parnell for his Performance Scholarship plan and believe that this program, if strengthened with a needs-based component, would provide more students with the incentive to stay in state for college, and with the financial assistance to make education possible in this day and age of rapidly rising expenses and debt. Alaska's youth is the future of Alaska, and by offering students scholarships, this state will reap great benefits.

-- Amy Voss

Anchorage

State has to invest in education

The state of Alaska is lagging behind the rest of the country when it comes to education. It is the only state that doesn't have a need-based program.

Our state has tremendous opportunities for jobs due to its natural resources, oil, minerals, etc., but it doesn't have the people trained to do the jobs the companies require. All that money that out-of-state workers make is lost to the state when they fly back home.

It would be in the best interest of the state to change this. The Legislature needs to take a real long look at The Alaska Achievers Incentive Program (AAIP) and see all that it could do for the state.

I understand the need to tighten spending with the decline of the North Slope's production, but this program would be an investment in the people of Alaska, and now is the time to invest in the future.

-- David House

Auke Bay

Alaska students need a better plan

Juneau Empire 2/16

Alaska is the only state in the nation with a public university that doesn't already have a needs-based scholarship program. The University of Alaska's tuition has increased the past seven years in a row, and many Alaskans who would otherwise seek post-secondary education to develop job skills and to enrich their potential employment opportunities are electing to stay out of school.

I am calling on Alaskans to support the Alaska Achiever's Incentive Program. AAIP is need-based, which means that it will provide funding for low-income students and those who are unable to secure sufficient funding through other means alone. Sixty-eight percent of all aid within the UA system is provided in the form of loans; Alaska students need a better plan to get through school than racking up debt. Eating ramen noodles can only cut costs so much.

Merit-based programs such as UA Scholars are all well and good in their place, but a program that distributes based on need would be far more effective in attracting and retaining Alaska students than either that or the governor's new plan (which is uncannily similar to UA Scholars).

The key to Alaska's success lies in higher education; an investment in those who seek it is an investment in the workforce and in Alaska's future. Please contact your legislator and urge them to support AAIP in the upcoming hearings.

Tyler Preston

Juneau

Louie Flora

From: Bilafer Family [bilafer7@mtaonline.net]
Sent: Monday, March 01, 2010 4:28 PM
To: Rep. Paul Seaton
Subject: HB297

Dear Representative Seaton,

My name is Alison Bilafer and I will graduate from high school this year. Please do your best to pass bill HB297 this legislative session and institute the Governor's Performance Scholarship in time for the 2010 high school graduates to receive it. So many intelligent students who have studied hard in school and meet the eligibility requirements may attend college out-of-state without this scholarship opportunity. This scholarship is an incentive for such students to stay in Alaska, and it is a great way for Alaska to support students in their post-high school education and in their career goals. Thank you for your time.

Respectfully,

Alison Bilafer

Louie Flora

From: Cameron & Leslie Seddon [seddon5@mtaonline.net]
Sent: Monday, March 01, 2010 8:13 PM
To: Rep. Paul Seaton
Subject: HB297 or C.S.

Dear Representative Seaton,

I am anxiously waiting to read the new re-write on SB224 (and HB297?) and look forward to its improvements as they develop. Although it is preferred that the scholarship act remain strictly a merit based award, I can understand why so many are moving towards including a needs based provision. *I sincerely hope you strive to see it written with a definitive cap on the needs based portion of the bill.* It could easily expand and deplete the portion of the funding that was originally intended to reward the exceptional student (by merit only) and retain him/her for Alaska's future benefit.

No issue is taken with any of the other amendments presented (and adopted by the House). They appear to be wonderful tools towards moving the students and schools towards higher expectations. However, the amendment that has recently been put before the Senate Education Committee by Senator Stevens in regards to the non-traditional student is a very faulty one. In order for the fund managers to be accountable, they must have a predictable basis to work from in order for the fund to last. The reward recipients should be expected to complete a degree or career goal in a reasonable amount of time. If that cannot be accomplished, *why not simply state that the scholarship will pay for a certain number of total credits (up to a 4 year degree or comparable certificate) that must be used in a certain amount of time?* This way, if a college student has a legitimate reason for having to drop out and then complete his degree a year or two later, the fund managers can still have some way of predicting the future pay outs. Asking to have an open-ended time frame for completion of a degree is unreasonable.

Also being discussed by the Senate Education Committee is the idea of including the qualifying 2010 graduates in the scholarship bill. Not only has it been discussed as being appropriate, but after Dianne Baron was questioned, it was found to be reasonable as very low numbers are expected to meet the requirements for the first couple of years that the scholarship is instituted. The 2010 students have stated an understanding of how the program is funded and are willing to find their own way to fund their college for the first year as they wait for the fund pay out in 2011.

All in all, your committee is moving forward effectively and efficiently. Thank you for your time and attention to the development of this scholarship bill.

Leslie Seddon

Sunrise Creek Farm
Cameron & Leslie Seddon
P.O. Box 4528
Palmer, AK 99645

www.sunrisecreekfarm.com

Haines Camp 5
Haines, AK 99827

February 22, 2010

26th Legislature
State of Alaska
Education Committee; Rep. Paul Seaton, Chair
Rep. Cathy Munoz, V.Chair;
Representatives Bryce Edgmon, Wes Keller, Peggy Wilson, Tammy Wilson,
Bob Buch, & Berta Gardner

Haines Alaska Native Brotherhood and Alaska Native Sisterhood, Camp 5, stand in support of House Bill 94. (However, we request clarification of AS194.43.195 sec D.) We reject House Bill 297 as it duplicates an existing University of Alaska Scholar PROGRAM and provisions exclude students attending rural schools. (HB 297)

Thank you for your consideration of our concerns.

Raymond T Dennis, President

Raymond T. Dennis Jr.

ANB Camp 5
P O Box 749
Haines, AK 99827

Marilyn R Wilson, President

Marilyn R Wilson

Haines ANS Camp 5
P O Box 932
Haines, AK 99827

(COPY)

To: The House and Senate Education Committees
26th Alaska State Legislature
The Capitol Building
Juneau, Alaska 99801

2/25,/2010

House Bill 94, submitted by Representatives Guttenberg, Lynn, Gara, Kawasaki, Gardner and Tuck is the very Best Scholarship Bill submitted to this 26th Legislature. H.B. 94 should be passed for the following reasons:

(1.) It was developed by a Coalition of Student Leaders. (2.) It is well-written which makes it easy to understand their rationale. It also has a sectional summary from the Legislative Affairs. There is a State Report Card attached that shows where Alaska stands at this time. (3.) The ideas for this bill was developed within the parameters of the University of Alaska System. (4.) It supplements the education of Students who have already proven themselves. (5.) It develops a needs-based assistance, which is a FIRST in Alaska's History. (6.) It is flexible enough to complement other scholarships. (7.) It is under an already existing Post Secondary Commission. (8.) It has a sufficient financial structure. (9.) It has a Resolution dated: 2/3,/09 by the Anchorage Assembly which shows their support for this bill. (10.) This bill also has the support of the University of Alaska President Mark Hamilton dated: 2/3,/09. (11.) It also has the total support of the Patrick F. Taylor Foundation of Louisiana in a letter (2/10,/09) stating so by the Executive Director, James A. Callier which pledges their efforts "even that their own expense."

These then, are some of the reasons why House Bill 94 which creates the "Alaska Achiever's Incentive Program " has our whole-hearted support. It is our hope that this 26th Alaska State Legislature now in session considers and passes House Bill 94 as soon as it is possible to do so.

Thank you for your consideration of our concerns.

Raymond T. Dennis, President
ANB Camp 5
Haines, Alaska 99827

Marilyn R. Wilson, President
Haines ANS, Camp 5
Haines, Alaska 99827

Post Script: We are totally in favor of this bill and we do not support H.B. 297 and it's companion bill S.B. 224 or S.B. 33.

Testimony on HB297 and SB224
Governor's Scholarship merit vs. need

My name is Debbie Joslin and I am representing myself today.

I believe my life experience gives me a unique perspective on the issue of whether to make this scholarship need or merit based.

As a child I was an excellent student from a poor family that became poorer still when my parents divorced while I was in 3rd grade. My parents both married and divorced many times and my mother has spent most of my life in and out of mental hospitals. I was raised on what was then called welfare and spent several years in and out of foster homes. I quit high school and took my GED test at 18. The kind lady who administered the GED test told me I had done so well that I should consider going to college. She guided me into taking the CLEP test where I was able to earn 24 hours of college credit. I went to college with PELL grants and attended one year before quitting. As I look back on why I quit – I think if I had had a support group cheering me on – I might have continued. It was not for lack of funding – PELL grants were still available.

Flash forward 30 years. I homeschool my children independently here in Alaska. By independently I mean that we do not accept any government funding. We use a stellar curriculum. My two high schoolers score 99 every year on the IOWA basic skills test. I pay my college graduated neighbor to administer the tests. Both students plan to go to college and are taking college prep track. Four years of math, English, history/government, and science. I have a daughter in 7th grade who says she doesn't want to go to college. She will still take the college prep courses. If I see that she cannot keep up with the rigorous math (which I doubt will happen) when she gets into high school, we will take the same classes at a slower pace but we will not quit math or science or English. Even if she entirely quits schooling after high school, she will still be better prepared for life. My son is a junior and he talks about school with his public school friends who tell him how boring school is because the bar has been set so low that they barely work at their schoolwork and yet get As. They tell about kids who take the easier classes so they can graduate in the top 10% of their class and how wrong that is. My son feels fortunate to homeschool and be challenged in his schoolwork.

Thoughts on this bill and its effects:

- We need to expect more of all of our students, whether they will attend college or not.
- I support making the scholarship merit based for several reasons:
- We bought a book listing all the scholarships available and it is the size of a large phone book. Most of the scholarships listed are needs based or based on ethnicity. There are precious few scholarships offered for merit and fewer still if you are a white kid – especially male.

- We have saved our kid's PFD checks for all these years to send them to school and there are other schools that offer merit based scholarships so if they are not offered in Alaska we will be more likely to look at going out of state.
- I know of other families who saved those PFD checks only to discover their child was not eligible for scholarship because it was based primarily on need, not merit. One family took all of the money and bought a brand new car for their child so that they could put down a zero for savings on the FAFSA. Our family will not do that. Yes, we have saved up money for college but if my kids can qualify for merit based scholarships, they can save that money for their master's degree or for a down payment on a house. They have worked hard at school and we have worked hard at saving.
- The other reason we would be less likely to send our kids to UAF or UAA is that both schools seem to be dumbed down to accommodate the poor high school education kids are getting in the public school in Alaska. If, as I have heard, states that offer the merit based scholarships for kids who complete a rigorous high school schedule are able to start their college students at college level, we would be more interested in sending our kids to the UA system.

Debbie Joslin
PO Box 377
Delta Junction, AK 99737

March 01, 2010

Representative Paul Seaton, Chair
House Education Committee
State Capitol
Juneau, AK 99802

Chair Seaton and Members of the House Education Committee,

The Alaska Chamber of Commerce, recognizing the importance of affordable and accessible higher education, supports the Alaska Governor's Performance Scholarship initiative. Governor Parnell's recently unveiled proposal would allow all Alaska high school students to earn tuition scholarships for use after high school at qualifying Alaska schools. The Governor's Performance Scholarship, or GPS, is a merit-based scholarship for Alaska high school students. To qualify, students will have to take four years of math, language arts and science, in addition to three years of social studies.

The Alaska State Chamber of Commerce supports HB 297, the Governor's Performance Scholarship (GPS) program. President Mark Hamilton stated many years ago that Alaska has long suffered from a brain drain. For years, our best and brightest left the state and never returned to contribute to the Alaska workforce or to participate in the state's economy as educated entrepreneurs. HB 297 creates an additional scholarship program to keep Alaskans in state. For a sound economy and a sound workforce, we must continue to offer our top achieving high-school graduates additional opportunities to remain in Alaska.

The legislature's passage of the UA Honors program is clearly making progress at getting young Alaskans to remain in Alaska for college. Statistics show that college graduates are more likely to find jobs in their college graduating cities. For businesses to succeed in Alaska, a well-trained and well-educated workforce is paramount to success for any business. HB 297 will continue to bridge the gap in keeping our best and brightest in state for university study and hopefully after for future employment.

Currently, workers entering the marketplace are deficient in proper skill sets to enter the job force. An educated workforce continues to be a problem for employers in Alaska despite a faltering economy. All too often, jobs go unfilled or employers are forced to fill them with unqualified workers. By enticing our best to stay in state, the Alaska State Chamber of Commerce envisions HB 297 making the difference. We can create an educated in state workforce in just a few years.

Yours in economic prosperity,

Wayne A. Stevens
President/CEO

ALASKA STATE CHAMBER OF COMMERCE

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The purpose of this document is to provide a quick glance at the 22 scholarship programs cited by the Taylor Foundation. Ever since Governor Parnell proposed the Governor's Performance Scholarship (GPS) people make references to 22 similar state programs. The GPS is a merit-only program, and the argument for this tends to cite the successes of these 22 other programs. Here I will show some additional information behind this number, primarily looking at the needs-based components within these programs.

To produce this list I researched the programs and states listed on the Taylor Foundation website labeled as "Taylor Plan States." The eligibility requirements listed are the most relevant to the scholarship discussions in the State of Alaska.

- 12 of the State programs cited by the Taylor Foundation have some sort of needs-based component (Arkansas, California, Indiana, Maryland, Mississippi, New Mexico, North Carolina, Oklahoma, Tennessee, Texas, Virginia, and Wyoming).
    - Of these 12, all but Wyoming have demonstrable financial need as an eligibility requirement. Wyoming's need component kicks in when remaining unmet need exists.
- Rhode Island's program is actually a private non-profit. The non-profit's focus is on low-income families
- Information on Alabama is incomplete, and of the State scholarship programs listed, only 2 are general scholarships (one of which is needs-based, the other has no clear merit requirements).

To demonstrate financial need many programs have family income ceilings or require the FAFSA. Those with notable income ceilings are: Indiana, Maryland, Mississippi, New Mexico, Oklahoma, and Tennessee.

For more information contact Ryan Buchholdt
rbuchholdt@gmail.com
(907) 317-2980

This document was created by Ryan Buchholdt as part of his Civic Engagement capstone at the University of Alaska Anchorage. Ryan is a member of UAA's Student Government and has been working on financial aid legislation for the past 2 years (SB33/HB94 – the Alaska Achieves Incentive Program).

Alabama: The Taylor Foundation lists: "Passed by the Legislature, not yet funded – 2003"
Unclear what program is being referenced. Most State financial aid programs in Alabama are specific, aside from 2 financial assistance grants: Alabama Student Assistance Program (needs-based, $300-$2,500 / year) and the Alabama Student Grant Program (up to $1,200 / year).

There are 2 programs under construction, but both are college savings plans.

http://www.ache.state.al.us/StudentAsst/Programs.htm

Arkansas: Academic Challenge Scholarship
Key requirements:

- demonstrate financial need
- ACT of at least 15
- 4 units of English (emphasis on writing), 3 units of Natural Sciences (1 of Biology, 1 of Chemistry or Physics, 1 of any natural science), 4 units of Math (Algebra I and II, Geometry, and 1 advanced math course), 3 units of Social Studies (1 of American History, 1 of World History, ½ of Civics or Government), 2 units of a Foreign Language.

Award of up to $3,500 annually.

http://acs.adhe.edu/aidprograms.html
http://acs.adhe.edu/pdfs/fa/acs_core_aug_2006.pdf

California: The Cal Grant Program
Key eligibility requirements: have demonstrated financial need, have family income and assets below ceilings, minimum GPA.

- GED applicable
- Includes a level for vocational education
- Grants are primarily entitlements based on FAFSA
- If denied the entitlement, competitiveness grants can be given based on GPA and financial need

http://www.calgrants.org/index.cfm?navId=10

Florida: Bright Futures Scholarship Program
3 levels:
1) Academic Scholars Award

- 3.5 GPA
- 4 units of English (3 with substantial writing), 3 units of Math (Algebra I and above), 3 units of Natural Sciences (2 with substantial lab), 3 units of Social Sciences, 2 units of a Foreign Language.
- 75 hours of approved community service
- Scored 1270 on SAT or 28 on ACT (both excluding the writing sections)

2) Medallion Scholars Award

- 3.0 GPA
- 4 units of English (3 with substantial writing), 3 units of Math (Algebra I and above), 3 units of Natural Sciences (2 with substantial lab), 3 units of Social Sciences, 2 units of a Foreign Language.

- No community service requirement
- Scored 970 on SAT or 20 on ACT (both excluding the writing sections)

3) Gold Seal Vocational Scholars Award
- 3.0 weighted GPA w/ a 4-year diploma and a 3.5 unweighted GPA in a minimum of three vocational credits in one vocational program
- 4 units of English, 3 units of Math (including Algebra I), 3 units of Natural Sciences, 3 units of Social Sciences, 1 unit of Practical Arts, ½ in Life Management Skills, ½ in Personal Fitness, ½ in Physical Education, 2 units of a Foreign Language. Plus a minimum of three Vocational Job-Preparatory or Technology Education Program credits in one vocational program.

http://www.floridastudentfinancialaid.org/ssfad/bf/acadrequire.htm

Georgia: Helping Outstanding Pupils Educationally (HOPE)
Eligibility: must meet one:
- 3.0 College Preparatory Diploma or 3.2 other diploma type
- Eligible home school program with 3.0 GPA
- Score in 85th percentile for ACT or SAT
- 3.0 in 30 semester hours or 45 quarterly hours of college degree-level courses.

The award for public institution covers tuition, HOPE-approved fees, book allowance ($100 / quarter or $150 / semester).

http://www.gacollege411.org/Financial_Aid_Planning/HOPE_Program/Georgia_s_HOPE_Scholarship_Program_Overview.aspx

Indiana: Twenty-first Century Scholars Program
Stated goal: "The Twenty-first Century Scholars Program began in 1990 as Indiana's way of raising the educational aspirations of low and moderate-income families. The program aims to ensure that all Indiana families can afford a college education for their children."

Eligibility requirements:
- meet applicable family income ceilings (http://www.in.gov/ssaci/2380.htm)
- Make a commitment to the Scholars Pledge (*will graduate high school, will get at least a 2.0 GPA, will not use drugs or commit a crime, will apply to eligible Indiana university, with apply on time for financial aid*) (http://www.in.gov/ssaci/2374.htm)

Award: the cost of 4 years of undergraduate tuition at public institutions.

http://www.in.gov/ssaci/2345.htm

Kentucky: Kentucky Education Excellence Scholarship (KEES)
Eligibility:
- 2.5 GPA in any year of High School
- 4 units of Language Arts, 3 units of Math, 3 units of Science, 3 units of Social Sciences, ½ unit of Health, ½ unit of Physical Education, 1 unit of Art Appreciation, 7 units of Electives (from the listed subjects, more rigorous than the minimum courses required for graduation)

Additionally there is a bonus award for students who received a score of 15 on ACT or 710 on SAT (critical reading and math).

Award: annual scholarship amount varies by high school GPA and ACT score (for bonus only). A 3.00 GPA gives $250 / year of college.

http://www.kheaa.org/website/kheaa/kees?main=1

Louisiana: Taylor Opportunity Program for Students (TOPS)
TOPS Core curriculum: (http://www.osfa.state.la.us/MainSitePDFs/Core_Curriculum_1.pdf)

- 4 units of English
- 3 units of Math
- 3 units of Science
- 1 additional unit of Math or Science
- 3 units of Social Studies
- 2 units of a Foreign Language
- 1 unit of Fine Arts
- ½ unit of Computer Science

There are 4 components:
1) TOPS Opportunity Award: 2.5 GPA and ACT of 20
2) TOPS Performance Award: 3.0 GPA and ACT of 23
3) TOPS Honors Award: 3.0 GPA and ACT of 27
4) TOPS Tech Award: 2.5 GPA, ACT of 17, and 17 Tech Core unit for Option 1, 19 for Option 2

Awards: based on TOPS level and University.

http://www.osfa.state.la.us/TOPS.htm
http://www.osfa.state.la.us/

Maryland: Educational Excellence Awards Program
2 components:
1) Guaranteed Access (GA) Grant
(http://www.mhec.state.md.us/financialAid/ProgramDescriptions/prog_ga.asp)

- 2.5 GPA in high school
- Must demonstrate financial need and family income must be under certain ceilings

Award: 100% of financial need, capped at $14,300

2) Educational Assistance (EA) Grant
(http://www.mhec.state.md.us/financialAid/ProgramDescriptions/prog_ea.asp)

- Must demonstrate financial need
- Applicants ranked by Estimated Family Contribution (EFC) as reported on the FAFSA

Award: 40% of need for 4-year institutions, 60% of need for community colleges, capped at $3,000.

Missouri: Academic Bright Flight Scholarship Program
Eligibility:

- ACT or SAT score in the top 3% of the state. For 2010 it was raised to 5%.

Award: $2,000 / year.
Starting in 2010-2011 Academic year the award will be divided between two levels determined by ACT or SAT score. ACT of 31 or above will receive $3,000 / year, while ACT of 30 will receive $1,000 / year

http://www.dhe.mo.gov/brightflight.shtml

Mississippi: Higher Education Legislative Plan for Needy Students (HELP)
"Created by the Mississippi Legislature this program is designed to provide tuition assistance to qualified students whose financial need, as demonstrated by federal student aid eligibility, will not be met with gift aid from other sources."

Eligiblity:

- 2.5 GPA
- Score of 20 on ACT
- 4 units of English, 3 units of Math (Algebra I and II, 1 unit of advanced math), 3 units of Science (1 of Biology, 1 of Chemistry, 1 other), 3 units of Social Studies (1 of American History, 1 of World History, 1 of Civics or Economics), 1 unit of Fine Arts, 2 units of a Foreign Language, ½ unit of Computer Science, 1 elective from above subjects.
- Family income must be under certain ceilings (http://www.mississippi.edu/pg2c/glomer/upload_repo/files/HELP_adj_gross_income.pdf)
- Demonstrate financial need via the FAFSA

Award: Tuition and required fees at a public institution, or if attending a private institution an award equal to the nearest comparable public institution.

http://www.mississippi.edu/riseupms/financialaid-step3-grants-loans.php?article_id=225
http://www.mississippi.edu/pg2c/glomer/upload_repo/files/HELP_core_reqs.pdf

Nevada: Millennium Scholarships
Eligibility:

- 3.25 GPA
- Must pass all areas of the Nevada High School Proficiency Exam
- 4 units of English, 4 units of Math (including Algebra II), 3 units of Natural Sciences, 3 units of Social Science and History

Award: based on per-credit basis. Within the Nevada System of Higher Education (NSHE) Scholars will receive $40 / lower division credit and $60 / upper division credit, capped at 12 credits / semester. Scholars attending eligible institutions outside of NSHE will receive $80 / credit.

https://nevadatreasurer.gov/documents/millennium/Doc-FactSheet.pdf

New Mexico: New Mexico Scholars Program
Eligiblity:

- 3.0 GPA in high school
- ACT score of 25 **OR** SAT of 1140 **OR** top 5% of graduating class

- Total combined family income cannot exceed $30,000 with one family member in college, $40,000 with two in college

Award: covers tuition, fees, and books

http://www.unm.edu/~schol/freshmen/nmscholars.html

North Carolina: Legislative College Opportunity Program
"The College Opportunity Program will recruit future students who might not otherwise finish high school or continue on to college. The program will provide financial and academic incentives that will encourage socially and economically disadvantaged students to do well in middle grades and high school and enroll in college following graduation. Improvement in academic performance, high school graduation rates, college going rates, and college graduation rates of under-performing students will be principal goals of the program."

Eligibility:

- "Be a first-generation college student and/or come from a family with an annual income that qualifies the family as disadvantaged based on federal guidelines"
- Maintain a B or better average throughout high school
- Maintain public school attendance of 95%
- Complete the PSAT and SAT or ACT
- Complete at least 15 hours of community service per year
- Remain drug free

Award: First year assistance that will cover tuition, fees, and books.

http://www.northcarolina.edu/policy/index.php?pg=vs&id=467

Oklahoma: Oklahoma Higher Learning Access Program or Oklahoma's Promise
Eligibility:

- 2.5 GPA
- Family income must be $50,000 or less
- 4 units of English, 3 units of Math, 3 units of Lab Sciences, 3 units of History and Citizenship, 2 units of a Foreign Language, 1 additional unit from listed subjects, and 1 unit of Fine Arts

Award: pays tuition at public institutions, and partial tuition at eligible private institutions.

http://www.okhighered.org/okpromise/student-requirements.shtml
http://www.okhighered.org/okpromise/required-courses.shtml

Rhode Island: Children's Crusade for Higher Education
Private, non-profit focused on "reducing school dropout rates and to increasing educational and career success for youth from low-income urban communities."

Eligibility:

- "Earn admission to an accredited college, university, junior college or trade school within one year of graduation or participate in a RI union apprenticeship or industry training program within one year of graduation"

- Full-time student
- Are low-income

Award: Varies by the kind of school and demonstrated need. Maximum scholarship is equal to the Federal Pell Grant ($4,310) or the school's tuition, whichever is lower.

www.childrenscrusade.org

South Carolina: Legislative Incentives for Future Excellence (LIFE) Scholarships
Eligibility: 2 of the 3 following:

- 3.0 High School GPA
- SAT score of 1100 **OR** ACT score of 24
- In top 30% of graduating class

Award: $5,000/year, with $4,700 for tuition and $300 for books.

http://www.clemson.edu/finaid/LIFEnew.htm

Tennessee: Education Lottery Scholarship Program (TELS)
There are a few components under this program:

Tennessee HOPE Scholarship: $4,000 for 4-year institutions or $2,000 for 2-year institutions
Eligibility:

- ACT of 21 **OR** SAT of 980
- High school GPA of 3.0

Tennessee HOPE Access Grant: $2,750 for 4-year institutions or $1,750 for 2-year institutions
Eligibility:

- ACT of 18-20 **OR** SAT of 860-970
- Family adjusted gross income $36,000 or less

General Assembly Merit Scholarship (GAMS) : $1,000 supplemental to HOPE Scholarship
Eligibility:

- ACT of 29 **OR** SAT of 1280
- High school GPA of 3.75

Aspire Award: $1,500 supplemental to HOPE Scholarship
Eligibility:

- Meeting HOPE Scholarship requirements
- Family adjusted gross income of $36,000 or less

Wilder-Naifeh Technical Skills Grant: $2,000
Eligibility:

- Available to all students enrolled at Tennessee Technology Center who are Tennessee residents 1 year prior to entrollment.

http://www.tn.gov/collegepays/mon_college/lottery_scholars.htm
http://www.tn.gov/collegepays/mon_college/sch_app_pdfs/ScholarshipData102009.pdf#DFE9.pdf

Texas: Toward Excellence Access & Success
"The Texas Legislature established the TEXAS (Towards EXcellence, Access and Success) Grant to make sure that well-prepared high school graduates with financial need could go to college."

Eligibility:

- Show financial need and have an Estimated Family Contribution of $4,000 or less
- Completed Recommended High School Program (*4 units of English, 4 units of Math, 4 units of Science, 4 units of Social Studies, 2 units of a Foreign Language, 1 unit of fine Arts, 1 unit of Technology Applications, 1 ½ units of Physical Education, ½ units of Health Education, 1/5 units of Speech, 3 ½ units of electives*) **OR** Distinguished Achievement Program (*score 3 or above on AP exam, or 4 on International Baccalaureate exam; Complete an original project; PSAT score qualifying you as a "Commended Scholar"; earn 3.0 on classes that count as college credit).*

Award: $6,080 / year at public universities and state colleges, $1,780 at community colleges, $2,680 at public technical colleges, and $3,808 at private institutions.

http://www.collegefortexans.com/index.cfm?ObjectID=E81912E0-DF96-53C5-8EE1C469C7298F15
Recommended High School Program:
http://www.collegefortexans.com/index.cfm?ObjectID=B5696E87-D0EE-F501-7D8D3898E6B018D6
Distinguished Achievement Program
http://www.collegefortexans.com/index.cfm?ObjectID=D4D077EF-E089-7788-D2CC15BB69A2494B

Virginia: Virginia Guaranteed Assistance Program
"The purpose of the Virginia Guaranteed Assistance Program (VGAP) is to provide an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their future. The law requires that the awards to undergraduates be proportional to need so that the students with the greatest need receive the largest awards."

Eligibility:

- Demonstrate financial need
- High school GPA of 2.5
- Be classified as a dependent for federal aid purposes

Awards: varies by institution, but neediest students will receive at least the cost of tuition.

http://www.schev.edu/students/factsheetVGAP.asp?from=

West Virginia: Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship
Eligibility:

- 3.0 High School GPA (or whatever is considered a "B" average)
- 4 units of English, 3 units of Math, 4 units of Social Sciences, 3 units of Natural Sciences
- ACT composite of 22 (w/ 20 in all 4 subsections) **OR** an SAT composite of 1020

Award: $4,750 / year or the cost of tuition and mandatory fees, whichever is less.
http://wvhepcnew.wvnet.edu/index.php?option=com_content&task=view&id=65&Itemid=0/home.asp
x

Wyoming: Hathaway Scholarship Program
The Hathaway Scholarship Program has three levels, each of which has a secondary needs-based component.

Opportunity: $800 / semester; 25% of unmet need: $100-$750 / semester

- High school GPA of 2.5
- ACT of 19
- Completion of Curriculum requirements*, except the Foreign Language requirement

Performance: $1,200 / semester; 25% of unmet need: $100-$750 / semester

- High school GPA of 3.0
- ACT of 21
- Completion of Curriculum requirements*

Honors: $1,600 / semester; 100% of unmet need: $100-total unmet need.

- High school GPA of 3.5
- ACT of 25
- Completion of Curriculum requirements*

*Curriculum requirements:

- 4 years of Math
- 4 years of Science
- 3 years of Social Studies
- 4 years Language Arts
- 2 years of a Foreign Language

http://www.k12.wy.us/Hathaway.asp
http://www.uwyo.edu/hathaway/eligibility.asp

DRAFT FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: CSHB297(EDC)-EED-ACPE-03-08-10
() Publish Date:

Identifier (file name): An Act establishing the governor's performance
Title: scholarship program and relating to the program; establishing the
Sponsor: Rules
Requester: Governor

Dept. Affected: Education
RDU: ACPE
Component: Program Administration and Operations
Component Number: 2738

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual	275.0						
Supplies							
Equipment							
Land & Structures							
Grants & Claims			14,480.0	25,623.4	33,252.8	37,169.6	37,169.6
Miscellaneous							
TOTAL OPERATING	**275.0**	**0.0**	**14,480.0**	**25,623.4**	**33,252.8**	**37,169.6**	**37,169.6**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	275.0		14,480.0	25,623.4	33,252.8	37,169.6	37,169.6
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**275.0**	**0.0**	**14,480.0**	**25,623.4**	**33,252.8**	**37,169.6**	**37,169.6**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

The contractual funds noted above represent the cost of implementation and year one support for scholarship management software.

Assumptions:

1) Baseline count of high school graduates (8,008) based on 2009 data.

2) Referenced utilization rate of 28.78% for similarly structured program in WY. While Alaska has lower college-going rates historically than WY, in recent years we have had a higher percentage of students who do continue on attend in Alaska.

3) Maximum GPS award at highest performance level is based upon the University of Alaska tuition for the 2010-11 school year ($4,755).

Prepared by: Diane Barrans, Executive Director — Phone 465-6740
Division: Alaska Commission on Postsecondary Education — Date/Time 3/8/10 3:00 PM
Approved by: Diane Barrans, Executive Director — Date 3/8/2010
Alaska Commission on Postsecondary Education

(Revised 11/6/2009 OMB)

ANALYSIS CONTINUATION

4) Per student GPS amount is an average of all award levels.
5) Scholar attrition rate is 25% per year based upon UA five-year graduation rate data.
Participation numbers are assumed to be: Year 1=2,305; Year 2=4,034; Year 3=5,187; Year 4=5,763

In 2009, Alaska had 8,008 high school graduates
In Wyoming, approximately 28.8% of graduates utilize the merit scholarship program.
Using the same utilization rate, approximately 2,305 seniors will earn an opportunity for a scholarship.

Scenario #1 is an estimate for the max. scholarship
2,305 X $4,755/year = $10,960,275

Scenario #2 is an estimate for the minimum scholarship
2,305 X 2,378/year = $5,481,290

It is likely the cost will be somewhere in between
($10,960,275 + $5,481,290)/2 = $8,220,783

According to Education Trust, the average graduation rate after 5 years for UAF is 25% and UAA is 16.5%.
The four-year graduation rate is significantly lower.

Cohort: 2,305 students per year

	Participation rates	Number of Students	Average Scholarship	Est. annual cost	Year 1 Estimated Cost	Year 2 Estimated Cost	Year 3 Estimated Cost
Year 1	100%	2,305	$3,567	$ 8,221,935	$8,221.9		
Year 2	75%	1,729	$3,567	$ 6,167,343		$14,389.3	
Year 3	50%	1,153	$3,567	$ 4,112.751			$18,502.0
Year 4	25%	576	$3,567	$ 2,054,592			
Estimated annual cost when fully implement		5,763		$20,556.621			

Unmet need costs based on cohort: 2,305 students per year

	Participation rates	Number of Students	Average Need	Est. annual cost	Year 1 Estimated Cost	Year 2 Estimated Cost	Year 3 Estimated Cost
Year 1	100%	2,305	$2,715	$ 6,258,075	$6,258.0		
Year 2	75%	1,729	$2,878	$ 4,976,062		$11,234.1	
Year 3	50%	1,153	$3,050	$ 3,516,650			$14,750.8
Year 4	25%	576	$3,233	$ 1,862,208			
Estimated annual cost when fully implement		5,763		$16,612,995			

Assumes average Expected Family Contribution of $7,500 + $2,000 required student contribution
Assumes 6% annual increase in standard UA costs of attendance.

GOVERNOR'S PERFORMANCE SCHOLARSHIP

HB297/SB224

INFORMATION PACKET

JANUARY 2010

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

STATE OF ALASKA

Department of Education & Early Development

Office of the Commissioner

SEAN PARNELL, GOVERNOR

Goldbelt Place
801 West 10th Street, Suite 200
P.O. Box 110500
Juneau, Alaska 99811-0500
Telephone: (907) 465-2800
Fax: (907) 465-4156

Dear Alaskans,

Alaska's high school graduation rate jumped 5 percentage points last year and we graduated 8,000 students, 1,000 more a year than in recent years. That's great news, and it's a tribute to the efforts of our families and educators. Those are 8,000 Alaskans who have pushed open the door to greater opportunities.

But many of our students still leave school without a diploma. That's why I'm excited that Gov. Parnell has sponsored legislation that provides families with an incentive to make high school a productive experience for students.

The Governor's Performance Scholarship says to our kids: Challenge yourself in high school, work hard, and you can earn a substantial scholarship that helps you fulfill *your* goals in life. We call it GPS because its course requirements help students navigate through high school and into their careers.

What I especially like about Gov. Parnell's program is that it creates both academic and career/technical scholarships. Alaska needs the talents of all of our youth. Our economy offers good jobs for a variety of skills. Let's fill those jobs ourselves.

I also like that the scholarships will be available for students with different levels of academic achievement. I was a school principal for decades, and I know that not every productive adult was an A student in high school. If you take tough courses, study hard and end up with a B or a C+ average, you also qualify for a Governor's Performance Scholarship. That's only right.

But it's not a giveaway program. Students who want to receive a Governor's Performance Scholarship must take four years of English, math and science, and three years of social studies. High school students who take a rigorous curriculum are more likely to do well in college.

You'll be hearing a lot about the Governor's Performance Scholarship this year as the Legislature considers the proposal. I hope you will review the bill and talk to your legislators about it. Please contact Information Officer Eric Fry at 465-2851 or eric.fry@alaska.gov if you have questions.

Sincerely,

Larry LeDoux
Commissioner

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Brief talking points for the proposed Governor's Performance Scholarship

In a nutshell:

- The Governor's Performance Scholarship program offers scholarships to Alaska residents who take a rigorous curriculum in high school, get good grades, and score well on an assessment.
- The scholarships may be used only at Alaska technical and academic postsecondary institutions, public and private.
- GPS will be funded from earnings of a portion of the state's savings.

The goals:

- Increase high school graduation rates.
- Increase high school graduates' readiness for postsecondary education.
- Increase the likelihood that Alaska's students will be academically and financially prepared to access and succeed in their postsecondary education.
- Ensure that Alaskans can contribute to a robust state economy as participants in the highly skilled work force.
- Encourage schools to provide a rigorous curriculum.
- Encourage families to feel ownership of their students' education.

More details:

- The GPS awards would first be available to the high school Class of 2011, graduates of which would enter colleges or technical schools in or after fall 2011.
- The high school course requirements would be phased in over time. They are: four years of English, math and science, and three years of social studies.
- Examples of permitted assessments include ACT college-admission tests for academic scholarships and the ACT WorkKeys tests for technical scholarships.

Categories of scholarships:

Career and technical: acceptable grade point average and acceptable score on a work-ready assessment for an award capped at $3,000 a year for two years.

Silver: "C+" high school GPA and an acceptable score on a college-entrance assessment for an award of approximately $2,400 a year for up to 8 semesters.

Gold: "B" high school GPA and an acceptable score on a college-entrance assessment for an award of approximately $3,600 a year for up to 8 semesters.

Platinum: "A" high school GPA and an acceptable score on a college-entrance assessment for an award of approximately $4,800 a year for up to 8 semesters.

More information:

EED Information Officer Eric Fry at 907-465-2851 or eric.fry@alaska.gov.

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Governor Sean Parnell
STATE OF ALASKA

January 15, 2010

The Honorable Gary Stevens
President of the Senate
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Stevens,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill that will create a merit-based scholarship program for Alaska high school students who pursue higher education in Alaska.

This legislation, referred to as the Governor's Performance Scholarship (GPS), is patterned after successful scholarship programs in 22 other states. The GPS will improve high school graduation rates, prepare students for college or job training, provide Alaskan students with affordable opportunities for higher education, sustain Alaska's economy with a capable workforce, and retain equipped, hardworking Alaskan students.

This bill provides four tiers of scholarship payment for qualified high school graduates. Three of these tiers would be designated for academic scholarships, and the fourth for career and technical school scholarships.

The key feature of the scholarship program is that it is merit-based. All students who participate will be required to complete a more rigorous high school curriculum consisting of four years of language arts, mathematics, and science, and three years of social studies. Students will also be evaluated according to standards established for their grade-point averages and scores on college entrance or work-ready examinations.

The program will provide an incentive for students to challenge themselves in high school and to graduate. It also provides an impetus for schools to enhance curriculum. Studies have shown that students who take a rigorous curriculum in high school are more likely to do well in college and job training programs. Thus, the scholarship recipients will be more likely to achieve their certification or degree.

Students who achieve the highest attainable grade point average and examination scores will be awarded the highest tier of the academic scholarship for an Alaska-based college or university. This tier will equal the full cost of tuition at an Alaskan university for the 2010-2011 school year. The second and third tiers of the academic scholarship will be 75 and 50 percent the amount of

respective tuition. Students will be eligible for the academic scholarship for a maximum of eight semesters. Students who qualify for a career or technical school scholarship will receive an award of full fees for training, the maximum at $3,000 per year. The career and technical scholarship may be used by a student for up to two years.

The GPS will only be accessible to Alaska residents. However, this bill will allow that Alaskan military members and their families will not lose eligibility on account of their service.

The bill will require that money from these scholarships will only be spent at qualified Alaska post-secondary institutions or training programs. Students educated in the state are more likely to remain in the state. This provision encourages our best and brightest young people to remain in the state and prepare qualified Alaskan workers for Alaskan jobs.

The GPS program contains a "use it or lose it" provision: students will have a six-year window to apply the scholarship to a postsecondary institution. This protects the State of Alaska from an extended liability. As previously stated, the bill will provide extensions for Alaskans who serve in the military.

The GPS will be administered by the Alaska Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education. Regulations will be adopted to govern the program, grade-point average standard, eligibility criteria and an appeals process to consider extraordinary circumstances. The Alaska Commission on Postsecondary Education will adopt regulations for streamlined application, award, and continuing eligibility standards.

Also, this bill will establish a fund whose earnings could be used to pay for scholarships. The proposed fund is based on other funds established in statute, such as the Alaska Veterans' Memorial endowment fund, and will be managed by the Department of Revenue. Nothing in this bill will establish a dedicated fund.

The GPS is modeled after the famous "Taylor plan," established by private businessman, Patrick Taylor, to keep students in school and motivate them to pursue successful postsecondary education. Currently, twenty-two states have "Taylor like" state-sponsored plans.

I urge your prompt and favorable action on this bill.

Sincerely,

Sean Parnell
Governor

Enclosure

SENATE BILL NO. 224

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/19/10
Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall include in a student's permanent record the highest tier of funding for which the student is eligible. A district shall provide a student with an opportunity to request that the district correct any errors in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended by adding a new paragraph to read:

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to adopt regulations and its duty to consider appeals under AS 14.43.100(b) and AS 14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsecondary education or other individuals or organizations to make studies, conduct surveys,

submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

*** Sec. 4.** AS 14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship.

Sec. 14.43.810. Governor's performance scholarship established; Alaska residency. (a) The governor's performance scholarship program is established to provide scholarship opportunities for Alaska resident high school graduates to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship and a merit-based career and technical school scholarship. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The Department of Education and Early Development shall design the programmatic standards for the scholarships and appeals of adverse decisions. The Alaska Commission on Postsecondary Education shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non-loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS 44.62 after consultation with each other. The department may change the regulations under AS 44.62 for requirements for programmatic standards for required academic achievement for eligibility only by giving advanced public notice at least one school year before the change.

(c) For purposes of this program, a student is an Alaska resident if the student

meets the eligibility for residency as described in AS 01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in grades kindergarten through 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities.

Sec. 14.43.815. Qualifications of applicants. (a) A student may submit an application for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate no later than six months after the date of the application from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate no later than six months after the date of the application from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include an Alaska resident high school student having left the state because of the military service of the student's Alaska resident custodial parent;

(3) will receive and utilize the scholarship at a qualified postsecondary

institution in the state no later than six years after the beginning of the first school year after a student's graduation from high school, unless the applicant qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time must include time while the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship if the person

(1) has not complied with the military service registration imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements were applicable to the student;

(2) is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade-point average that the student must have achieved in high school to be eligible for each of the three tiers of academic scholarship;

(3) the minimum score on a college entrance examination that the

student must have achieved to be eligible for each of the three tiers of academic scholarship;

(4) enrollment in a course of study at a qualified university or college in this state that is intended to result in the award of a certificate or degree;

(5) a process through which a student who is no longer eligible can regain eligibility;

(6) a process through which a home-schooled or private-schooled student may submit evidence to the qualified university or college that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to a student who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade-point average that the student must have achieved in high school;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's

preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section, the maximum awards for the program are as follows:

(1) for the merit-based academic scholarship, three tiers of scholarship financing awards; the highest tier of award per semester must be equal to the cost of approved tuition at the University of Alaska in school year 2010 through 2011 for a student taking 15 credits, and require very high academic achievement; the second tier must be 75 percent of the highest tier and require high academic achievement; the third tier must be 50 percent of the highest tier and require moderate academic achievement;

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 per school year;

(3) a student's academic achievement must be determined by the student's high school grade-point average and score on an examination described in AS 14.43.820(b)(3) and 14.43.825(b)(3).

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award on a pro rata basis.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of time allowed by the department. The department shall recognize the student's military service in making allowances under this subsection.

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses. A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the

student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non-loan financial aid awarded to the student.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway for students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances that would make it unfair not to allow the student to make up the deficit. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the fairness to students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which fairness requires that a student be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission

shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program. The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund

to the state the amount of the scholarship awarded in error.

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the governor's performance scholarship program.

(b) No more than 10 days after the start of each year's legislative session, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the governor's performance scholarship program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) dollar amount of scholarships awarded in past years and expected dollar amounts for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context requires otherwise,

(1) "commission" means the Alaska Commission on Postsecondary Education;

(2) "commissioner" means the commissioner of education and early development;

(3) "department" means the Department of Education and Early Development;

(4) "grade-point average" means the average of all grades on a four-

point scale, or five-point scale for advanced placement classes, obtained by the student in high school;

(5) "military service" means active duty in the armed forces of the United States;

(6) "program" means the governor's scholarship program established under AS 14.43.810 - 14.43.890;

(7) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

* **Sec. 5.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [and] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

* **Sec. 6.** AS 23.05.060 is amended to read:

Sec. AS 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons;

(7) administer duties assigned to the department under the

governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 7.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional contributions that may be made to the fund. The commissioner shall invest the assets of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall provide reports to the Department of Education and Early Development, Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts that had previously been identified as available for appropriation to the governor's performance

scholarship fund income account but that had not been appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

*** Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and Workforce Development, after consultation with the Alaska Commission on Postsecondary Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. 4 of this Act, so that students

(1) may be eligible for the program even though they did not fully meet the required core academic curriculum for the school years beginning July 1, 2010 through June 30, 2013; and

(2) who graduated from high school in this state after June 30, 2010 and before July 1, 2011 and meet eligibility requirements for the program may apply for their scholarships beginning July 1, 2011.

*** Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

*** Sec. 10.** Section 9 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 11.** Except as provided in sec. 10 of this Act, this Act takes effect September 1, 2010.

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Governor Sean Parnell
STATE OF ALASKA

January 15, 2010

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Chenault,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill that will create a merit-based scholarship program for Alaska high school students who pursue higher education in Alaska.

This legislation, referred to as the Governor's Performance Scholarship (GPS), is patterned after successful scholarship programs in 22 other states. The GPS will improve high school graduation rates, prepare students for college or job training, provide Alaskan students with affordable opportunities for higher education, sustain Alaska's economy with a capable workforce, and retain equipped, hardworking Alaskan students.

This bill provides four tiers of scholarship payment for qualified high school graduates. Three of these tiers would be designated for academic scholarships, and the fourth for career and technical school scholarships.

The key feature of the scholarship program is that it is merit-based. All students who participate will be required to complete a more rigorous high school curriculum consisting of four years of language arts, mathematics, and science, and three years of social studies. Students will also be evaluated according to standards established for their grade-point averages and scores on college entrance or work-ready examinations.

The program will provide an incentive for students to challenge themselves in high school and to graduate. It also provides an impetus for schools to enhance curriculum. Studies have shown that students who take a rigorous curriculum in high school are more likely to do well in college and job training programs. Thus, the scholarship recipients will be more likely to achieve their certification or degree.

Students who achieve the highest attainable grade point average and examination scores will be awarded the highest tier of the academic scholarship for an Alaska-based college or university. This tier will equal the full cost of tuition at an Alaskan university for the 2010-2011 school year. The second and third tiers of the academic scholarship will be 75 and 50 percent the amount of

respective tuition. Students will be eligible for the academic scholarship for a maximum of eight semesters. Students who qualify for a career or technical school scholarship will receive an award of full fees for training, the maximum at $3,000 per year. The career and technical scholarship may be used by a student for up to two years.

The GPS will only be accessible to Alaska residents. However, this bill will allow that Alaskan military members and their families will not lose eligibility on account of their service.

The bill will require that money from these scholarships will only be spent at qualified Alaska post-secondary institutions or training programs. Students educated in the state are more likely to remain in the state. This provision encourages our best and brightest young people to remain in the state and prepare qualified Alaskan workers for Alaskan jobs.

The GPS program contains a "use it or lose it" provision: students will have a six-year window to apply the scholarship to a postsecondary institution. This protects the State of Alaska from an extended liability. As previously stated, the bill will provide extensions for Alaskans who serve in the military.

The GPS will be administered by the Alaska Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education. Regulations will be adopted to govern the program, grade-point average standard, eligibility criteria and an appeals process to consider extraordinary circumstances. The Alaska Commission on Postsecondary Education will adopt regulations for streamlined application, award, and continuing eligibility standards.

Also, this bill will establish a fund whose earnings could be used to pay for scholarships. The proposed fund is based on other funds established in statute, such as the Alaska Veterans' Memorial endowment fund, and will be managed by the Department of Revenue. Nothing in this bill will establish a dedicated fund.

The GPS is modeled after the famous "Taylor plan," established by private businessman, Patrick Taylor, to keep students in school and motivate them to pursue successful postsecondary education. Currently, twenty-two states have "Taylor like" state-sponsored plans.

I urge your prompt and favorable action on this bill.

Sincerely,

Sean Parnell
Governor

Enclosure

HOUSE BILL NO. 297

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/19/10
Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall include in a student's permanent record the highest tier of funding for which the student is eligible. A district shall provide a student with an opportunity to request that the district correct any errors in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended by adding a new paragraph to read:

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to adopt regulations and its duty to consider appeals under AS 14.43.100(b) and AS 14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsecondary education or other individuals or organizations to make studies, conduct surveys,

submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

*** Sec. 4.** AS 14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship.

Sec. 14.43.810. Governor's performance scholarship established; Alaska residency. (a) The governor's performance scholarship program is established to provide scholarship opportunities for Alaska resident high school graduates to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship and a merit-based career and technical school scholarship. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The Department of Education and Early Development shall design the programmatic standards for the scholarships and appeals of adverse decisions. The Alaska Commission on Postsecondary Education shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non-loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS 44.62 after consultation with each other. The department may change the regulations under AS 44.62 for requirements for programmatic standards for required academic achievement for eligibility only by giving advanced public notice at least one school year before the change.

(c) For purposes of this program, a student is an Alaska resident if the student

meets the eligibility for residency as described in AS 01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in grades kindergarten through 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities.

Sec. 14.43.815. Qualifications of applicants. (a) A student may submit an application for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate no later than six months after the date of the application from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate no later than six months after the date of the application from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include an Alaska resident high school student having left the state because of the military service of the student's Alaska resident custodial parent;

(3) will receive and utilize the scholarship at a qualified postsecondary

institution in the state no later than six years after the beginning of the first school year after a student's graduation from high school, unless the applicant qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time must include time while the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship if the person

(1) has not complied with the military service registration imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements were applicable to the student;

(2) is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade-point average that the student must have achieved in high school to be eligible for each of the three tiers of academic scholarship;

(3) the minimum score on a college entrance examination that the

student must have achieved to be eligible for each of the three tiers of academic scholarship;

(4) enrollment in a course of study at a qualified university or college in this state that is intended to result in the award of a certificate or degree;

(5) a process through which a student who is no longer eligible can regain eligibility;

(6) a process through which a home-schooled or private-schooled student may submit evidence to the qualified university or college that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to a student who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade-point average that the student must have achieved in high school;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's

preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section, the maximum awards for the program are as follows:

(1) for the merit-based academic scholarship, three tiers of scholarship financing awards; the highest tier of award per semester must be equal to the cost of approved tuition at the University of Alaska in school year 2010 through 2011 for a student taking 15 credits, and require very high academic achievement; the second tier must be 75 percent of the highest tier and require high academic achievement; the third tier must be 50 percent of the highest tier and require moderate academic achievement;

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 per school year;

(3) a student's academic achievement must be determined by the student's high school grade-point average and score on an examination described in AS 14.43.820(b)(3) and 14.43.825(b)(3).

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award on a pro rata basis.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of time allowed by the department. The department shall recognize the student's military service in making allowances under this subsection.

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses. A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the

student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non-loan financial aid awarded to the student.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway for students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances that would make it unfair not to allow the student to make up the deficit. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the fairness to students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which fairness requires that a student be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission

shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program. The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund

to the state the amount of the scholarship awarded in error.

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the governor's performance scholarship program.

(b) No more than 10 days after the start of each year's legislative session, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the governor's performance scholarship program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) dollar amount of scholarships awarded in past years and expected dollar amounts for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context requires otherwise,

(1) "commission" means the Alaska Commission on Postsecondary Education;

(2) "commissioner" means the commissioner of education and early development;

(3) "department" means the Department of Education and Early Development;

(4) "grade-point average" means the average of all grades on a four-

point scale, or five-point scale for advanced placement classes, obtained by the student in high school;

(5) "military service" means active duty in the armed forces of the United States;

(6) "program" means the governor's scholarship program established under AS 14.43.810 - 14.43.890;

(7) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

*** Sec. 5.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [and] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

*** Sec. 6.** AS 23.05.060 is amended to read:

Sec. AS 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons;

(7) administer duties assigned to the department under the

governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

* **Sec. 7.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional contributions that may be made to the fund. The commissioner shall invest the assets of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall provide reports to the Department of Education and Early Development, Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts that had previously been identified as available for appropriation to the governor's performance

scholarship fund income account but that had not been appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

*** Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and Workforce Development, after consultation with the Alaska Commission on Postsecondary Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. 4 of this Act, so that students

(1) may be eligible for the program even though they did not fully meet the required core academic curriculum for the school years beginning July 1, 2010 through June 30, 2013; and

(2) who graduated from high school in this state after June 30, 2010 and before July 1, 2011 and meet eligibility requirements for the program may apply for their scholarships beginning July 1, 2011.

*** Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

*** Sec. 10.** Section 9 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 11.** Except as provided in sec. 10 of this Act, this Act takes effect September 1, 2010.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 224
(S) Publish Date: 1/19/10

Identifier (file name): 0771-DOLWD-CO-12-09-09
Dept. Affected: Labor and Workforce Development
Title: Establishing the Governor's Performance Scholarship Program
RDU: Office of the Commissioner
Component: Commissioner's Office
Sponsor: Rules Committee
Requester: Governor
Component Number:

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual	25.0						
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**25.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	25.0						
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**25.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost: None

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

These funds will be used to contract for services to assist in the drafting of regulations setting criteria for the career and technical school scholarship portion of the bill required under Section 14.43.835 of this legislation.

Prepared by: Guy Bell, Assistant commissiioner
Phone 465-2700
Division: Office of the Commissioner
Date/Time 12/9/09 3:18 PM
Approved by: Click Bishop, Commissioner
Date 12/9/09
Agency: Department of Labor and Workforce Development

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SB 224
(S) Publish Date: 1/19/10

Identifier (file name): 0771-DOR-TRS-11-30-09
Dept. Affected: Revenue
Title: Governor's Performance Scholarship Endowment Fund
RDU: Treasury
Component: Treasury
Sponsor
Requester: Governor
Component Number: 121

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services	60.0		60.0	60.0	60.0	60.0	60.0
Travel							
Contractual	55.0		55.0	55.0	55.0	55.0	55.0
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**115.0**	**0.0**	**115.0**	**115.0**	**115.0**	**115.0**	**115.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							
FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts	115.0		115.0	115.0	115.0	115.0	115.0
TOTAL	**115.0**	**0.0**	**115.0**	**115.0**	**115.0**	**115.0**	**115.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

The draft bill provides for a separate endowment fund to be set up in the amount of $400 million to be managed by the Commissioner of Revenue. It is anticipated the fund will be managed with asset allocation of 60% fixed income and 40% domestic equity in order to yield a real annual rate of return of 5%. These costs include investment management fees, audit, accounting and custody fees and are projected based on the assumptions provided by the division's investment advisor and the division's cost allocation plan.

Prepared by: Pamela Green, Comptroller
Phone 465-2300
Division: Treasury Division
Date/Time
Approved by: Jerry Burnett, Deputy Commissioner
Date 11/25/2009
Department of Revenue

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: SB 224
(S) Publish Date: 1/19/10

Identifier (file name): An Act establishing the governor's performance
Title: scholarship program and relating to the program; establishing the
Sponsor: Rules
Requester: Governor

Dept. Affected: Education
RDU: ACPE
Component: Program Administration and Operations
Component Number: 2738

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual	275.0						
Supplies							
Equipment							
Land & Structures							
Grants & Claims			8,221,935.0	14,389,278.0	18,502,029.0	20,556,621.0	20,556,621.0
Miscellaneous							
TOTAL OPERATING	**275.0**	**0.0**	**8,221,935.0**	**14,389,278.0**	**18,502,029.0**	**20,556,621.0**	**20,556,621.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	275.0		8,221,935.0	14,389,278.0	18,502,029.0	20,556,621.0	20,556,621.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**275.0**	**0.0**	**8,221,935.0**	**14,389,278.0**	**18,502,029.0**	**20,556,621.0**	**20,556,621.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

The contractual funds noted above represent the cost of implementation and year one support for scholarship management software.

Analysis of Governor's Performance Scholarship (GPS) utilization rates and related costs follow on page two.

Prepared by: Diane Barrans, Executive Director — Phone 465-6740
Division: Alaska Commission on Postsecondary Education — Date/Time 1/8/10 12:00 AM
Approved by: Diane Barrans, Executive Director — Date 1/8/2010
Alaska Commission on Postsecondary Education

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 4
Bill Version: SB 224
(S) Publish Date: 1/19/10

Identifier (file name): 0771-EED-TLS-12-1-09
Title "An Act establishing the governor's performance scholarship..."
Sponsor Rules at the request of the Governor
Requester Governor

Dept. Affected: Education
RDU Teaching & Learning Support
Component School & Student Achievement
Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services	87.3						
Travel							
Contractual							
Supplies	30.0						
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**117.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	117.3						
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**117.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time	1.0						
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

Teaching and Learning Support will need to hire one staff member to oversee the promulgation and implementation of the department's regulations along coordination between EED, the University of Alaska, Department of Labor and Workforce Development and the Alaska Commission on Postsecondary Education (ACPE).

Education Specialist I at $87,306 plus start-up office supplies (computer, furniture, etc.) at $30,000 = $117,306

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance and Facilities — Date/Time 12/1/09 12:00 AM
Approved by: Larry LeDoux — Date 12/1/2009
Commissioner

(Revised 10/13/2009 OMB)

Prepared by the DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT
SECTIONAL ANALYSIS
Governor's Performance Scholarship program

BILL SECTION	SECTION TITLE	PAGE	LINE	PURPOSE OF SECTION	EFFECTIVE DATE
1	District determination of scholarship eligibility	1	6-13	Adds a new section placing determination of a student's scholarship eligibility with the school district of the graduate; also states that the student's permanent record shall include the highest scholarship tier funding for which the student is eligible.	
2	Duties of the department	1-2	14; 1-2	New paragraph authorizing EED to administer duties related to GPS.	
3	Functions, duties and powers of commission	2-3	3-31;1-10	Amends ACPE's authority to promulgate regulations; carry out purpose as it relates to GPS; etc	
4	Governor's Performance Scholarship	3-10	11...31	Adds new sections 14.43.810 establishes GPS and sets forth program goals; 14.43.815 sets forth qualifications of applicants; 14.43.820 establishes programmatic standards for eligibility for an award of merit-based academic scholarship; 14.43.825 establishes programmatic standards for an award of career and technical school scholarship; 14.43.827 sets for the maximum awards and their allowable uses; 14.43.830 establishes programmatic standards for an alternative pathway for students who are not eligible due to circumstances that would make it unfair no to allow them to make up the deficit; 14.43.835 sets forth the required credentials for qualified postsecondary institutions; 14.43.840 Authorizes the commission (ACPE) to establish procedures for student application for the GPS; 14.43.845 Sets forth the GPS fund as an income fund in the general fund and states that the fund may be used to pay scholarships awarded to students; 14.43.850 states that EED, ACPE, Dept. of	

				Revenue, UA and DOL/WD shall share data necessary to prepare public reports regarding GPS to the extent permitted under law and states that a report to the legislature, public and governor shall be given no more than 10 days following the start of each year's legislative session; 14.43.890 sets out definitions.	
5	Records	11	1-6	Adds the requirement that a religious or other private school that complies with AS 14.45.100 (Exemptions) must include the level of student eligibility for the GPS in each permanent student record.	
6	Powers of the department	11	7-25	Amends section by adding EED's responsibility to administer duties assigned to EED under the GPS establishment.	
7	Governor's Performance Scholarship Fund	11-12	26-31; 1-29	Establishes the GPS fund and sets out that the commissioner of revenue manages the fund; 37.14.755 states the powers of the commissioner of revenue; 37.14.760 sets out the uses of the fund; 37.14.790 definitions.	
8	The uncodified law of the State of Alaska is amended by adding a new section: Transition: Program Standards and Implementation For Initial School Years	12	30-31; 1-13	Authorizes EED, DOL/WD and ACPE to adopt regulations related to duties assigned under the establishment of the GPS so that students may be eligible for an award without meeting the core curriculum and setting qualifying dates.	
9	The uncodified law of the State of Alaska is amended by adding a new section: Transition: Regulations	13	14-20	Authorizes EED, DOL/WD and ACPE to adopt regulations necessary to implement changes made to their respective authorities.	September 1, 2010
10		13	21	Sets an effective date.	Immediately
11		13	22	Sets an effective date for section 11.	September 1, 2010

ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

Resolution of the State Board of Education & Early Development

The Governor's Performance Scholarship

Resolution 03-2010

WHEREAS, the proposed Governor's Performance Scholarship (GPS) invites Alaska's high school students to challenge themselves with a rigorous course of study;

WHEREAS, the GPS encourages high schools to offer four years of science and math courses as well as the currently required four years of language arts courses and three years of social studies courses;

WHEREAS, the GPS recognizes a variety of meritorious students by awarding technical and academic scholarships to students with grade point averages ranging from C+ to A;

WHEREAS, the GPS serves students in public schools, private schools and home schools;

WHEREAS, the GPS encourages parents and guardians to participate in planning their students' high school career;

WHEREAS, the GPS encourages students to complete high school and be better prepared to attend a postsecondary institution;

WHEREAS, the GPS helps Alaska's families afford postsecondary education;

WHEREAS, the GPS encourages students to receive their postsecondary education in Alaska;

WHEREAS, the GPS recognizes the value and variety of Alaska's private and public postsecondary education institutions;

WHEREAS, the GPS will help Alaska to train its own highly skilled work force;

THEREFORE, BE IT RESOLVED, the State Board of Education & Early Development strongly supports the proposed Governor's Performance Scholarship to meet the academic and financial needs of Alaska's youth.

Esther J. Cox, Chair
Alaska State Board of Education & Early Development

January 13, 2010

UNIVERSITY OF ALASKA BOARD OF REGENTS

A Resolution in Support of the Governor's Performance Scholarship

WHEREAS, the State of Alaska does not provide enough need based or grant aid for students seeking postsecondary education compared to most other states; and

WHEREAS, the University of Alaska began the UA Scholars program in 1999, which has grown in usage over time and is funded entirely out of the university's Land Grant Trust Fund; and

WHEREAS, Governor Sean Parnell has proposed the Governor's Performance Scholarship, a grade- and curriculum based program that would provide financial assistance for students wishing to attend a postsecondary institution within the state of Alaska; and

WHEREAS, the University of Alaska Board of Regents has long supported all efforts to increase access to postsecondary education, workforce training and lifelong learning; and increased financial aid, both merit- and need-based, is critical for improving access to higher education for both rural and urban residents as well as current and future students; and

NOW THEREFORE BE IT RESOLVED that the University of Alaska Board of Regents supports Governor Sean Parnell's proposed Governor's Performance Scholarship; and

BE IT FURTHER RESOLVED that the University of Alaska Board of Regents urges additional support from the Alaska Legislature for both merit- and need-based programs that will be before the Alaska Legislature in the 2010 session; and

BE IT FURTHER RESOLVED that this resolution be appropriately engrossed and conveyed to the Honorable Governor Sean Parnell and Honorable members of the Alaska State Legislature, with a copy to be incorporated into the official minutes of the November 30-December 1, 2009 meeting of the University of Alaska Board of Regents.

GREATER FAIRBANKS CHAMBER OF COMMERCE

Interior Alaska – The "Place" To Do Business

Introduced By: Kurt Newman, Education Committee Chair
Date Introduced: January 4, 2010
Date Passed: January 11, 2010
Date Transmitted: January 12, 2010

RESOLUTION 10-0111
A RESOLUTION BY THE GREATER FAIRBANKS CHAMBER OF COMMERCE (GFCC) SUPPORTING THE GOVERNOR'S PERFORMANCE SCHOLARSHIP, A MERIT-BASED SCHOLARSHIP FOR ALASKA HIGH SCHOOL STUDENTS

WHEREAS, the Greater Fairbanks Chamber of Commerce recognizes the need to encourage our Alaska high school students to attain the necessary core education to enable them to go onto higher education or vocational training, and remain in the State as productive citizens and future leaders; and

WHEREAS, we should work to keep our best and brightest students in Alaska after college, to position Alaska's economy for growth with a better prepared workforce; and

WHEREAS, only half of Alaskan students who receive a high school diploma are academically prepared for post-secondary education (Greene and Winters 2005) and are ready for college-level reading assignments in the core study areas like math, history, science, and English (ACT, 2006); and

WHEREAS, a more rigorous high school curriculum will prepare Alaska's high school students for entrance into higher education or vocational education, including the recommended four years of math, four years of science, four years of language arts, and three years of social studies; and

WHEREAS, at graduation, students will receive scholarships based on academic achievement and their hard work. For example, at graduation from high school, an 'A' student with a 3.5 GPA or better would be eligible for a 100% tuition scholarship award; a 'B' student with a 3.0 GPA or higher would be eligible for a 75% tuition award, and a 'C' student with at least a 2.5 GPA would be eligible for a 50% tuition scholarship award; and

WHEREAS, the Governor's performance Scholarship could be used at the University of Alaska, at any certified, in-state job training institution and at other certified post-secondary institutions in Alaska; and

WHEREAS, by giving more Alaskan students the opportunity to earn a scholarship like this and requiring it to be used at an in-state institution, we are preparing our youth as the future workforce leaders for Alaska.

NOW THEREFORE BE IT RESOLVED, in recognizing the importance of affordable and accessible higher education, and the need to encourage our youth to stay in Alaska and to provide for future workforce and leadership roles, the Greater Fairbanks Chamber of Commerce supports the Alaska Governor's Performance Scholarship Initiative.

BE IT FURTHER RESOLVED that this resolution be distributed to:
Governor Sean Parnell, State of Alaska
Alaska State Legislature

Dan Britton
Board Chair
Greater Fairbanks Chamber of Commerce

Kurt Newman
Chair
Education Committee

INVESTORS

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Fairbanks Natural Gas
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Fountainhead Development
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JL Properties, Inc.
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K Janitorial Services, LLC
Northrim Bank
Operating Engineers Local 302
Personnel Plus
Pogo Mine
Santina's Flowers & Gifts
Spirit of Alaska FCU
Tanana Valley Clinic
TDL Professional Staffing
TOTE
WAL-MART Stores, Inc.

100 Cushman St., Suite 102 | Fairbanks, Alaska 99701-4665 | ph (907) 452-1105 | fax (907) 456-6968 | www.FairbanksChamber.org

26G-2
(2/12/2010)
(12:42 pm)

AMENDMENT #1 Adopted as Amended

OFFERED IN THE HOUSE EDUCATION COMMITTEE

BY _____

TO: HB 297

Page 1, line 9, following "award of a":

Insert "merit-based"

Page 3, line 17, following "academic scholarship":

Delete "and"

Insert ","

Page 3, line 17, following "school scholarship":

Insert "and a needs-based scholarship"

Page 7, line 5, following "awards for the":

Delete "program"

Insert "merit-based programs"

Conceptual #1

Page 8, following line 3:

Insert:

unMet Need Component

"**Sec. 14.43.828. Eligibility for a ~~needs-based~~ scholarship and maximum awards.** (a) Subject to appropriation, the commission shall award a needs-based scholarship to a student who meets the eligibility criteria for the award.

(b) A student is eligible to receive a needs-based scholarship if the student

(1) is eligible for a merit-based academic scholarship or a merit-based

career and technical school scholarship; and

(2) can demonstrate in a year in which the student receives a scholarship that the student has unmet financial need greater than $2,000.

(c) The maximum amount for the needs-based award is 50 percent of unmet financial need greater than $2,000.

(d) The qualified postsecondary institution attended by the student shall determine unmet financial need by subtracting from the student's allowable standard costs of attendance at the institution all non-loan sources of financial support, including an expected family contribution and all federal, state, and private scholarships or grants received by the student.

(e) In this section,

(1) "allowable standard costs of attendance" means

(A) for a student who receives a merit-based academic scholarship, the lesser of the

(i) standard costs of attendance at the University of Alaska, as determined by the commission; or

(ii) actual costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission;

(B) for a student who receives a merit-based career and technical school scholarship, the costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission based on room and board costs that do not exceed the standard room and board costs at the University of Alaska as determined by the commission;

(2) "expected family contribution" means the amount a student or the student's family is expected to pay towards the student's costs of attendance, as determined by use of the most recent federal Free Application for Federal Student Aid."

DRAFT

26G-2
(2/10/2010)
(1:14 pm)

AMENDMENT #2 Pass/Adopt

OFFERED IN THE HOUSE EDUCATION COMMITTEE

BY _____

TO: HB 297

Page 5, line 28:

Delete "grade-point"

Insert "grade"

Page 5, line 30, following "scholarship;":

Insert "the top tier is the A average tier, the second tier is the B average tier, and the third tier is the C plus average tier; the grade-point average for the A average tier is 3.5 or higher, for the B average tier is less than 3.5 but no less than 3.0, and for the C plus average tier is less than 3.0 but no less than 2.5; the board shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

Page 6, following line 2:

Insert "(4) a process by which a student who meets the grade standards in (2) of this subsection for a particular tier, but does not meet the minimum scores established under (3) of this subsection for that tier, may apply for a lower tier scholarship;"

Page 6, line 3:

Delete "(4)"

Insert "(5)"

552

Page 6, line 5:

Delete "(5)"

Insert "(6)"

Page 6, line 7:

Delete "(6)"

Insert "(7)"

Page 6, line 23:

Delete "grade-point"

Insert "grade"

Page 6, line 24, following "school;":

Insert "the minimum is C plus average; the C plus average requirement is a grade-point average of 2.5 or higher; the board shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;"

AMENDMENT #3 - Adopted

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: HB 297

Page 6, lines 3 - 4:

Delete "university or college in this state"

Insert "postsecondary institution as described in AS 14.43.835"

Page 6, line 8:

Delete "university or college"

Insert "postsecondary institution"

Page 7, line 5, following "maximum awards":

Insert "and allowable uses"

Page 7, line 12, following "achievement;":

Insert "for purposes of this paragraph, a student's academic achievement must be determined by the student's high school grade-point average and score on an examination described in AS 14.43.820(b)(3);"

Page 7, lines 16 - 18:

Delete all material and insert:

"(3) subject to (e) of this section, a student who qualifies for a merit-based academic scholarship may apply the award to the costs of attending a qualified career and technical school program as described in AS 14.43.835(a)(2);"

Page 7, lines 27, following "courses":

Insert ", or for up to two calendar years of attendance at a qualified career and technical school"

Left on Table

Withdrawn

Conceptional Amendment No. 4 **26GH2771\A.1**

Table

To House Bill 297

Proposed by: Representative Keller

House Education Committee

Amendment to Page 5, line 22 & 23

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the **as approved by the local district** four-year core academic curriculum **which may include a virtual curriculum** that the student must have

[23] **24** completed in high school; the core academic curriculum must include

Amendment #5 + #14

Conceptional Amendment No. 5

To House Bill 297

Proposed by: Representative Keller

House Education Committee

Tabled MW02 Bring Back up then MW02 withdrawn

26GH2771\A.3

Records Requests on This action be labeled - Amendment #14

Amendment to Page 12, line 16

03 * **Sec. 7.** AS 37.14 is amended by adding new sections to read:

04 **Article 8A. Governor's Performance Scholarship Fund.**

05 **Sec. 37.14.750. Governor's performance scholarship fund established.** (a)

06 The governor's performance scholarship fund is established as a fund of the state. The

07 fund consists of

08 (1) appropriations to the fund;

09 (2) donations to the fund; and

10 (3) income earned on investments of fund assets.

11 (b) The commissioner of revenue shall manage the fund with the goal that the

12 purchasing power of the fund will not diminish over time without regard to additional

13 contributions that may be made to the fund. The commissioner shall invest the assets

14 of the fund in a manner likely to yield at least a five percent real rate of return over

15 time.

16 **(c) donations to the fund from private sources shall be considered for the**

17 **education tax credit as per AS 43.20.014**

[16] **18** [(c)] **(d)** Nothing in this section creates a dedicated fund.

New Text Underlined **[DELETED TEXT BRACKETED]**

Conceptional Amendment No. 6 **26GH2771\A.4**

To House Bill 297 Tabled

Proposed by: Representative Keller

House Education Committee

Amendment to Page 10, line 23

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the governor's performance scholarship program.

(b) No more than 10 days after the start of each year's legislative session, the department, commission, University of Alaska, Department of Revenue, and Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the governor's performance scholarship program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) dollar amount of scholarships awarded in past years and expected dollar amounts for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

(4) data shall be included and available via a specific web page linkable on the State of Alaska's home page

New Text Underlined **[DELETED TEXT BRACKETED]**

AMENDMENT #7 Tabled

From: Adam Berg
Sent: Wednesday, February 17, 2010 7:19 AM
To: Louie Flora
Subject: FYI

Tabled

Conceptual Amendment: Rep. Edgemon

Page 4, following line 16,

Add: " (9) increasing participation from Alaska high school students in Alaska post-secondary institutions."

26-GH2771\A.16
Mischel
2/18/10

#8 Adopted
W/out objection

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: HB 297

Page 3, line 14, following "established":

Insert "for the purpose of ensuring that a rigorous curriculum is available in all high schools in the state and"

Page 4, line 16, following "opportunities":

Insert ";

(9) providing a rigorous curriculum in all high schools in the state"

560

26-GH2771\A.10
Chenoweth
2/17/10

#9 Adopted

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE GARDNER

TO: HB 297

Page 10, line 1, following "error":

Insert "less any scholarship award payments previously expended if the error in the award of the scholarship was not due to any fault of the student"

26-GH2771\A.17
Mischel
2/18/10

AMENDMENT #10 w/d

OFFERED IN THE HOUSE BY REPRESENTATIVES GARDNER

TO: HB 297 AND BUCH

Page 3, lines 16 - 19:

Delete "The program includes a merit-based academic scholarship and a merit-based career and technical school scholarship. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award."

Page 5, line 17:

Delete "**an academic**"

Insert "**a performance**"

Page 5, line 18:

Delete "academic"

Insert "performance"

Page 5, line 21:

Delete "academic"

Insert "performance"

Page 5, lines 29 - 30:

Delete "academic scholarship"

Insert "scholarship award"

Page 6, lines 2 - 3:

Delete "academic scholarship"

Insert "scholarship award"

Page 6, lines 3 - 4:

Delete "university or college in this state"

Insert "postsecondary institution as described in AS 14.43.835"

Page 6, line 8:

Delete "university or college"

Insert "postsecondary institution"

Page 6, line 11, through page 7, line 15:

Delete all material and insert:

"**Sec. 14.43.825. Maximum awards.** (a) Subject to (b) - (f) of this section, the maximum awards under the program are

(1) for a student who demonstrates very high academic achievement, the cost of approved tuition for a full-time student in school year 2009 through 2010 at the qualified postsecondary institution at which the student intends to enroll;

(2) for a student who demonstrates high academic achievement, 75 percent of approved tuition for a full-time student in school year 2009 through 2010 at the qualified postsecondary institution at which the student intends to enroll;

(3) for a student who demonstrates moderate academic achievement, 50 percent of approved tuition for a full-time student in school year 2009 through 2010 at the qualified postsecondary institution at which the student intends to enroll."

Page 7, line 16:

Delete "(3) a"

Insert "(b) A"

Reletter the following subsections accordingly.

Page 7, line 19:

Delete "merit-based academic"

Page 7, line 25:

Delete "merit-based academic"

Page 7, line 27:

Delete "university or college"

Insert "postsecondary institution as described in AS 14.43.835"

Page 7, lines 27 - 29:

Delete "A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship"

Insert "A student may not receive more than one scholarship award"

26-GH2771\A.18
Mischel
2/18/10

AMENDMENT #11 w/drawn 6.1.26

OFFERED IN THE HOUSE BY REPRESENTATIVE BUCH

TO: HB 297

Page 5, lines 22 - 27:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include one of the following:

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage; or

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

Page 6, lines 17 - 22:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have

completed in high school; the core academic curriculum must include one of the following:

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage; or

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

GH2771\A.18
Mischel
2/18/10

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE BUCH

TO: HB 297

Page 5, lines 22 - 27:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have completed in high school; the core academic curriculum must include ~~one of the following:~~

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage~~; or~~

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

Page 6, lines 17 - 22:

Delete all material and insert:

"(1) the four-year core academic curriculum that the student must have

completed in high school; the core academic curriculum must include ~~one of the following:~~

(A) a combination of

(i) four years of mathematics;

(ii) four years of language arts;

(iii) four years of science; and

(iv) four years of social studies, one year of which may include a foreign language, Alaska Native language, fine arts, or cultural heritage; ~~or~~

(B) a combination of

(i) three years of mathematics;

(ii) four years of language arts;

(iii) three years of science;

(iv) four years of social studies; and

(v) two years of a foreign language, Alaska Native language, fine arts, or cultural heritage;"

Delete

26-GH2771\A.11
Kane
2/17/10

#12 adopted

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EDGMON

TO: HB 297

Page 4, line 16, following "opportunities":

Insert ";

(9) increasing participation of Alaska high school students in Alaska postsecondary institutions"

569

26-GH2771\A.21
Mischel
2/25/10

AMENDMENT #13 Adopted w/out objection

OFFERED IN THE HOUSE

TO: HB 297

Page 5, line 22, following "curriculum":

Insert ", which may include virtual curriculum,"

Page 6, line 17, following "curriculum":

Insert ", which may include virtual curriculum,"

Conceptional Amendment No. #4 **26GH2771\A.1**

To House Bill 297

Proposed by: Representative Keller

House Education Committee

Amendment to Page 5, line 22 & 23

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) [the] **as approved by the local district** four-year core academic curriculum **which may include a virtual curriculum** that the student must have [23] **24** completed in high school; the core academic curriculum must include

New Text Underlined **[DELETED TEXT BRACKETED]**

Paul Withdraw ALL other Keller Amendments Keep this one. Thank You

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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FAX (907) 465-2029
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State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM February 25, 2010

SUBJECT: Clarification of school district approval of curriculum (HB 297) (Work Order No. 26-GH2771\A.20)

TO: Representative Paul Seaton
Chair of the House Education Committee
Attn: Louie Flora

FROM: Jean M. Mischel
Legislative Counsel

Enclosed is an amendment based upon a conceptual amendment to include school district approval of virtual curriculum within the core curriculum requirements for a student to be eligible for the academic scholarship under the bill. The following points are made to clarify the translation of that concept into the above amendment.

1. Title change. This is necessitated by the amendment's introduction of a new concept into the scholarship subject of the bill: district authorization to approve virtual curriculum. A school district is not expressly authorized under current law to approve curriculum but is authorized to "provide for" an "educational program" and to "review and select textbooks and instructional materials" that include "curriculum materials." Therefore, the addition of the express authority to approve curriculum, including virtual curriculum, must either be added to as a separate authorization or added to the current authority to review and select curriculum materials. Both options add school district authority to the existing subject of a scholarship program and must be, according to the Revisor of Statutes, noted in the title.

2. Placement of the virtual curriculum authorization. The conceptual amendment attempted to place the authorization of virtual curriculum in the subsection pertaining to the student's eligibility. Since the amendment relates to school district approval, the language was made into a separate subsection that modifies the concept of "core curriculum" for purposes of scholarship eligibility and added to the general authorities of school boards to review and select curriculum materials. In addition, the conceptual amendment only modified the academic scholarship provision, although both the academic and career scholarships have core curriculum requirements. Believing this to be an oversight, I drafted the amendment to amend both types of scholarship eligibility provisions.

3. Definition of virtual curriculum. Since the concept does not appear anywhere else in current law and does not, to my knowledge, have a common meaning, I have attempted to define the concept in this amendment.

If I may be of further assistance, please advise.

JMM:ljw
10-130.ljw

Enclosure

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: HB 297

Page 1, line 3, following "**records;**":

Insert "**relating to review and selection of textbooks and instructional materials;**"

Page 1, line 6:

Delete "a new section"

Insert "new sections"

Page 1, following line 13:

Insert a new section to read:

"**Sec. 14.03.114. District review and selection of Internet materials.** The review and selection of textbooks and instructional materials by the governing body of a school district under AS 14.08.111 and AS 14.14.090 may include review and selection of curriculum materials available on the Internet."

Page 6, following line 10:

Insert a new subsection to read:

"(c) The core curriculum required under (b)(1) of this section may be completed using a virtual curriculum."

Page 7, following line 3:

Insert a new subsection to read:

"(c) The core curriculum required under (b)(1) of this section may be completed using a virtual curriculum."

Page 11, line 8, following "school":

Insert ";

(8) "virtual curriculum" means a course that is provided by a school district through the use of materials available on the Internet."

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Juneau, Alaska 99801-1182
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MEMORANDUM March 11, 2010

SUBJECT: Two year high school attendance requirement (CSHB 297(EDC) (Work Order No. 26-GH2771\E))

TO: Representative Paul Seaton
Chair of the House Education Committee
Attn: Louie Flora

FROM: Jean M. Mischel
Legislative Counsel

Upon further reflection after the committee hearing yesterday on the above referenced bill, I'd like to clarify my response to the questions pertaining to the addition in this version of a two year high school attendance requirement for Alaska residents who graduate from a high school outside of the state and whose parents are in military services at page 7, lines 15 - 16 of the bill.

The option of graduation from an out-of-state high school under circumstances allowed by the Department of Education and Early Development itself presents a potential equal protection issue under the bill, the result of which depends greatly upon the importance of and relationship to the state interest served by both the option and the in-state requirement from an equal protection and a privileges and immunity perspective.

In Alaska, if a court finds that two people are similarly situated, a sliding scale of high to low scrutiny by the court is applied to unequal treatment. In the case of a fundamental right (education), the court will apply a strict scrutiny standard and invalidate an apparently inequitable state law unless the state has shown a compelling interest for it, the law is closely related to that interest, and there are no alternative means for accomplishing that. If the court finds that the interest at stake is merely economic (scholarship funding), a lower level of scrutiny is applied and the distinction between out-of-state and in-state graduates will be upheld if the state has a legitimate interest in maintaining the distinction and the law is rationally related to that interest.

The addition of two years of in-state attendance for an out-of-state graduate for a student whose parents serve in the military both enhances the distinction and provides consistency for the out-of-state option with the stated purpose of the bill: to instill rigor in the curriculum of in-state high schools and to better prepare those graduates for post-secondary work. The out-of-state graduate, then, is not only not in a similar situation to

the in-state graduate, the stated purpose for the bill is called into question by the out-of-state option.

On the other hand, in-state graduates may themselves have attended high school here for less than two years. The means employed, then, may not be found by a court to be rationally related to the state purpose. A court would look at information such as the percentage of in-state students who spend less than two years at a high school in the state and compare that to the basis for adding that requirement for out-of-state graduates in the face of a constitutional challenge. That presumes, however, that the court would first find that the two types of graduates are similarly situated and, in particular, that students with military parents, spend as much time at in-state schools as graduates from in-state schools. In my opinion, the two are not similarly situated but if a court finds otherwise, the two year requirement bears a close relationship to a compelling state interest. I can, however, not assure the committee of that result if the provision is subject to constitutional challenge.

I hope this adds some clarity to a fairly complex issue. If I may be of further assistance, please advise.

JMM:med
10-038.med

26-GH2771\~~R~~E
Mischel
~~3/4/10~~
3/11/10

CS FOR HOUSE BILL NO. 297(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a merit-based governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall state in the student's permanent record the highest ~~tier~~level of funding for which the student is eligible. A district shall provide a student with an opportunity to request that the district correct an error in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will assure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;

(9) exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any

Alaskan through a centralized office a correspondence study program;

(10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in math, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

(C) a process for districts to petition the department for

continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15);

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to adopt regulations and its duty to consider appeals under AS 14.43.100(b) and AS 14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsecondary education or other individuals or organizations to make studies, conduct surveys, submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

*** Sec. 4.** ~~AS 14.42.200 is amended to read:~~

~~**Sec. 14.42.200. General powers.** In addition to other powers granted in this chapter, the corporation may~~

~~(1) sue and be sued in its own name;~~

~~(2) adopt an official seal;~~

~~(3) adopt regulations under AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter;~~

~~(4) make and execute agreements, contracts, and other instruments necessary or convenient in the exercise of the powers and functions of the corporation, including contracts with a person or governmental entity;~~

~~(5) receive, take, hold, and administer, on behalf of the corporation and for any of its purposes, any appropriation, gift, grant, bequest, devise, or donation of real property or personal property if that obligation of the corporation is not a debt of the state; in this paragraph, "property" includes~~

~~(A) money; and~~

~~(B) life estates, leases, or other interests in property;~~

~~(6) borrow money as provided in this chapter to carry out its corporate purposes and issue its obligations as evidence of the borrowing;~~

~~(7) include in a borrowing the amounts to pay financing charges, interest on the obligations for a period not exceeding one year after the date on which the corporation estimates funds will otherwise be available to pay the interest, consultant, advisory, and legal fees, and other expenses necessary or incident to the borrowing;~~

~~(8) invest or reinvest, subject to its contracts with noteholders and bondholders, money held by the corporation as set out in AS 37.10.071;~~

~~(9) set and collect interest, fees, and charges in connection with education loans or repayment obligations held by the corporation and its servicing agents; in this paragraph, "charges" includes costs of financing by the corporation, service charges, insurance premiums, and other costs incurred by the corporation in carrying out its corporate purposes;~~

~~(10) gather information on postsecondary education financial resources available to residents of this state and disseminate the information to reasonably assure that qualified residents are aware of those financial resources;~~

~~(11) service education loans and repayment obligations held by the corporation;~~

~~(12) purchase or participate in the purchase of education loans;~~

~~(13) contract in advance for the purchase or sale of education loans;~~

~~(14) sell or participate in the sale, either public or private and on terms authorized by the board, of education loans to the Student Loan Marketing Association or to other purchasers;~~

~~(15) collect and pay reasonable fees and charges in connection with the purchase, sale, and servicing of education loans and repayment obligations;~~

~~(16) enter into agreements with the federal government, including guaranty agreements and supplemental guaranty agreements as described in 20 U.S.C. 1001 - 1155, as amended, as necessary to provide for the receipt by the corporation of administrative allowances and other benefits available under 20 U.S.C. 1001 - 1155, as amended;~~

~~(17) administer federal money allotted to the state involving insured education loans and related administrative costs and other matters;~~

~~(18) enter into agreements with the commission relating to education loans and repayment obligations, the administration of the financial aid and loan programs under~~ **AS 14.43.091 - 14.43.890** [~~AS 14.43.091 - 14.43.750~~], ~~14.43.990, and AS 14.44, and the payment of and security for bonds of the corporation;~~

~~(19) to the extent permitted under contracts with bondholders, consent to the modification of the rate of interest, time of payment of an installment of principal or interest, or other terms of an education loan or repayment obligation held by the corporation;~~

~~(20) procure insurance against any loss in connection with the operation of its programs;~~

~~(21) provide advisory services to borrowers and other participants in the corporation's programs;~~

~~(22) enter into credit facility agreements and make pledges, covenants, and agreements with respect to the repayment of borrowings under the credit facility agreements;~~

~~(23) develop and implement education financing programs; in this paragraph, "programs" includes~~

~~(A) programs listed in AS 14.42.030(b)(1);~~

~~(B) programs for the guaranteeing, servicing, originating, and financing of education loans for borrowers located both inside and outside the state; and~~

~~(C) federal financial aid programs made under federal law; and~~

~~(24) perform acts that may be necessary or appropriate to carry out effectively the general objectives and purposes of the corporation under AS 14.42.100 - 14.42.990.~~

~~* Sec. 5.~~ AS 14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship Program.

Sec. 14.43.810. Governor's performance scholarship program established; Alaska residency. (a) The governor's performance scholarship program is established

for the purpose of ensuring that a rigorous curriculum is available in all high schools in the state and to provide scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship, a merit-based career and technical school scholarship, and an unmet financial need scholarship supplement. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The department shall design the programmatic standards for the scholarships and appeals of adverse decisions. The commission shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS 44.62 after consultation with each other. The department may change the regulations under AS 44.62 relating to the programmatic standards for required academic achievement for eligibility only by giving advance public notice at least one school year before the effective date of the change.

(c) For purposes of the program, a student is an Alaska resident if the student meets the requirements for establishing residency under AS 01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in kindergarten through grade 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities;

(9) providing a rigorous curriculum in all high schools in the state;

(10) increasing participation of Alaska high school students in Alaska postsecondary institutions.

Sec. 14.43.815. Qualifications of applicants. (a) A student may apply for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate not later than six months after the date of the application, from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate not later than six months after the date of the application, from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include a circumstance in which a high school student who is an Alaska resident has attended high school in the state for not less than two years, and has left the state because of the military service of the student's custodial parent who is an Alaska resident;

(3) will receive and use, while an Alaska resident, the scholarship at a qualified postsecondary institution in the state not later than six years after the beginning of the first school year after a student's graduation from high school, unless the student qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time must include ~~time while~~two additional years if the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship

I thought this was applicable within six months after graduation

if the student

(1) has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;

(2) is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school to be eligible for each of the three ~~tiers~~award levels of academic scholarship~~; the top tier is the~~ under AS 14.43.827; for the first award level, a student must have an A average~~ tier,~~; for the second ~~tier is the~~award level, a student must have a B average~~ tier,~~; and for the third ~~tier is the~~award level a student must have a C plus average~~ tier~~; the grade-point average for ~~the~~ an A average ~~tier~~ is 3.5 or higher, for ~~the~~ a B average~~ tier is,~~ less than 3.5 but not less than 3.0, and for ~~the~~ a C plus average~~ tier is,~~ less than 3.0 but not less than 2.5; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score on a college entrance examination that the student must have achieved to be eligible for each of the three ~~tiers~~award levels of academic scholarship~~;~~ under AS 14.43.827;

(4) a process by which a student who meets the grade standards in (2) of this subsection for a particular ~~tier~~award level, but does not meet the minimum scores established under (3) of this subsection for that ~~tier~~level, may apply for a lower ~~tier~~ scholarship award level;

(5) enrollment in a course of study at a qualified postsecondary institution as described in AS 14.43.835 that is intended to result in the award of a certificate or degree;

(6) a process through which a student who is no longer eligible can regain eligibility;

(7) a process through which a home-schooled or private-schooled student may submit evidence to the qualified postsecondary institution that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school; the minimum is C plus average; the C plus average requirement is a

grade-point average of 2.5 or higher; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section, and the programmatic standards established under AS 14.43.820(b), the maximum awards and allowable uses for the merit-based programs are as follows:

(1) for the merit-based academic scholarship, the following three ~~tiers~~levels of scholarship financing ~~awards; the highest tier of~~ award for a semester ~~must be~~:

(A) the first award level is an amount that is equal to the cost of approved tuition at the University of Alaska in school year 2010 ~~through~~ 2011 ~~for a student taking 15 credits,~~ and ~~require~~ requires an A grade average and a very high ~~academic achievement;~~minimum score on a college entrance examination;

(B) the second ~~tier must be~~award level is an amount that is equal to 75 percent of the ~~highest tier and require~~first award level and requires a B grade average and a high ~~academic achievement;~~minimum score on a college entrance examination;

(C) the third ~~tier must be~~award level is an amount that is equal to 50 percent of the ~~highest tier and require moderate academic achievement; for purposes of this paragraph, a student's academic achievement must be~~

~~determined by the student's~~first award level and requires a C plus grade average and a moderately high ~~school grade point average described in AS 14.43.820(b)(2) and~~minimum score on ~~an~~a college entrance examination ~~described in AS 14.43.820(b)(3);~~;

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 a school year;

(3) subject to (e) of this section, a student who qualifies for a merit-based academic scholarship may apply the award to the costs of attending a qualified career and technical school program as described in AS 14.43.835(a)(2~~);~~).

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award ~~on a pro rata basis.~~of 50 percent of the amount of scholarship award for which the student is eligible under (a) of this section.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of time allowed by the department.

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses, or for up to two calendar years of attendance at a qualified career or technical school. A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non loan financial aid awarded to the student.

Sec. 14.43.828. Eligibility for an unmet need scholarship supplement and maximum awards. (a) Subject to appropriation, the commission shall award an unmet need scholarship supplement to a student who meets the eligibility criteria for the

award.

(b) A student is eligible to receive an unmet need scholarship supplement if the student

(1) is eligible for a merit-based academic scholarship or a merit-based career and technical school scholarship; and

(2) can demonstrate, in a year in which the student receives a scholarship, that the student has unmet financial need greater than $2,000.

(c) The maximum amount for an unmet need scholarship supplement is 50 percent of the unmet financial need that exceeds $2,000.

(d) The qualified postsecondary institution attended by the student shall determine unmet financial need by subtracting from the student's allowable standard costs of attendance at the institution all non loan sources of financial support, including an expected family contribution and all federal, state, and private scholarships or grants received by the student.

(e) In this section,

(1) "allowable standard costs of attendance" means

(A) for a student who receives a merit-based academic scholarship, the lesser of the

(i) standard costs of attendance at the University of Alaska, as determined by the commission; or

(ii) actual costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission;

(B) for a student who receives a merit-based career and technical school scholarship, the costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission based on room and board costs that do not exceed the standard room and board costs at the University of Alaska as determined by the commission;

(2) "expected family contribution" means the amount a student or the student's family is expected to pay toward the student's cost of attendance, as

determined by use of the most recent federal Free Application for Federal Student Aid.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway to allow students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances beyond the student's control. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the effect on students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which a student may be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or is exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in

consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program. The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund to the state the amount of the scholarship awarded in error~~, less any scholarship award payments previously expended if the error, in the award of the scholarship was not due~~

~~to any fault of the student.~~ .

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the program.

(b) Not more than 10 days after the convening of each regular legislative session, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) the dollar amount of scholarships awarded in past years and the dollar amounts expected to be awarded for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context requires otherwise,

(1) "grade-point average" means the average of all grades on a four-point scale~~, or five-point scale for advanced placement classes,~~ obtained by the student in high school;

(2) "military service" means active duty in the armed forces of the United States;

(3) "program" means the governor's performance scholarship program established under AS 14.43.810 - 14.43.890;

(4) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

*** Sec. 65.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [AND] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

*** Sec. ~~76~~ 66.** AS 23.05.060 is amended to read:

Sec. 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons**;**

(7) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. ~~87~~ 67.** AS 36.30.850(b) is amended to read:

(b) This chapter applies to every expenditure of state money by the state, acting through an agency, under a contract, except that this chapter does not apply to

(1) grants**;**

(2) contracts for professional witnesses to provide for professional services or testimony relating to existing or probable lawsuits in which the state is or may become a party;

(3) contracts of the University of Alaska where the work is to be performed substantially by students enrolled in the university;

(4) contracts for medical doctors and dentists;

(5) acquisitions or disposals of real property or interest in real property, except as provided in AS 36.30.080 and 36.30.085;

(6) disposals under AS 38.05;

(7) contracts for the preparation and transportation of ballots under AS 15;

(8) acquisitions or disposals of property and other contracts relating to airports under AS 02.15.070, 02.15.090, 02.15.091, and AS 44.88;

(9) disposals of obsolete property under AS 19.05.060;

(10) disposals of obsolete material or equipment under AS 35.20.060;

(11) agreements with providers of services under AS 47.25.071 - 47.25.095; AS 47.07; AS 47.08; AS 47.10; AS 47.12; AS 47.14; AS 47.17; AS 47.24; and AS 47.27, including contractors under AS 47.27.050;

(12) contracts of the Department of Fish and Game for flights that involve specialized flying and piloting skills and are not point-to-point;

(13) purchases of income-producing assets for the state treasury or a public corporation of the state;

(14) [REPEALED

(15)] a contract that is a delegation, in whole or in part, of investment powers held by

(A) the commissioner of revenue under AS 14.42.200, 14.42.210, AS 18.56.095, AS 37.10.070, 37.10.071, or AS 37.14;

(B) the Board of Regents of the University of Alaska under AS 14.40.250 - 14.40.491;

(15) [(16)] a contract that is a delegation, in whole or in part, of investment powers or fiduciary duties of

(A) the Board of Trustees of the Alaska Permanent Fund Corporation under AS 37.13;

(B) the Alaska Mental Health Trust Authority under AS 37.14.001 - 37.14.099;

(16) [(17)] the purchase of books, book binding services, newspapers, periodicals, audio-visual materials, network information services access, approval plans, professional memberships, archival materials, objects of art, and items for museum or archival acquisition having cultural, historical, or archaeological significance; in this paragraph

(A) "approval plans" means book selection services in which current book titles meeting an agency's customized specifications are provided to the agency subject to the right of the agency to return those books that do not meet with the agency's approval;

(B) "archival materials" means the noncurrent records of an agency that are preserved after appraisal because of their value;

(C) "audio-visual materials" means nonbook prerecorded materials, including records, tapes, slides, transparencies, films, filmstrips, cassettes, videos, compact discs, laser discs, and items that require the use of equipment to render them usable;

(D) "network information services" means a group of resources from which cataloging information, holdings records, inter-library loans, acquisitions information, and other reference resources can be obtained;

(17) [(18)] contracts for the purchase of standardized examinations for licensure under AS 08;

(18) [(19)] contracts for home health care provided under regulations adopted by the Department of Health and Social Services and for adult residential care services provided under regulations adopted by the Department of Health and Social Services or by the Department of Administration;

(19) [(20)] contracts for supplies or services for research projects funded by money received from the federal government or private grants;

(20) [(21)] guest speakers or performers for an educational or cultural

activity;

(21) [(22)] contracts of the Alaska Industrial Development and Export Authority for a clean coal technology demonstration project that

(A) is attempting to develop a coal-fired electric generation project;

(B) uses technology that is capable of commercialization during the 1990's; and

(C) qualifies for federal financial participation under P.L. 99-190 as amended;

(22) [(23)] operation and protection of assets or disposals of equipment and supplies acquired through foreclosure or other legal proceedings relating to loans issued under AS 03.10;

(23) [(24)] purchases of curatorial and conservation services to maintain, preserve, and interpret

(A) objects of art; and

(B) items having cultural, historical, or archaeological significance to the state;

(24) [(25)] acquisition of confidential seismic survey data necessary for pre-sale oil and gas lease or gas only lease analyses under AS 38.05.180;

(25) [(26)] contracts for village public safety officers;

(26) [(27)] purchases of supplies and services to support the operations of the Alaska state troopers or law enforcement officers engaged in fish and wildlife protection if the procurement officer for the Department of Public Safety makes a written determination that publicity of the purchases would jeopardize the safety of personnel or the success of a covert operation;

(27) [(28)] expenditures when rates are set by law or ordinance;

(28) [(29)] construction of new vessels by the Department of Transportation and Public Facilities for the Alaska marine highway system;

(29) [(30)] contracts entered into with a regional development organization; in this paragraph, "regional development organization" has the meaning given in AS 44.33.895;

(30) [(31)] contracts that are to be performed in an area outside of the country and that require a knowledge of the customs, procedures, rules, or laws of the area;

(31) [(32)] contracts that are between the Department of Law and attorneys who are not employed by the state and that are for the review or prosecution of possible violations of the criminal law of the state in situations where the attorney general concludes that an actual or potential conflict of interest makes it inappropriate for the Department of Law to review or prosecute the possible violations;

(32) [(33)] contracts between the Department of Natural Resources and contractors qualified to evaluate hydrocarbon development, production, transportation, and economics, to assist the commissioner of natural resources in evaluating applications for royalty increases or decreases or other royalty adjustments, and evaluating the related financial and technical data, entered into under AS 38.05.180(j);

(33) [(34)] contracts of the Alaska Industrial Development and Export Authority made with the developer of an integrated transportation and port facility owned by the authority;

(34) [(35)] procurements of contracts with the media for advertising;

(35) [(36)] [REPEALED

(37)] contracts between the state medical examiner and a provider of medical services to perform or assist in performing the duties assigned to the state medical examiner in AS 12.65.020;

(36) [(38)] contracts between the commissioner of revenue and an independent contractor under AS 43.82.240;

(37) [(39)] contracts for a convener under AS 44.62.730 or for a facilitator under AS 44.62.760 related to a negotiated regulation making process under AS 44.62.710 - 44.62.800;

(38) [(40) REPEALED

(41)] a tourism marketing contract awarded under AS 44.33.125;

(39) [(42)] grants and contracts with qualified entities for services under AS 47.18.330 for the foster care transition program;

(40) [(43)] contracts for travel services, including airplane travel, hotel

accommodations, and travel agency services, but excluding motor vehicle rentals;

(41) [(44)] contracts of the Alaska Commission on Postsecondary Education or the Alaska Student Loan Corporation for the guarantee and disbursing of financial aid money to institutions of postsecondary education under the financial aid programs under **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750] and AS 14.44.025;

(42) [(45)] contracts for an arbitration panel to determine whether a project is uneconomic under AS 43.90.240, and contracts for the development of application provisions for licensure and for the evaluation of those applications under AS 43.90;

(43) [(46)] contracts for delivery of home heating assistance under AS 47.25.626;

(44) [(47)] contracts of the Alaska Pension Obligation Bond Corporation under AS 37.16.010 - 37.16.900.

*** Sec. 98.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional contributions that may be made to the fund. The commissioner shall invest the assets of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall

provide reports to the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts previously identified as available for appropriation to the governor's performance scholarship fund income account but not appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

* **Sec. ~~10.~~9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and Workforce Development, after consultation with the Alaska Commission on Postsecondary Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. ~~54~~ of this Act, so that a student

(1) may be eligible for the program even though the student did not fully meet the required core academic curriculum for the school years beginning July 1, 2010, through June 30, 2013; and

(2) who graduated from high school in this state after June 30, 2010, and

before July 1, 2011, and meets eligibility requirements for the program may apply for a scholarship beginning July 1, 2011.

* **Sec. ~~11.~~10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

* **Sec. ~~12.~~11.** Section ~~11~~10 of this Act takes effect immediately under AS 01.10.070(c).

* **Sec. ~~13.~~12.** Except as provided in sec. ~~12~~11 of this Act, this Act takes effect September 1, 2010.

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3/4/10

CS FOR HOUSE BILL NO. 297(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act establishing the governor's performance scholarship program and relating to the program; establishing the governor's performance scholarship fund and relating to the fund; relating to student records; making conforming amendments; and providing for an effective date."

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

*** Section 1.** AS 14.03 is amended by adding a new section to read:

Sec. 14.03.113. District determination of scholarship eligibility. A school district shall determine whether a student who graduates from a high school in the district is eligible for an award of a merit-based governor's performance scholarship under AS 14.43.810 - 14.43.890. If a student is eligible, the district shall state in the student's permanent record the highest tier of funding for which the student is eligible. A district shall provide a student with an opportunity to request that the district correct an error in the eligibility determination.

*** Sec. 2.** AS 14.07.020(a) is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will assure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;

(9) exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any

Alaskan through a centralized office a correspondence study program;

(10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in math, reading, and writing as provided in AS 14.03.123(f)(2)(A); and

(C) a process for districts to petition the department for

continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(14) or redirecting public school funding under AS 14.07.030(15)**;**

(18) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 3.** AS 14.42.030(e) is amended to read:

(e) The commission may

(1) adopt regulations under AS 44.62 (Administrative Procedure Act) to

(A) carry out the purposes of

(i) **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48; and

(ii) AS 14.43.910 and 14.43.920 as they relate to the purposes of **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, AS 14.44, and AS 14.48;

(B) ensure compliance with the requirements imposed by state and federal statutes and regulations governing the guaranty, insurance, purchase, or other dealings in eligible loans by federal agencies, instrumentalities, or corporations; and

(C) establish standards for the

(i) administration of hearings conducted under AS 14.43.153; and

(ii) administrative enforcement of collection orders under AS 14.43.151 - 14.43.155;

(2) delegate to the executive director of the commission or a subcommittee of the commission any duty imposed on or power granted to the commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to adopt regulations and its duty to consider appeals under AS 14.43.100(b) and AS 14.48.120;

(3) establish task forces, committees, or subcommittees, not necessarily consisting of commission members, to advise and assist the commission in carrying out its functions;

(4) contract with or use existing institutions of postsecondary education or other individuals or organizations to make studies, conduct surveys, submit recommendations, or otherwise contribute to the work of the commission;

(5) establish fees for the review of an out-of-state institution that

(A) requests approval for participation in the programs under AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

(B) is not accredited by a national or regional accreditation association recognized by the Council for Higher Education Accreditation; and

(6) collect all fees and costs incurred in collection of the amount owed on a loan or repayment obligation if the loan or repayment obligation becomes delinquent or in default; in this paragraph, fees and costs include attorney fees, court costs, and collection fees charged by a collection agency.

*** Sec. 4.** AS 14.42.200 is amended to read:

Sec. 14.42.200. General powers. In addition to other powers granted in this chapter, the corporation may

(1) sue and be sued in its own name;

(2) adopt an official seal;

(3) adopt regulations under AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter;

(4) make and execute agreements, contracts, and other instruments necessary or convenient in the exercise of the powers and functions of the corporation, including contracts with a person or governmental entity;

(5) receive, take, hold, and administer, on behalf of the corporation and for any of its purposes, any appropriation, gift, grant, bequest, devise, or donation of real property or personal property if that obligation of the corporation is not a debt of the state; in this paragraph, "property" includes

(A) money; and

(B) life estates, leases, or other interests in property;

(6) borrow money as provided in this chapter to carry out its corporate purposes and issue its obligations as evidence of the borrowing;

(7) include in a borrowing the amounts to pay financing charges, interest on the obligations for a period not exceeding one year after the date on which the corporation estimates funds will otherwise be available to pay the interest, consultant, advisory, and legal fees, and other expenses necessary or incident to the borrowing;

(8) invest or reinvest, subject to its contracts with noteholders and bondholders, money held by the corporation as set out in AS 37.10.071;

(9) set and collect interest, fees, and charges in connection with education loans or repayment obligations held by the corporation and its servicing agents; in this paragraph, "charges" includes costs of financing by the corporation, service charges, insurance premiums, and other costs incurred by the corporation in carrying out its corporate purposes;

(10) gather information on postsecondary education financial resources available to residents of this state and disseminate the information to reasonably assure that qualified residents are aware of those financial resources;

(11) service education loans and repayment obligations held by the corporation;

(12) purchase or participate in the purchase of education loans;

(13) contract in advance for the purchase or sale of education loans;

(14) sell or participate in the sale, either public or private and on terms authorized by the board, of education loans to the Student Loan Marketing Association or to other purchasers;

(15) collect and pay reasonable fees and charges in connection with the purchase, sale, and servicing of education loans and repayment obligations;

(16) enter into agreements with the federal government, including guaranty agreements and supplemental guaranty agreements as described in 20 U.S.C. 1001 - 1155, as amended, as necessary to provide for the receipt by the corporation of administrative allowances and other benefits available under 20 U.S.C. 1001 - 1155, as amended;

(17) administer federal money allotted to the state involving insured education loans and related administrative costs and other matters;

(18) enter into agreements with the commission relating to education loans and repayment obligations, the administration of the financial aid and loan programs under **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750], 14.43.990, and AS 14.44, and the payment of and security for bonds of the corporation;

(19) to the extent permitted under contracts with bondholders, consent to the modification of the rate of interest, time of payment of an installment of principal or interest, or other terms of an education loan or repayment obligation held by the corporation;

(20) procure insurance against any loss in connection with the operation of its programs;

(21) provide advisory services to borrowers and other participants in the corporation's programs;

(22) enter into credit facility agreements and make pledges, covenants, and agreements with respect to the repayment of borrowings under the credit facility agreements;

(23) develop and implement education financing programs; in this paragraph, "programs" includes

(A) programs listed in AS 14.42.030(b)(1);

(B) programs for the guaranteeing, servicing, originating, and financing of education loans for borrowers located both inside and outside the state; and

(C) federal financial aid programs made under federal law; and

(24) perform acts that may be necessary or appropriate to carry out effectively the general objectives and purposes of the corporation under AS 14.42.100 - 14.42.990.

*** Sec. 5.** AS 14.43 is amended by adding new sections to read:

Article 11A. Governor's Performance Scholarship Program.

Sec. 14.43.810. Governor's performance scholarship program established; Alaska residency. (a) The governor's performance scholarship program is established

for the purpose of ensuring that a rigorous curriculum is available in all high schools in the state and to provide scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the state. The program includes a merit-based academic scholarship, a merit-based career and technical school scholarship, and an unmet financial need scholarship supplement. The merit-based academic scholarship consists of three levels of awards. The merit-based career and technical school scholarship consists of one level of award.

(b) The department shall design the programmatic standards for the scholarships and appeals of adverse decisions. The commission shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non loan financial aid, consistent with federal law. The respective agencies shall adopt necessary regulations under AS 44.62 after consultation with each other. The department may change the regulations under AS 44.62 relating to the programmatic standards for required academic achievement for eligibility only by giving advance public notice at least one school year before the effective date of the change.

(c) For purposes of the program, a student is an Alaska resident if the student meets the requirements for establishing residency under AS 01.10.055.

(d) The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in kindergarten through grade 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state;

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities;

(9) providing a rigorous curriculum in all high schools in the state;

(10) increasing participation of Alaska high school students in Alaska postsecondary institutions.

Sec. 14.43.815. Qualifications of applicants. (a) A student may apply for a governor's performance scholarship to attend a qualified postsecondary institution in the state if the student

(1) has applied or intends to apply for admission to the institution;

(2) is an Alaska resident who has

(A) graduated, or will graduate not later than six months after the date of the application, from a high school in the state, including a public school, private school, and home school;

(B) graduated, or will graduate not later than six months after the date of the application, from a high school outside of the state under circumstances allowed by the department; for purposes of this subparagraph, allowable circumstances include a circumstance in which a high school student who is an Alaska resident left the state because of the military service of the student's custodial parent who is an Alaska resident;

(3) will receive and use the scholarship at a qualified postsecondary institution in the state not later than six years after the beginning of the first school year after a student's graduation from high school, unless the student qualifies for an extension of time allowed by the department; for purposes of this paragraph, standards for extension of time must include time while the student is in military service; and

(4) meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship.

(b) A student is not qualified to receive a governor's performance scholarship if the student

(1) has not complied with the military selective service registration

requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;

(2) is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or

(3) has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiver under standards adopted by the department.

Sec. 14.43.820. Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based academic scholarship under the program include the following:

(1) the four-year core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school to be eligible for each of the three tiers of academic scholarship; the top tier is the A average tier, the second tier is the B average tier, and the third tier is the C plus average tier; the grade-point average for the A average tier is 3.5 or higher, for the B average tier is less than 3.5 but not less than 3.0, and for the C plus average tier is less than 3.0 but not less than 2.5; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score on a college entrance examination that the student must have achieved to be eligible for each of the three tiers of academic scholarship;

(4) a process by which a student who meets the grade standards in (2)

of this subsection for a particular tier, but does not meet the minimum scores established under (3) of this subsection for that tier, may apply for a lower tier scholarship;

(5) enrollment in a course of study at a qualified postsecondary institution as described in AS 14.43.835 that is intended to result in the award of a certificate or degree;

(6) a process through which a student who is no longer eligible can regain eligibility;

(7) a process through which a home-schooled or private-schooled student may submit evidence to the qualified postsecondary institution that establishes the equivalent of the high school diploma, grade-point average, and core academic curriculum for public school students.

Sec. 14.43.825. Eligibility for a career and technical school scholarship. (a) Subject to appropriation, the commission shall award a merit-based career and technical school scholarship to an applicant who meets the eligibility criteria for the award under the program.

(b) The programmatic standards for eligibility for an award of a merit-based career and technical school scholarship under the program include the following:

(1) the core academic curriculum, which may include virtual curriculum, that the student must have completed in high school; the core academic curriculum must include

(A) four years of mathematics;

(B) four years of language arts;

(C) four years of science; and

(D) three years of social studies;

(2) the minimum grade average that the student must have achieved in high school; the minimum is C plus average; the C plus average requirement is a grade-point average of 2.5 or higher; the department shall set by regulation minimum requirements based on a substantially similar standard for districts that do not assign grades;

(3) the minimum score that the student must have achieved on a

(A) college entrance examination; or

(B) standardized examination designed to measure a student's level of preparedness to make the transition to work, as selected by the department;

(4) enrollment in good standing at a certified career and technical school that is intended to result in the award of a certificate that indicates the student's preparedness to enter the workforce;

(5) a process through which a student who is no longer eligible can regain eligibility.

Sec. 14.43.827. Maximum awards and allowable uses. (a) Subject to (b) - (e) of this section, the maximum awards and allowable uses for the merit-based programs are as follows:

(1) for the merit-based academic scholarship, three tiers of scholarship financing awards; the highest tier of award for a semester must be equal to the cost of approved tuition at the University of Alaska in school year 2010 through 2011 for a student taking 15 credits, and require very high academic achievement; the second tier must be 75 percent of the highest tier and require high academic achievement; the third tier must be 50 percent of the highest tier and require moderate academic achievement; for purposes of this paragraph, a student's academic achievement must be determined by the student's high school grade-point average described in AS 14.43.820(b)(2) and score on an examination described in AS 14.43.820(b)(3);

(2) for the merit-based career and technical scholarship, the award must be the actual cost of the qualified career and technical school attended by the student, not to exceed $3,000 a school year;

(3) subject to (e) of this section, a student who qualifies for a merit-based academic scholarship may apply the award to the costs of attending a qualified career and technical school program as described in AS 14.43.835(a)(2);

(b) A part-time student who receives a merit-based academic scholarship and is enrolled on at least a half-time basis is eligible for an award on a pro rata basis.

(c) A student's eligibility for a scholarship terminates six years after the date the student graduated from high school unless the student qualifies for an extension of

time allowed by the department.

(d) Subject to AS 14.43.815(a)(3), a student receiving a merit-based academic scholarship may remain eligible for up to eight semesters of enrollment at a qualified university or college, which may include graduate courses, or for up to two calendar years of attendance at a qualified career or technical school. A student receiving a merit-based career and technical scholarship may remain eligible for two calendar years of attendance at a qualified career and technical school. A student may not receive both an academic and a career and technical scholarship.

(e) The amount of a scholarship award may not exceed the amount of the student's costs of attendance as certified by the postsecondary institution for the purposes of federal financial aid, less any other scholarships or non loan financial aid awarded to the student.

Sec. 14.43.828. Eligibility for an unmet need scholarship supplement and maximum awards. (a) Subject to appropriation, the commission shall award an unmet need scholarship supplement to a student who meets the eligibility criteria for the award.

(b) A student is eligible to receive an unmet need scholarship supplement if the student

(1) is eligible for a merit-based academic scholarship or a merit-based career and technical school scholarship; and

(2) can demonstrate, in a year in which the student receives a scholarship, that the student has unmet financial need greater than $2,000.

(c) The maximum amount for an unmet need scholarship supplement is 50 percent of the unmet financial need that exceeds $2,000.

(d) The qualified postsecondary institution attended by the student shall determine unmet financial need by subtracting from the student's allowable standard costs of attendance at the institution all non loan sources of financial support, including an expected family contribution and all federal, state, and private scholarships or grants received by the student.

(e) In this section,

(1) "allowable standard costs of attendance" means

(A) for a student who receives a merit-based academic scholarship, the lesser of the

(i) standard costs of attendance at the University of Alaska, as determined by the commission; or

(ii) actual costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission;

(B) for a student who receives a merit-based career and technical school scholarship, the costs of attendance at the qualified postsecondary institution that the student attends or plans to attend, as determined by the commission based on room and board costs that do not exceed the standard room and board costs at the University of Alaska as determined by the commission;

(2) "expected family contribution" means the amount a student or the student's family is expected to pay toward the student's cost of attendance, as determined by use of the most recent federal Free Application for Federal Student Aid.

Sec. 14.43.830. Programmatic standards. (a) Subject to (b) of this section, the department shall establish programmatic standards for the program.

(b) The department shall establish a make-up procedure or alternative pathway to allow students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances beyond the student's control. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the effect on students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which a student may be allowed to pursue alternative means to qualify for a scholarship. Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;

(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

Sec. 14.43.835. Qualified postsecondary institutions. (a) The following institutions are qualified postsecondary institutions:

(1) a university or college physically located in the state that is

(A) authorized to operate in the state under AS 14.48.020, or is exempt from authorization under AS 14.48.030(b)(1); and

(B) accredited by a regional accreditation association;

(2) a career and technical school program physically located in the state that has been included on a list of certified career and technical school programs received from the Department of Labor and Workforce Development; the commission shall publish the list on or before September 1 of the year preceding enrollment.

(b) The Department of Labor and Workforce Development shall, in consultation with the Department of Education and Early Development, adopt regulations under AS 44.62 establishing criteria under which the Department of Labor and Workforce Development shall certify career and technical school programs in the state as eligible to participate in the career and technical school scholarship program. The criteria to be considered under this subsection include the following:

(1) the quality of the job-training program offered by the career and technical school;

(2) the employability of a graduate of the program, including whether the program results in a certificate or license that is recognized by the industry for which the training prepares the student;

(3) whether jobs in the industry for which the training prepares the student are available or expected to be available in the future in the state;

(4) other criteria established by the Department of Labor and Workforce Development in regulation.

(c) A postsecondary institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the

education to the students are physically present in the state. Use of virtual, electronic, or online materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a correspondence, virtual, electronic, or online program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state.

Sec. 14.43.840. Application and award. (a) The commission shall establish application procedures for students to apply for a governor's performance scholarship.

(b) The commission shall adopt procedures for payment of scholarship awards to the institution attended by the scholarship recipient. Payment of a scholarship is subject to appropriation. If insufficient funds are appropriated to pay all eligible scholarships, the commission shall pay existing awards on a pro rata basis.

(c) A student who is awarded a scholarship in error shall be required to refund to the state the amount of the scholarship awarded in error, less any scholarship award payments previously expended if the error, in the award of the scholarship was not due to any fault of the student.

Sec. 14.43.845. Governor's performance scholarship fund income account. The governor's performance scholarship fund income account is created as an account in the general fund. Money may be appropriated into the account from the expendable earnings of the governor's performance scholarship fund under AS 37.14.750 - 37.14.790 and other sources. The commission may use money in the account to pay scholarships awarded to students under AS 14.43.810 - 14.43.890.

Sec. 14.43.850. Report to the legislature. (a) To the extent permitted under law, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall share data necessary to prepare public reports regarding the program.

(b) Not more than 10 days after the convening of each regular legislative session, the department, the commission, the University of Alaska, the Department of Revenue, and the Department of Labor and Workforce Development shall present an annual report to the public, the governor, and the legislature containing information of public interest regarding the program, including

(1) the number of applicants and number and types of scholarships awarded;

(2) the dollar amount of scholarships awarded in past years and the dollar amounts expected to be awarded for the next year; and

(3) data and trends in the data regarding the goals identified in AS 14.43.810.

Sec. 14.43.890. Definitions. In AS 14.43.810 - 14.43.890, unless the context requires otherwise,

(1) "grade-point average" means the average of all grades on a four-point scale, or five-point scale for advanced placement classes, obtained by the student in high school;

(2) "military service" means active duty in the armed forces of the United States;

(3) "program" means the governor's performance scholarship program established under AS 14.43.810 - 14.43.890;

(4) "school district" means a borough school district, a city school district, a regional educational attendance area, and a state boarding school.

*** Sec. 6.** AS 14.45.130(a) is amended to read:

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, [AND] courses taken at the school**, and level of eligibility for a governor's performance scholarship under AS 14.43.810 - 14.43.890**.

*** Sec. 7.** AS 23.05.060 is amended to read:

Sec. 23.05.060. Powers of the department. The department may

(1) enforce all state labor laws;

(2) act as mediator and appoint deputy commissioners of conciliation in labor disputes whenever it considers the interest of industrial peace requires it;

(3) make investigations and collect and compile statistical information concerning the conditions of labor generally and upon all matters relating to the enforcement of this chapter;

(4) institute court proceedings against an employer of labor without cost to the employee when it is satisfied that the employer has failed to pay an employee an amount due by contract;

(5) issue cease and desist orders and other orders and regulations necessary for the enforcement of state labor laws;

(6) in accordance with AS 37.07 (the Executive Budget Act), receive and spend money derived from agreements with local governments, nongovernmental organizations, or other persons;

(7) administer duties assigned to the department under the governor's performance scholarship program established in AS 14.43.810 - 14.43.890.

*** Sec. 8.** AS 36.30.850(b) is amended to read:

(b) This chapter applies to every expenditure of state money by the state, acting through an agency, under a contract, except that this chapter does not apply to

(1) grants;

(2) contracts for professional witnesses to provide for professional services or testimony relating to existing or probable lawsuits in which the state is or may become a party;

(3) contracts of the University of Alaska where the work is to be performed substantially by students enrolled in the university;

(4) contracts for medical doctors and dentists;

(5) acquisitions or disposals of real property or interest in real property, except as provided in AS 36.30.080 and 36.30.085;

(6) disposals under AS 38.05;

(7) contracts for the preparation and transportation of ballots under AS 15;

(8) acquisitions or disposals of property and other contracts relating to airports under AS 02.15.070, 02.15.090, 02.15.091, and AS 44.88;

(9) disposals of obsolete property under AS 19.05.060;

(10) disposals of obsolete material or equipment under AS 35.20.060;

(11) agreements with providers of services under AS 47.25.071 -

47.25.095; AS 47.07; AS 47.08; AS 47.10; AS 47.12; AS 47.14; AS 47.17; AS 47.24; and AS 47.27, including contractors under AS 47.27.050;

(12) contracts of the Department of Fish and Game for flights that involve specialized flying and piloting skills and are not point-to-point;

(13) purchases of income-producing assets for the state treasury or a public corporation of the state;

(14) [REPEALED

(15)] a contract that is a delegation, in whole or in part, of investment powers held by

(A) the commissioner of revenue under AS 14.42.200, 14.42.210, AS 18.56.095, AS 37.10.070, 37.10.071, or AS 37.14;

(B) the Board of Regents of the University of Alaska under AS 14.40.250 - 14.40.491;

(15) [(16)] a contract that is a delegation, in whole or in part, of investment powers or fiduciary duties of

(A) the Board of Trustees of the Alaska Permanent Fund Corporation under AS 37.13;

(B) the Alaska Mental Health Trust Authority under AS 37.14.001 - 37.14.099;

(16) [(17)] the purchase of books, book binding services, newspapers, periodicals, audio-visual materials, network information services access, approval plans, professional memberships, archival materials, objects of art, and items for museum or archival acquisition having cultural, historical, or archaeological significance; in this paragraph

(A) "approval plans" means book selection services in which current book titles meeting an agency's customized specifications are provided to the agency subject to the right of the agency to return those books that do not meet with the agency's approval;

(B) "archival materials" means the noncurrent records of an agency that are preserved after appraisal because of their value;

(C) "audio-visual materials" means nonbook prerecorded

materials, including records, tapes, slides, transparencies, films, filmstrips, cassettes, videos, compact discs, laser discs, and items that require the use of equipment to render them usable;

(D) "network information services" means a group of resources from which cataloging information, holdings records, inter-library loans, acquisitions information, and other reference resources can be obtained;

(17) [(18)] contracts for the purchase of standardized examinations for licensure under AS 08;

(18) [(19)] contracts for home health care provided under regulations adopted by the Department of Health and Social Services and for adult residential care services provided under regulations adopted by the Department of Health and Social Services or by the Department of Administration;

(19) [(20)] contracts for supplies or services for research projects funded by money received from the federal government or private grants;

(20) [(21)] guest speakers or performers for an educational or cultural activity;

(21) [(22)] contracts of the Alaska Industrial Development and Export Authority for a clean coal technology demonstration project that

(A) is attempting to develop a coal-fired electric generation project;

(B) uses technology that is capable of commercialization during the 1990's; and

(C) qualifies for federal financial participation under P.L. 99-190 as amended;

(22) [(23)] operation and protection of assets or disposals of equipment and supplies acquired through foreclosure or other legal proceedings relating to loans issued under AS 03.10;

(23) [(24)] purchases of curatorial and conservation services to maintain, preserve, and interpret

(A) objects of art; and

(B) items having cultural, historical, or archaeological

significance to the state;

(24) [(25)] acquisition of confidential seismic survey data necessary for pre-sale oil and gas lease or gas only lease analyses under AS 38.05.180;

(25) [(26)] contracts for village public safety officers;

(26) [(27)] purchases of supplies and services to support the operations of the Alaska state troopers or law enforcement officers engaged in fish and wildlife protection if the procurement officer for the Department of Public Safety makes a written determination that publicity of the purchases would jeopardize the safety of personnel or the success of a covert operation;

(27) [(28)] expenditures when rates are set by law or ordinance;

(28) [(29)] construction of new vessels by the Department of Transportation and Public Facilities for the Alaska marine highway system;

(29) [(30)] contracts entered into with a regional development organization; in this paragraph, "regional development organization" has the meaning given in AS 44.33.895;

(30) [(31)] contracts that are to be performed in an area outside of the country and that require a knowledge of the customs, procedures, rules, or laws of the area;

(31) [(32)] contracts that are between the Department of Law and attorneys who are not employed by the state and that are for the review or prosecution of possible violations of the criminal law of the state in situations where the attorney general concludes that an actual or potential conflict of interest makes it inappropriate for the Department of Law to review or prosecute the possible violations;

(32) [(33)] contracts between the Department of Natural Resources and contractors qualified to evaluate hydrocarbon development, production, transportation, and economics, to assist the commissioner of natural resources in evaluating applications for royalty increases or decreases or other royalty adjustments, and evaluating the related financial and technical data, entered into under AS 38.05.180(j);

(33) [(34)] contracts of the Alaska Industrial Development and Export Authority made with the developer of an integrated transportation and port facility owned by the authority;

(34) [(35)] procurements of contracts with the media for advertising;

(35) [(36)] [REPEALED

(37)] contracts between the state medical examiner and a provider of medical services to perform or assist in performing the duties assigned to the state medical examiner in AS 12.65.020;

(36) [(38)] contracts between the commissioner of revenue and an independent contractor under AS 43.82.240;

(37) [(39)] contracts for a convener under AS 44.62.730 or for a facilitator under AS 44.62.760 related to a negotiated regulation making process under AS 44.62.710 - 44.62.800;

(38) [(40) REPEALED

(41)] a tourism marketing contract awarded under AS 44.33.125;

(39) [(42)] grants and contracts with qualified entities for services under AS 47.18.330 for the foster care transition program;

(40) [(43)] contracts for travel services, including airplane travel, hotel accommodations, and travel agency services, but excluding motor vehicle rentals;

(41) [(44)] contracts of the Alaska Commission on Postsecondary Education or the Alaska Student Loan Corporation for the guarantee and disbursing of financial aid money to institutions of postsecondary education under the financial aid programs under **AS 14.43.091 - 14.43.890** [AS 14.43.091 - 14.43.750] and AS 14.44.025;

(42) [(45)] contracts for an arbitration panel to determine whether a project is uneconomic under AS 43.90.240, and contracts for the development of application provisions for licensure and for the evaluation of those applications under AS 43.90;

(43) [(46)] contracts for delivery of home heating assistance under AS 47.25.626;

(44) [(47)] contracts of the Alaska Pension Obligation Bond Corporation under AS 37.16.010 - 37.16.900.

*** Sec. 9.** AS 37.14 is amended by adding new sections to read:

Article 8A. Governor's Performance Scholarship Fund.

Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of

(1) appropriations to the fund;

(2) donations to the fund; and

(3) income earned on investments of fund assets.

(b) The commissioner of revenue shall manage the fund with the goal that the purchasing power of the fund will not diminish over time without regard to additional contributions that may be made to the fund. The commissioner shall invest the assets of the fund in a manner likely to yield at least a five percent real rate of return over time.

(c) Nothing in this section creates a dedicated fund.

Sec. 37.14.755. Powers and duties of the commissioner of revenue. In carrying out the investment duties under AS 37.14.750 - 37.14.790, the commissioner of revenue has the powers and duties set out in AS 37.10.071. The commissioner shall provide reports to the Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education on the condition and investment performance of the fund.

Sec. 37.14.760. Use of fund. As soon as practicable after July 1 of each year, the commissioner of revenue shall determine the average month-end market value of the fund for the immediately preceding three fiscal years. The commissioner shall identify five percent of that amount as available for appropriation by the legislature for appropriation to the governor's performance scholarship fund income account created under AS 14.43.845 from which the Alaska Commission on Postsecondary Education may award scholarships under AS 14.43.810 - 14.43.890. The commissioner shall also report as available for appropriation a running total of amounts previously identified as available for appropriation to the governor's performance scholarship fund income account but not appropriated.

Sec. 37.14.790. Definitions. In AS 37.14.750 - 37.14.790, unless the context requires otherwise,

(1) "commissioner" means the commissioner of revenue;

(2) "fund" means the governor's performance scholarship fund established in AS 37.14.750(a).

*** Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: PROGRAM STANDARDS AND IMPLEMENTATION FOR INITIAL SCHOOL YEARS. Notwithstanding any contrary provision of this Act, the Department of Education and Early Development and the Department of Labor and Workforce Development, after consultation with the Alaska Commission on Postsecondary Education, may adopt regulations under AS 44.62 to implement their respective duties under the governor's performance scholarship program established in AS 14.43.810, enacted by sec. 5 of this Act, so that a student

(1) may be eligible for the program even though the student did not fully meet the required core academic curriculum for the school years beginning July 1, 2010, through June 30, 2013; and

(2) who graduated from high school in this state after June 30, 2010, and before July 1, 2011, and meets eligibility requirements for the program may apply for a scholarship beginning July 1, 2011.

*** Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Education and Early Development, the Department of Labor and Workforce Development, and the Alaska Commission on Postsecondary Education may proceed to adopt regulations necessary to implement changes made to their respective authorities by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before September 1, 2010.

*** Sec. 12.** Section 11 of this Act takes effect immediately under AS 01.10.070(c).

*** Sec. 13.** Except as provided in sec. 12 of this Act, this Act takes effect September 1, 2010.

Conceptual Amendment #1 to Work-draft Version R Repeals this language

26-GH2771\A.10
Chenoweth
2/17/10

adopted to Version A

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE GARDNER

TO: HB 297

Page 10, line 1, following "error":

Insert "less any scholarship award payments previously expended if the error in the award of the scholarship was not due to any fault of the student"

HB297 #2 Adopted

Conceptual Amendment by Representative Seaton

Page 9 line 26
After "include" add "two additional years if"

Line 26
Delete "time while"

Adpts

HB 297 AS amdd

Conceptual Amendment #3 Representative Seaton

Friendly Amendment

Page 5 line 16 thru Page 7 line 27

Delete all of Sec 4

HB 297

Conceptual Amendment #14 A1991 by Representative Seaton

Page 9 line 23

After "six years" add ", providing the student maintains Alaska residency,"

Adopted

Conceptual Amendment #5 Representative Seaton

Amended
17
Page ~~24~~ line 10
Delete ", or five-point scale for advanced placement classes,"

Y
Y
Y
N
Y

Conceptual Amendment #6 - Adopted

p. 9 line 16-21

"who has attended at least 2 years of high school in Alaska."

Conceptual Amendment #7 – Adopted

p. 12, line 29

"1/2 time student may receive one half of tier award"

Also,

I you had mentioned that you would be working on language to define more clearly the different award tiers, so please provide language on this issue in the work-draft

---

Louie Flora

From: Saichi Oba [stoba@alaska.edu]
Sent: Tuesday, February 16, 2010 9:28 AM
To: Louie Flora
Cc: larry.ledoux@alaska.gov; Diane Barrans; Jeans, Eddy (EED); Wendy Redman; Saichi Oba; Herman, Marcy J (EED)
Subject: GED's & UA
Attachments: stoba.vcf

Rep. Seaton (cc Commissioner LeDoux, Exec. Dir. Barrans, Dir. Jeans, VP Redman),

The following information is provided in response to your question regarding GED's awarded through the University of Alaska.

As mentioned at the committee meeting on Monday, February 15, the University of Alaska does not award GED's *per se*. However, several community campuses do in fact offer prep work and administer the GED tests. The State of Alaska awards the GED Diplomas.

According to Amy Iutzi, Director, Adult Basic Education, GED's awarded in Alaska for the last three FY's (which include those facilitated at the community campuses) are as follows:

FY07 - 1,591 GED graduates

FY08 - 1,540 GED graduates

FY09 - 1,686 GED graduates

Thank you,

Saichi Oba
Associate VP, Student & Enrollment
University of Alaska

Gwendolyn White, Associate VP
(907) 450-8192
(907) 450-8181 fax
gwen.white@alaska.edu

UNIVERSITY of ALASKA
Many Traditions One Alaska

Planning & Institutional Research
PO BOX 755260
910 Yukon Drive Ste. 108
Fairbanks, AK 99775-5260

February 3, 2010

Mr. Louie Flora,
Office of Representative Seaton
State Capitol, Room 102
Juneau, AK 99801-1182

Dear Mr. Flora:

Thank you for the recent inquiry regarding the need for preparatory coursework by UA Scholars. I am pleased to provide the table below summarizing the proportion of UA Scholars as well as the overall proportion of UA first-time freshmen taking preparatory coursework. Overall, fewer UA Scholars require preparatory coursework than the entire population of first-time freshmen.

UA First-Time Freshman Taking Preparatory Coursework

	UA Scholars		All	
	Headcount, Fall 2009	Average Percent, Fall 2005 - 2009	Headcount, Fall 2009	Average Percent, Fall 2005 - 2009
Total Headcount, Fall 2009	444		3,58x	
Took Preparatory Coursework in:				
English AND Math	50	12.1%	689	17.9%
English OR Math	149	34.0%	1,929	50.0%
Any Subject	154	35.1%	1,946	50.7%
Math	121	28.5%	1,632	42.5%
English	78	17.6%	986	25.4%
Science	3	0.8%	23	0.7%
Developmental Studies	21	4.0%	77	2.1%

Note: Headcounts is unduplicated at the reporting level. Preparatory classes typically have course numbers of 050-099. These courses are preparatory in nature and do not satisfy baccalaureate degree requirements. While generally offered for credit, relative to financial aid eligibility, any credits in preparatory courses are considered to be electives and are not applied toward a degree. 'Developmental Studies' includes courses in study skills and other success-related topics.
Source: Data supplied by MAUs via UA Information Systems: Banner Student Information Closing Extracts, fall 2005 - 2009.

Please let me know if you would like any further information on this topic.

Sincerely,

Gwendolyn White

GPS SCHOLARSHIP HB297 / SB224

ACADEMIC	CAREER / TECHNICAL
AS 14.430.810(a) Establish scholarship	
Academic 3 Levels	Career / Technical 1 Level
AS 14.43.815 Application, scholarship available for 6 years	
AS 14.43.820 Core curriculum GPA three tiers: A B C+ Minimum score on college entrance exam for each tier. Process for home school & private school to meet requirements, University or College that leads to a certificate or degree.	AS 14.43.825 Core curriculum GPA one tier: C+ or better Minimum score on college entrance exam OR assessment of work readiness. Career or Technical School that leads to a certificate
AS 14.43.827(1) Award: Platinum - $4,755 Gold - $3,566 Silver - $2,378 Eligibility term six years Good for eight semesters	AS 14.43.827(2) Award: $3,000 Eligibility term six years Good for two calendar years
AS 14.43.830 State Board to establish make up procedures or alternative pathway while maintaining integrity of eligibility criteria under AS 14.43.820 & 825.	
AS 14.43.835(1) Qualified universities or colleges	AS 14.43.835(2) Approve career and technical schools

Governor's Scholarship Program
Department of Education and Early Development
Updated 1-7-10

In 2009, Alaska has 8,008 high school graduates
In Wyoming approximately 28.78% of their graduates utilize the merit scholarship program.
Using the same utilization rate approximately 2,305 seniors will earn an opportunity for a scholarship.

Scenario #1 is an estimate for the maximum scholarship
2,305 X $4,755/year = $10,960,275

Scenario #2 is an estimate for the minimum scholarship
2,305 X $2,378/year = $5,481,290

It is likely the cost will be somewhere in between
($10,960,275 + $5,481,290)/2 = $8,220,783

According to Education Trust, the average graduation rate for 5 year graduation for UAF is 25% and UAA is 16.5%.
The four year graduation rate is significantly lower.

Cohort: 2,305 Students per year

	Participation rates	Number of Students	Average Scholarship	Est. annual cost	Year 1 Estimated cost	Year 2 Estimated cost	Year 3 Estimated cost
Year 1 students	100%	2,305	$3,567	$8,221,935	$8,221,935		
Year 2 students	75%	1,729	$3,567	$6,167,343		$14,389,278	
Year 3 students	50%	1,153	$3,567	$4,112,751			$18,502,029
Year 4 students	25%	576	$3,567	$2,054,592			
Estimated annual cost when fully implemen		5,763		$20,556,621			

GOVERNOR'S PERFORMANCE SCHOLARSHIP

CURRICULUM – GRADE POINT AVERAGE (GPA) – ASSESSMENT SCORES

SAMPLE

CURRICULUM

⇒ 4 years of mathematics

⇒ 4 years of science

⇒ 4 years of English

⇒ 3 years of social studies

GPA

⇒ A Average = 100%

⇒ B Average = 75%

⇒ C+ Average = 50%

⇒ C+ Average = CTE - $3000 per year for up to two years

ASSESSMENT SCORES

ACT	SAT	
36 - 32	2400 – 2130	A
31 - 28	2120 – 1860	B
27 - 26	1850 – 1760	C+

Annual Cost of Attending UA	$ 14,000.00
Pell Grant	$ (5,700.00)
UA Scholars Award	$ (2,750.00)
Governor's Performance Award	$ (4,755.00)
Unmet Need	$ 795.00

w/o Pell

Annual Cost of Attending UA	$ 14,000.00
UA Scholars Award	$ (2,750.00)
Governor's Performance Award	$ (4,755.00)
Unmet Need	$ 6,495.00

Annual Cost of Attending APU	$ 34,500.00
Pell Grant	$ (5,700.00)
Alaska Award	$ (6,000.00)
Housing Award	$ (4,000.00)
Governor's Performance Award	$ (4,755.00)
	$ 14,045.00

w/o Pell

Annual Cost of Attending APU	$ 34,500.00
Alaska Award	$ (6,000.00)
Housing Award	$ (4,000.00)
Governor's Performance Award	$ (4,755.00)
	$ 19,745.00

Program Costs of Attending AVTEC	
Heavy Equipment Technologies-197 days	$ 15,775.00
Pell Grant	$ (5,700.00)
Governor's Performance Award	$ (3,000.00)
	$ 7,075.00

w/o Pell

Program Costs of Attending AVTEC	
Heavy Equipment Technologies-197 days	$ 15,775.00
Governor's Performance Award	$ (3,000.00)
	$ 12,775.00

Program Costs of Attending AVTEC	
Plumbing/Heating - 102 days	$ 8,511.00
Pell Grant	$ (5,700.00)
Governor's Performance Award	$ (2,811.00)
	$ -

w/o Pell

Program Costs of Attending AVTEC	
Plumbing/Heating - 102 days	$ 8,511.00
Governor's Performance Award	$ (3,000.00)
	$ 5,511.00

STATE OF ALASKA

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

SEAN PARNELL, GOVERNOR

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February 23, 2010

The Honorable Kevin Meyer
The Honorable Joe Thomas
Co-Chairs, Education Committee
Alaska State Senate
State Capitol, Rooms 101, 514
Juneau, Alaska 99801

Subject: SB 224 - An Act establishing the governor's performance scholarship program...

Dear Senators Meyer and Thomas:

The following information is provided in response to questions raised at the February 22, 2010 meeting of the Senate Education Committee relating to:

- Average education loan indebtedness of Alaska students
- Documentation of proposed financial aid award hierarchy
- Amount of grant aid to Alaska students

Average education loan indebtedness of Alaska students:
In 2008, the most recent year for which federal statistics are published, the average federal loan debt of a borrower *graduating* from an Alaska four-year public or non-profit institution was $24,448. For comparison purposes, the national average for the same period was $23,200.
Source: Project on Student Debt (projectonstudentdebt.org)

This number does not include any non-federal loan debt such as that provided through the AlaskAdvantage Supplemental Education Loan (ASEL) program administered by the Alaska Commission on Postsecondary Education (ACPE). As of December 2009, the average ASEL debt amount per borrower was $13,277. Please note that this average is for all ASEL borrowers without regard to the type of school attended or whether the borrower graduated. It is reasonable to assume that the debt for students who complete their program of study is substantially greater, but borrowers are not required to document graduation.
Source: Alaska Student Loan Corporation

Documentation of proposed financial aid award hierarchy, relative to Governor's Performance Scholarship (GPS) awards:
In order to supplement rather than supplant federal aid, GPS awards are proposed as a "last dollar" award, meaning that an individual's actual award is determined only after all other non-

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loan aid has been exhausted. Thus, the hierarchy is (1) federal grants, (2) private and institutional scholarship aid, (3) other state grants, (4) GPS, and (5) loans and self-help programs such as work/study.

Average amount of grant aid to Alaska students:
Grants most commonly available to Alaska postsecondary students:

Grant	Type	Annual Amount	National Stats	Alaska-Specific Notes
Pell Grant	Federal, need-based	Up to $5,350	Federal funding of $13,660,711,000	In 07/08, Pells were awarded to 4,906 students at AK institutions; average award was $1,740 *Source: Postsecondary.org and US Dept of Education*
Supplemental Educational Opportunity Grant	Federal, need-based (requires exceptional need; usually a $0 EFC)	Up to $4,000	For 2009, estimated new awards to 13 million students; average award size of $762	Varies (limited funds allocated to institutions to make award decisions) *Source: US Dept of Education*
Academic Competitiveness Grant (ACG) & SMART Grant	Federal, merit and need combined	Up to $1,300 in addition to Pell	Requires rigorous high school curriculum; $493 million awarded to 467,000 students in 07/08	$413,471 awarded to 290 AK students in 07/08 *Source: US Dept of Education*
AlaskAdvantage Grant	State (ASLC funded), need-based	Up to $2,000	N/A	In 2009, $1.5 million awarded to 2,000 students (note this figure includes one-time funds); program does not have funding in FY12 budget
Institutional and Private Grants	Varies	Varies	N/A	N/A

Note: This chart does not include the University of Alaska Scholars Program, a scholarship of $1,375 per semester available to top Alaska high school graduates who attend a UA institution.

During committee discussion members also expressed interest in learning the basis for the GPS program requirement for eligible GPS recipients to use their awards within six years of

high school graduation. The administration has several objectives in proposing this timeframe. First and foremost, in terms of ensuring student success, there is a growing body of research documenting that students who go directly to higher education are more likely to complete their higher education goals, and do so at less cost, than those who stop out or who attend over a longer period. In terms of managing and forecasting the state's potential financial obligations under the program, it establishes a terminal date after which the state no longer has an outstanding obligation to the individual. In terms of achieving measurable success for the state, a six-year limit ensures that the program comports with federal standards for reporting collegiate-level student success, defined as the percent of students completing a four-year degree within 150% of the normal period. I would note that the bill specifically excludes a period of military service from the six-year period, thereby extending the timeframe by the period of service. While most state merit programs require that otherwise eligible students begin their program of study within one year of high school graduation, in developing this proposal the administration sought a balance between the value of immediately continuing into postsecondary education and training and the tendency of young Alaskans to want to explore the world beyond our state's borders.

Thank you for the opportunity to provide this information. Please do not hesitate to contact me if there are additional questions.

Sincerely,

Stephanie Butler
Director of Operations

cc: Diane Barrans, Executive Director
Larry LeDoux, Commissioner, Department of Education and Early Development

STATE OF ALASKA

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

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February 25, 2010

The Honorable Kevin Meyer
The Honorable Joe Thomas
Co-Chairs, Education Committee
Alaska State Senate
State Capitol, Rooms 101, 514
Juneau, Alaska 99801

Subject: SB 224 - An Act establishing the governor's performance scholarship program...
Federal Grant Programs

Dear Senators Meyer and Thomas:

Attached please find a summary page on the various federal grant programs that have been discussed in recent hearings related to SB224. I thought this information would be helpful as committee members move forward in their discussions of a needs-based piece to the bill. Additionally, I am working with EED staff to provide responses to specific questions you've posed regarding various aid scenarios, and that information will be forthcoming shortly.

Please let me know if you would like anything further.

Sincerely,

Diane Barrans
Executive Director

DB/dv

Attachment

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Federal Grant Programs Information

Federal Pell Grant: The Federal Pell Grant Program provides need-based grants to low-income undergraduate students to promote access to postsecondary education. Grant amounts are dependent on: the student's expected family contribution (EFC); the cost of attendance (as determined by the institution); the student's enrollment status (full-time or part-time); and whether the student attends for a full academic year or less. For the 2010-11 award year (July 1, 2010 to June 30, 2011), the maximum award is $5,550 and minimum is approximately $1,180. The maximum amount can change each award year and depends on program funding. The application for the federal Pell grant is the Free Application for Federal Student Aid (FAFSA).

Academic Competitiveness Grant: for Pell-eligible students enrolled at least half-time in their first or second year of study or in a certificate program of at least one year at a degree-granting school. First year students: must have completed a rigorous secondary school program of study; have graduated from high school after Jan. 1, 2006. Second year students: must have completed a rigorous secondary school program of study; graduated from high school after Jan. 1, 2005; have at least 3.0 cumulative GPA at the end of first year of postsecondary study.

National Science and Mathematics Access to Retain Talent (SMART) Grant, is available during the third and fourth years of undergraduate study to full-time students who are eligible for the Federal Pell Grant and who are majoring in physical, life, or computer sciences, mathematics, technology, or engineering or in a foreign language determined critical to national security.

Federal Supplemental Educational Opportunity Grants (FSEOG) are for undergraduates with exceptional financial need. Pell Grant recipients with the lowest EFCs are first to receive these federal supplemental grants. These annual awards range between $100 and $4000, depending on the time of application, financial need, and available funding at the school. FSEOGs are awarded only to first-time undergraduate students.

Pell-eligibility is the cross-cutting qualification for each of the grants described above. Following are *generally* applicable annual gross family income ranges within which a full-time student may expect to receive a Pell grant, assuming one family member in college.

Net Assets	Income/3 in family	Income/4 in family	Income/5 in family	Income/6 in family
$25,000	$30k -- $55k	$30k -- $65k	$40k -- $70k	$50k -- $75k
$50,000	$30k -- $55k	$30k -- $65k	$40k -- $70k	$40k -- $75k
$100,000	$20k --$45k	$20k -- $55k	$30k -- $60k	$40k -- $65k

U.S. DOE has developed an online tool to assist families in estimating their precise EFC at www.fafsa4caster.ed.gov. A general rule of thumb is that if the family's EFC is at or above $4600, they will not be Pell-eligible.

Provided by Diane Barrans, February 25, 2010

STATE OF ALASKA

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

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March 9, 2010

The Honorable Paul Seaton
Chair
House Education Committee
House of Representatives
State Capitol, Room 102
Juneau, Alaska 99801

The Honorable Kevin Meyer
The Honorable Joe Thomas
Co-Chairs, Education Committee
Alaska State Senate
State Capitol, Rooms 101, 514
Juneau, Alaska 99801

Subject: CSHB 297 (ED) and CSSB224 (ED) – An Act establishing the governor's performance scholarship....

Dear Representative Seaton and Senators Meyer and Thomas:

I am writing relative to the committee substitutes for HB 297 and SB224, each of which includes, as Section 4, amendment to AS 14.42.200, the general powers of the Alaska Student Loan Corporation (Corporation or ASLC). Specifically, the proposed amendment is to AS 14.42.200(18), and adds the Governor's Performance Scholarship (GPS) as a program for which the Corporation may "enter into agreements with the commission."

It is my understanding that this section was introduced at the request of the Legislature's Division of Legal and Research Services, who have indicated it is their opinion it is necessary to establish authority for the program under the statutes governing the activities of the Corporation as a cross-reference.

I am concerned that this amendment is both unnecessary, and, more significantly, may be of concern to the Corporation's bond rating agencies and other financing partners. It would be, in my opinion, inappropriate to assign to ASLC any responsibility, either directly or indirectly, for a potentially high-cost program such as the GPS. The history of ACPE and ASLC underscores the differences between the two organizations and the importance of retaining clear separation between ACPE, as the agency tasked with administering postsecondary education access and aid programs for the state, and ASLC, as the organization established separately by the legislature for the express primary purpose of financing education loan programs.

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HB 297 and SB 224 already appropriately amend AS 14.42.030(e), *Functions of the Commission*, to add carrying out the GPS program. Since ASLC has no responsibility for funding that program, it is not necessary to create any cross-reference in the statutes governing the activities of the Corporation.

Another example of an ACPE function that is not a Corporation function is the regulation of postsecondary institutions in Alaska. It is appropriately included as a Commission responsibility in AS 14.42.030 (reference is to AS 14.48), but is not included as a function of ASLC in AS 14.42.200.

I hope this letter clarifies my concerns relative to this proposed amendment, and I appreciate this opportunity to express my strong reservations about including such language in statutes specific to the Corporation's financial activities, especially relative to its potential negative reception by bond rating agencies. I would welcome an opportunity to discuss these concerns with the Division of Legal and Research Services should they wish to better understand the issue, and to answer any questions you or the committee members may have.

Sincerely,

Diane Barrans
Executive Director

DB/dv

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

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March 3, 2010

The Honorable Paul Seaton
Chair, Education Committee
Alaska House of Representatives
State Capitol, Room 102
Juneau, Alaska 99801

Subject: CSHB 297 (ED) - An Act establishing the governor's performance scholarship...

Dear Representative Seaton:

At the February 26, 2010 committee meeting you asked that I provide information regarding potential programmatic impacts of a specific amendment to HB297. The amendment in question was to modify the provision within the bill that would require a student who is erroneously awarded a scholarship to return the erroneous amount. The amendment added the provision that the recipient would not have to refund the erroneous amount unless the error was "any fault of the student."

When asked to comment I did express my concern about the provision because it would prevent the Commission from recovering inappropriately disbursed state funds unless the student had engaged in some form of misconduct that contributed to the erroneous award. While I certainly understand the intention of the committee in adopting this change, it does establish an unusual student aid program provision. In general, student financial aid programs are operated with the understanding that should an error occur that results in an aid recipient receiving more funds than is received by any other similarly situated student, the aid recipient is expected to return the amount of the over award.

Members were interested in quantifying the frequency of such occurrences, and, although I did contact Director of Financial Aid Barbara Burnett at UAS, it does not appear that related statistics are available. Ms. Burnett and I did discuss the implications of the provision and she shared the following advice:

> *There are some scholarship/grant programs that say any aid awarded cannot exceed the cost of attendance (or the cost of tuition and/or some other budget item) - if the student got some of this money in addition to the GPS, then the other aid might have to be reduced if the total awards were greater than the cost of attendance. The Pell grant is an entitlement, as is the UA Scholars - the student would get those no matter how much other aid s/he was awarded... Need-based aid such as the SEOG would be reduced if the student got other aid in excess of*

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the cost of attendance... The University's need based grant is awarded using equity packaging rules - the student does not get it if they have other grants and scholarships in excess of the equity level we are using - receipt of the GPS could likely reduce or eliminate the student's eligibility for this grant. If the student got only entitlements and other non-restrictive scholarships, then s/he could get the excess funds for personal use.

Based on this additional information, I must maintain my concerns regarding the unintended consequences of the referenced amendment. There are outcomes that I fear would be detrimental to the program. One is that, because we expect to package GPS awards fairly early in the financial aid award process, prior to distribution of other non-loan aid, we would lose the ability for financial aid officials at the institution to distribute subsequently received aid because it would result in an over award situation. In short, GPS would be supplanting rather than supplementing otherwise available financial aid. Another is that it appears to preclude Commission staff from recovering funds erroneously disbursed, regardless of the amount and regardless of the error, unless it was the student's fault.

I hope this information is helpful. Do not hesitate to contact me if there is other information I can provide.

Sincerely,

Diane Barrans
Executive Director

DB/dv

Alaska Department of Education & early Development

Responses to questions provided by the Senate Education Committee

1) What percentage of schools is currently unable to attain these academic standards?

School Course Offerings Counts for Mathematics and Science

Each number provided in the right column below is unique—total 339 schools considered as they have high school students enrolled.

• Schools offering a least four courses each year		57
• Schools offering at least four unique courses over two years		87
• Correspondence or Alt school within district with other options		52
• Low enrollment or less than current Required offerings (distant or correspondence likely necessary)		38
• Offer less than four years of mathematics		33
○ 2 math courses	12	
○ 3 math courses	21	
• Offer less than four years of science		72
○ 2 science courses	31	
○ 3 science courses	41	

Estimates based on data based on school staffing reports, school type, school grade configuration, enrollment counts, district web sites, district curriculum continuums provided to EED, district instructional audit.

2) What is in place to help those schools?

Distance delivered instruction has evolved dramatically in the last ten years as access to internet technology and bandwidth have increased. Traditional distance delivery, where a lone student struggles on his/her own to learn complicated concepts with a book and a distantly connected adult proctor, is very rare. Today, a number of innovative program options and strategies are used by districts and colleges in Alaska to provide quality core and elective coursework for students. Strategies may include:

Learning Centers: Students using distance courses are commonly centralized into a learning center and actively supervised by a teacher who monitors course progress, learning focus, and technology utilization. Learning Center staff provides individual encouragement,

instructional assistance, and access to highly qualified teachers. Students are encouraged to work collaboratively and to assist one another.

Access to Highly Qualified Teachers: Some districts contract with off-site, content teachers to provide remote assistance for students engaged in distance coursework. Students are encouraged to contact their assigned specialists as necessary. E-mail is usually the form of contact but voice contact is also common.

Asynchronous Distance Learning: Coursework that allows students to engage in high school or college level learning activities at their own pace in any place that has internet connectivity. While the quality of distance delivery options may vary, significant progress has been made to design and develop quality distance coursework. Many real-time options are embedded into distance delivery including interactive e-mail or voice discussions with other students or instructors. Asynchronous distance learning is popular in Alaska because it does not require extensive bandwidth to operate. Colleges and universities around the country are using this technology to offer college courses.

Synchronous Distance Learning: Synchronous learning connects teachers to students in real time through the use to internet-based, interactive video conferencing. Synchronous learning technology allows students from multiple sites to receive instruction directly from a teacher. Some districts are even using this technology to teach band. While synchronous delivery holds real promise, it is limited in use because it is a heavy user of bandwidth and sensitive to inclement weather.

Alternative Education Programming: The sophistication of distance courseware has evolved to a point where many districts allow students in brick and mortar schools to select distance-learning courses as an alternative to classroom instruction.

Districts that provide asynchronous learning courseware for their students have several options to select courseware:

- District designed
- State approved distance delivery schools
- Commercial
- College and University

A number of districts operate local distance programs as options for their home school and brick and mortar students. The following statewide programs assist students outside of their districts.

Chugach Schools
Chugach Extension Correspondence
9312 Vanguard Dr
Anchorage, AK 99507
Telephone: (907) 522-7400
Fax: (907) 522-3399
Grades: PK - 12
Annie Dougherty, Head Teacher
Bob Crumley, Superintendent

Copper River Schools
Copper River Correspondence
Box 108
Glennallen, AK 99588
Telephone: (907) 822-3234
Fax: (907) 822-5933
Grades: KG - 12
Ramona Henspeter, Teacher/Advisor
Michael Johnson, Superintendent

Craig City Schools
PACE Correspondence
Box 800
Craig, AK 99921
Telephone: (907) 826-3274
Fax: (907) 826-2974
Grades: KG - 12
Bill Taylor, Principal
Jim Thomas, Superintendent

Delta-Greely Schools
Delta Cyber School
PO Box 369
Delta Junction, AK 99737
Telephone: (907) 895-1043
Fax: (907) 895-5198
Grades: KG - 12
Duncan Ware, Principal
PJ Ford Slack, Superintendent

Denali Borough Schools
Denali Peak Program
PO Box 280
Healy, AK 99743
Telephone: (907) 683-7325
Fax: (907) 683-0329
Grades: KG - 12
Jeni Mason, Principal
Kim Langton, Superintendent

Galena City Schools
Ivanof Bay School
2157 VanHorn Rd
Fairbanks, AK 99701
Telephone: (907) 374-2200
Fax: (907) 374-2286
Grades: PK - 12
Tim Cline, Director
Jim Smith, Superintendent

Iditarod Area Schools
Distance Learning/Corresp. Ctr.
Box 772182
Eagle River, AK 99577
Telephone: (907) 694-6100
Fax: (907) 694-6105
Grades: PK - 12
Joe Banghart, Superintendent
Joe Banghart, Superintendent

Nenana City Schools
CyberLynx Correspondence Program
PO Box 599
Nenana, AK 99760
Telephone: (907) 832-5423
Fax: (907) 832-5468
Grades: PK - 12
John Abrams, Principal
Eric Gebhart, Superintendent

Southeast Island Schools
SE Island Correspondence
PO Box 19569
Thorne Bay, AK 99919
Telephone: (907) 828-8254
Fax: (907) 828-8257
Grades: PK - 12
Kathy Shirley, Teacher
Lauren Burch, Superintendent

Yukon-Koyukuk Schools
Raven Correspondence School
4762 Old Airport Way
Fairbanks, AK 99709
Telephone: (907) 374-9401
Fax: (907) 374-9440
Grades: PK - 12
Andrea Berg, Director
Kerry Boyd, Superintendent

3) **If a school needs to offer a virtual curriculum to meet the standards, who pays for the upgrade?**

Districts that offer distance options are responsible for the cost of the program. A number of commercial vendors are available. The vast majority of districts, if not all, support some form of distance delivery for students.

Parents in Alaska have the option of co-enrolling in both statewide correspondence programs and tradition brick and mortar schools. This arrangement generates a shared ADM between the statewide school and the local district.

4) **In some schools it takes five years to do a science program. If the student is pursuing classes full time, but unable to graduate in four years, due to no fault of the student, can it be extended?**

The GPS program provides eligibility for eight semesters over six years.

If the question refers to graduation from high school, the GPS does not set a limit on how long it takes a student to graduate from high school. The six year program eligibility limit begins from the date of high school graduation.

If the student is not able to complete the rigorous curriculum demanded by GPS, he or she may apply for an alternative pathway. If approved, the alternative pathway will provide an alternative opportunity for the student to meet the GPS curricular requirements.

Sec. 14.43.830. (b) The department shall establish a make-up procedure or alternative pathway for students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances that would make it unfair not to allow the student to make up the deficit. The department may not waive a requirement and shall require the student to achieve a result comparable to that required of other students. The decision of the department regarding a student's eligibility for alternative means is final. In determining circumstances in which the student may pursue alternative means, the department shall consider the fairness to students who have met the requirements and the need to promote the goals of the program. Attendance at a high school outside of the state is not a circumstance in which fairness requires that a student be allowed to pursue alternative means to qualify for a scholarship.
Circumstances in which the department may allow a student to pursue alternative means to qualify for a scholarship include the following:

(1) the required curriculum was not reasonably available to the student because the student attended a small and remote high school in the state;
(2) the deficit was caused by rare and unusual circumstances outside the control of the student.

The Commissioner will develop in conjunction with the State Board of Education, a process to consider requests for a make-up procedure or alternative pathway for students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances that would make it unfair not to allow the student to make up the deficit.

Regulations adopted by the State Board of Education require an opportunity for public hearings, comments and public discussions.

5) **Wyoming has an explicit phase in for current students. How would the department phase in the course requirements so that students already in high school could be eligible?**

The GPS has defined specific language in the Statute that allows the program standards (curriculum, standardized assessment, and G.P.A.) to be waived during a phase-in of the GPS requirements. The phase-in will take four years.

The Alaska Board of Education will be responsible to develop the regulations that govern implementation and operation of the GPS, including the phase-in requirements. The State Board's regulatory process requires a period of public hearings and comment followed by majority vote to accept the regulations. The process is lengthy, thorough and public.

6) **Wyoming defines required courses, i.e., Algebra I, Geometry and Algebra II.**

The intent of the GPS is to prepare students to engage successfully in college-level coursework. Following action by the State Board of Education, the department will publish a list of **courses** and **content specifications** that will meet the rigorous course requirements required by GPS. The following will provide a framework for the State Board to consider as content specifications are forged into regulations.

- Successful completion of Advanced Placement courses and college courses will meet curricular requirements.
- Students who meet the curriculum requirements for an Academic Scholarship also meet the requirements for a Career Tech Scholarship.
- It is the intent of GPS that, beginning in their 6th grade year, each student be counseled annually concerning their course history, options for future course selections, and consequences attached to selecting course pathways. Students, parents and a school official will meet yearly to review the student's seven-year plan and to discuss opportunities for scholarships.
- DRAFT Course List: The list of courses is not exhaustive. Alternative courses must be approved by EED. The course content specifications are more important than the course title.
- EED will work closely with both school districts and the University of Alaska to ensure that the final course list is consistent with GPS goals.

Sample GPS Course List

Science (Four Years)
Earth Science
Biology
Chemistry
Physics
*Physical Science
Computer Science
*Power Mechanics
Marine Science

*Career Tech Approved
Choose three from above plus one additional science course.
Courses which districts intend to be used as the functional equivalent of the specified science courses, must be approved by EED.

Math (Four Years)
~Algebra I
~Algebra II
~Geometry
Trigonometry & Analytic Geometry
College Algebra
Calculus
*Business Math
*Applied Math
Statistics and Probability

Choose one additional approved math course
*Career Tech Approved
~Recommended minimum math coursework to qualify.
Courses which districts intend to be used as the functional equivalent of the specified math courses, including courses taken before grade nine used to satisfy the level of the requirement of Algebra I, Algebra II, and Geometry must be approved by EED.

Social Studies (Three Years)
World History
+US History
Sociology
Psychology
Geography
American Government
Civics
Economics
+Alaska History
+One credit of US History and .5 Credits of Alaska History is required under current law.

Language Arts Standards (Four Years)
Reading
Writing
Listening
Speaking

Students must select four years of language arts at the college or industry preparatory level in grades 9 through 12, to include standards in Reading, Writing, Listening, and Speaking.

7) Can private individuals make donations to the fund?

Yes, SB224 includes language that allows donations to the fund.

* **Sec. 7.** AS 37.14 is amended by adding new sections to read:
Article 8A. Governor's Performance Scholarship Fund.
Sec. 37.14.750. Governor's performance scholarship fund established. (a) The governor's performance scholarship fund is established as a fund of the state. The fund consists of
(1) appropriations to the fund;
(2) donations to the fund; and
(3) income earned on investments of fund assets.

8) **Issue of first in, last out—would that make students hesitant to apply for other scholarships and grants, which would reduce the cost the following years if it was a multiyear grant?**

No. While it is difficult to predict applicant behavior psychology, the GPS, even with the needs-based assistance, will not provide 100% of the cost of attendance. Students should be encouraged by their parents and counselors to apply for the maximum awards possible. The need to fully inform parents and students is another reason why a multi-year college plan with annual reviews is important to the program's success.

Students will apply because they will be required to complete the FAFSA which automatically puts them in the pool for federal aid and also because it is in their own best interest to since the needs based portion is limited to 50% of unmet need. The motivation there will be to get that unmet need amount as small as possible which will be mutually beneficial to the student and the state. They may not go to the trouble of applying for non-federal or institutional aid but that will be to their own disadvantage. We will also make it perfectly clear that the state has no legal obligation to appropriate from one year to the next.

9) **Why the six year cap? Can that be extended? If the students starts using the scholarship in their sixth year, then do they receive all eight semesters thereafter?**

The administration has several objectives in proposing this timeframe. First and foremost, in terms of ensuring student success, there is a growing body of research documenting that students who go directly to higher education are more likely to complete their higher education goals, and do so at less cost, than those who stop out or who attend over a longer period. In terms of managing and forecasting the state's potential financial obligations under the program, it establishes a terminal date after which the state no longer has an outstanding obligation to the individual. In terms of achieving measurable success for the state, a six-year limit ensures that the program comports with federal standards for reporting collegiate-level student success, defined as the percent of students completing a four-year degree within 150% of the normal period. It is important to note that the bill specifically excludes a period of military service from the six-year period, thereby extending the timeframe by that period. While most state merit programs require that otherwise eligible students begin their program of study within one year of high school graduation, in developing this proposal the administration sought a balance between the value of immediately continuing into postsecondary education and training and the tendency of young Alaskans to want to explore the world beyond our state's borders.

10) "meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship." What does this mean. What are the other requirements? Who sets them?

The phrase "meets other minimum qualifications to apply or continue to be eligible for a governor's performance scholarship." (Sec. 14.43.815 A4) refers to the programmatic standards for eligibility, G.P.A. requirements and qualifying scores on a college entrance examination.

11) "...a process through which a student who is no longer eligible can regain eligibility;" What is that process? Who determines it?

The criteria for losing eligibility will be set in regulation by the State Board of Education. The following criteria will be submitted to the State Board for regulatory consideration.

Criteria for Losing Eligibility: A student will lose eligibility if/once the student:

- does not take advantage of the scholarship within the six year limit following graduation from high school. Military service may extend this timeline;
- completes eight semesters of eligibility;
- does not maintain a grade-point average of 2.5 at a qualified postsecondary institution;
- does not meet other minimum qualifications to apply or continue to be eligible for a governor's scholarship;
    - ✓ has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;
    - ✓ is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or
    - ✓ has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiv3er under standards adopted by the department.
- does not maintain Satisfactory Academic Progress (SAP) – completing a minimum number of credits relative to their enrollment status (at least 6 for half-time and at least 12 for full-time). [

Students may regain eligibility by meeting this requirement for one subsequent semester during which they are not eligible to receive their GPS award.

Student eligibility is certified by the institution disbursing the GPS funds received from ACPE.

12) Should requirement options be offered? Three years of math and two years of a foreign language, for instance.

Section AS 14.43,810 (d)

The program shall be administered to further the following goals:

(1) increasing high school graduation rates in the state;

(2) improving academic performance of students in grades kindergarten through 12 in the state;

(3) improving preparedness of Alaska students for postsecondary education;

(4) improving the quality of the educational programs offered by high schools in the state;

(5) increasing the scores of high school students in the state on college entrance examinations;

(6) increasing job training opportunities in the state;

(7) improving the postsecondary academic achievement and graduation rates of students in the state

(8) expanding the pool of high school students in the state who pursue postsecondary opportunities.

Changes in the proposed curricular requirements should be carefully considered in light of the GPS goals. The inclusion of a two year foreign or Alaska Native language requirement with a commensurate reduction in the four-year requirement in Math and Science to three years meets the standards defined as a college prep program. However, four years of math and science are an even greater predictor of college success. Students interested in any degree program that requires strong proficiency in math and science will be well advised to take four years of math and science.

13) What do you expect the ACT/SAT requirements to be? Why are they a part of this if the students are getting the grades?

A standardized achievement test provides an opportunity to ensure that an applicant's G.P.A. is not the result of grade inflation and that the student's qualifying coursework was academically rigorous. For this purpose, the qualifying score will be of sufficient scale to validate G.P.A. and curricular rigor. Qualifying scores will be used to validate G.P.A. and curriculum rigor rather than representing a barrier to scholarship access. The State Board of Education will set the SAT/ACT standard. **(The exact achievement will be approved by the State Board of Education).**

Students will have the option of using the ACT and SAT for Academic performance scholarships. Students who qualify for the Career and Technical scholarship may use the ACT, SAT or WorkKeys as the qualifying assessment.

Merit program without a standardized assessment have no external measure of a students' academic fitness for college. Research studies have established a clear link between ACT/SAT performance and a students' performance during their first year of college. If students enter college or the GPS program as a result of grade inflation or general coursework, the goals of the GPS will not be met. Students will continue to require both remedial education and increased academic failure.

ACT has identified the minimum score needed on each ACT test to indicate a **50% chance of obtaining a B** or higher or about a **75% chance of obtaining a C** or higher in the corresponding first-year college course.

ACT Test	ACT Benchmark Score	College Course
English	18	English Composition
Math	22	Algebra
Reading	21	Social Sciences/Humanities
Science	24	Biology

The ACT® test assesses high school students' general educational development and their ability to complete college-level work.

The ACT is universally accepted for college admission.

The ACT is curriculum-based. The ACT is not an aptitude or an IQ test. Instead, the questions on the ACT are directly related to what students have learned in high school courses in English, mathematics, and science. Because the ACT tests are based on what is taught in the high school curriculum, students are generally more comfortable with the ACT than they are with traditional aptitude tests or tests with narrower content. Colleges use the ACT and the SAT Reasoning Test because there are substantial differences in funding, curricula, grading, and difficulty among U.S. secondary schools due to American, local control, and the prevalence of private, distance, home schooled students and, most importantly, lack of rigorous college entrance examination system like those used in other countries. ACT/SAT scores are used to supplement the secondary school record and help admission officers put local data—such as course work, grades, and class rank—in a national perspective.

14) Why does someone have to fill out a FAFSA form if they are not interested in getting any financial aid?

FAFSA is the Free Application for Federal Student Aid, and it is a required application for students who want to apply for federal and state financial aid and college scholarships. Most public and private colleges require students who want to apply for **any** financial aid or

college scholarships to submit the FAFSA every year they are in college if they want to be considered for such awards.

There are several reasons to require the FAFSA for the GPS program. They include:

- The FAFSA is the most cost effective method to ensure that GPS funds are used for their intended purpose. The development of a form unique to the GPS would be expensive to develop and difficult to manage. ACPE already uses FAFSA data in aid administration.
- The FAFSA has been redesigned to simplify the application process.
- The University of Alaska uses data derived from the FAFSA to determine financial need. ACPE and UA staff also host annual FAFSA completion events to help families fill out the FAFSA.
- The FAFSA provides statistical data that will help ensure that the GPS achieves the goals defined in legislation. The Legislature will use this data to determine if the GPA is meeting the goals outlined in the GPS legislation.

15) Goals—do you really want intent language in the bill? Should that not be in an accompanying letter?

It is important that the intent language remain in the legislation. The GPS is designed to:

- inspire Alaska's youth to engage in a rigorous college curriculum;
- invite youth to work to their full potential as learners;
- demand that communities, school leaders, teachers and students work collegially to ensure that every child is provided an educational program that prepares him/her for college or tech school; and to
- ensure that Alaska has a trained workforce necessary for Alaska's economy to thrive.

The GPS intent language is a constant reminder that the GPS is much more than a scholarship program.

16) Currently the language excluded anyone who graduates before June 30, 2010. What do we tell students who worked *this year* to earn this, but are not allowed to receive it?

There is no answer to this question that will satisfy either the person asking the question or the one who answers. Every program has to have a beginning. While there may be options to reach back a year to the class of 2010, each will create a new challenge. If 2010 is included...why not 2009, 2008 and so forth.

The GPS is designed as a partnership between a student and the state. If the student engages in a rigorous curriculum, achieves a qualifying G.P.A. and SAT/ACT score, Alaska will

provide support for postsecondary education. The GPS is not a reward as much as it is a contractual invite for excellence.

If members of the class of 2010 selected college/career tech classes based on the possibility of the GPS being funded, they are better prepared for college. No public statements have included the class of 2010 in the program.

17) This is a complicated bill, with many different components. Is this too much to do in one year?

Absolutely Not. Alaska does not have to reinvent the wheel. There are many examples of merit-based scholarship programs in the United States. Departmental staff and attorneys are already working on regulatory language necessary to implement the GPS for the Class of 2011. The State School Board is prepared to consider and deliberate on these proposed regulations.

The Alaska Department of Education, the Alaska Commission on Postsecondary Education, the Department of Labor and Workforce Development and the University of Alaska are ready to move forward as soon as the GPS is approved by the Legislature and signed by the Governor.

If enacted thousands of Alaska's youth in the Class of 2011 will be able to participate.

18) Should the awards to career scholars be limited to $3,000? Why was that scholarship limited to $3,000 when the cost of attendance can be greater?

The cost of attendance at Career and Technical schools varies considerably. The highest cost of tuition at AVTEC is $5,000 for the Licensed Practical Nurse program (176 training days) and $1,320 for the Certified Nurse Assistant (38 training days). The cost of tools for the Automotive Technology (197 training days) and the Diesel/Heavy Equipment (197 training days) programs are both higher than the cost of tuition. The tuition for the majority of programs at AVTEC are below $3,000.

Students who qualify for one of the performance scholarships may carry that award to an approved technical school program. This is significant in that the majority of the career and technical school programs in Alaska are offered by the University of Alaska. Students who earn a Career and Technical Scholarship may use it at the University of Alaska.

The Unmet Financial need proposed by the GPS will assist those students who qualify for a Career and Technical Education GPS award and have unmet financial need. Unmet need includes the cost of room and board, tools and other costs of attendance.

AVTEC Training Dates

Alaska Culinary Academy

- **Professional Cooking & Baking**, 210 training days
  Offered 01/05/10 to 12/16/10, 08/16/10 to 06/30/11

Alaska Maritime Training Center Courses

- **Marine License Preparation - Master Mate**, 45 training days

of the Engine Department (QMED) Oiler, 60 training days
Offered 09/13/10 to 12/08/10

Allied Health Department - Anchorage Training Facility

- **Certified Nurse Assistant (CNA)**, 38 training days
  Offered 01/04/10 to 02/26/10, 02/03/10 to 03/30/10, 03/08/10 to 04/28/10, 04/05/10 to 05/27/10, 05/05/10 to 06/29/10, 06/07/10 to 08/03/10, 07/12/10 to 09/01/10
- **Licensed Practical Nurse (LPN)**, 176 training days
  Offered 01/04/10 to 11/18/10, 08/16/10 to 07/01/11

Applied Technologies Department

- **Automotive Technology**, 197 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 06/09/11
- **Combination Welding**, 172 training days
  Offered 01/25/10 to 12/17/10, 08/16/10 to 05/04/11
- **Diesel/Heavy Equipment Technologies**, 197 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 06/09/11
- **Industrial Electricity**, 197 training days
  Offered 08/16/10 to 6/09/11
- **Pipe Welding**, 75 training days
  Offered 01/19/10 to 05/05/10, 09/01/10 to 12/17/10
- **Power Plant Operation**, 40 training days
  Offered 01/11/10 to 03/05/10, 03/17/10 to 05/11/10
- **Structural Welding**, 97 training days
  Offered 01/25/10 to 06/11/10, 08/16/10 to 01/17/11

Information Technology Department

- **Business & Office Technology**, 183 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 05/19/11
- **Information Technology**, 188 training days
  Offered 08/16/10 to 05/26/11
- **Web Development Technology**, 188 training days
  Offered 08/16/10 to 07/12/11

Building Trades Technology

- **Facility Maintenance Construction Trades**, 188 training days
  Offered 08/16/10 to 05/26/11
- **Plumbing & Heating**, 102 training days
  Offered 01/05/10 to 05/28/10

AVTEC Training Cost * Costs Effective July 1, 2009

Program	Tuition	Technology Fee[1]	Security Deposit	Student Service Fee*	Meal Plan[4]	Dormitory Fees	Dorm Security Deposit[3]	Books/ Supplies[2] sold by AVTEC	Tools/ Supplies Not sold by AVTEC	Total
Qualified Member of the Engine Department (QMED) Oiler	$1,650	$150	$50	$75	$1,573	$1,820	$200	$155	$655	$6,328
Marine License Preparation - Master Mate	$1,650	$150	$50	$75	$1,086	$1,260	$200	$302	N/A	$4,773
Certified Nurse Assistant	$1,320	N/A	N/A	N/A	N/A	N/A	N/A	$580	N/A	$1,900
Licensed Practical Nurse	$5,000	$150	$50	N/A	N/A	N/A	N/A	$360	N/A	$5,560
Business & Office Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,800	N/A	$12,825
Information Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$2,600	N/A	$13,625
Web Development Technology	$2,750	$150	$50	N/A	N/A	N/A	N/A	$2,400	N/A	$5,350
Professional Cooking & Baking	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,425	$300	$12,750
Automotive Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$600	$3,600	$15,225
Diesel/Heavy Equipment Technologies	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,050	$3,700	$15,775
Industrial Electricity	$2,750	$150	$50	$75	$3,400	$4,400	$200	$950	$2,300	$14,275
Pipe Welding	$1,650	$150	$50	$75	$1,700	$2,100	$200	$570	$700	$7,195
Power Plant Operation	$1,320	$150	$50	$75	$975	$1,120	N/A	N/A	$420	$4,110
Structural Welding	$2,200	$150	$50	$75	$1,700	$2,200	$200	$920	$600	$8,095
Combination Welding	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,500	$800	$13,325
Facility Maintenance/ Construction Trades	$2,750	$150	$50	$75	$3,400	$4,400	$200	$650	$2,000	$13,675
Plumbing & Heating	$2,200	$150	$50	$75	$1,700	$2,200	$200	$236	$1,700	$8,511

19) Why is the time limit for career scholarships set for two years, while the time limit for the academic scholarships are semesters?

The time limit was set to two years because almost all career and technical education programs are under two years in duration.

Most career and technical education programs are not divided into semesters unless they are offered at a University or College.

ACPE will ensure that the funds are available and disbursed for both semester and non-semester programs.

20) Are the scholarships be transferable between categories? Can a student use a top tier grant to attend a career school?

Under the amended GPS bill before the House Education Committee, students who earn a performance scholarship may use it for a Career and Technical Education program.

Students who achieve a career and technical education GPS award may not use it at the University unless they are engaged in a career and technical education program.

21) The statue says the eligible career and technical schools are certified by DLWD each September. Would you use last year's list? By September a student would already be enrolled at a school.

The certification by the Department of Labor and Workforce Development will be for the following year or semester of attendance.

22) Is there any kind of financial cap for the needs based scholarship? The merit scholarship is capped at 2010-2011 tuition rates. (Currently the Alaska Scholars program, capped at 1998 levels, promises a full tuition, but only pays $2750 of tuition.)

There is no total dollar cap for needs-based under the amended GPS program amendment approved by the House Education Committee other than the amount may not exceed 50% of unmet need as calculated based upon the standard cost of attendance at UA.

Governor's Performance Scholarship Aid by Family Income

Assumes: Minimal net assets
Family size of four/one in college
Dependent student, attending full-time and residing on campus
Cost of attendance is averaged between UAA/UAF for 2009-10 year

A-level GPS Award

Family income	$25,000	$50,000	$75,000	$100,000
Cost of Attendance	$18,500	$18,500	$18,500	$18,500
Less Pell Grant	-$5,550	-$0	-$0	-$0
Remaining Costs	$12,950	$18,500	$18,500	$18,500
Less GPS	-$4,775	-$4,775	-$4,775	-$4,775
Remaining Costs	$8,175	$13,725	$13,725	$13,725
Less EFC	-$2,000	-$6,772	-$14,157	-$15,401
Unmet Need	$6,175	$6,953	$0	$0
Less Needs GPS @ 50%	-$3,088	-$3,476	$0	$0
Remaining Costs	$3,088	$3,477	$0	$0
Total State Aid	$7,862	$8,251	$4,775	$4,775
Total Student & Family Paid	$5,087	$10,249	$13,725	$15,401

Note: Actual results will vary based on family size, net assets, enrollment level, eligibility for additional non-loan aid, dependency status of student and whether the student resides: at home, on campus, or off campus but independent from parental household.

Provided by Diane Barrans February 25, 2010

Governor's Performance Scholarship Aid by Family Income

Assumes: Minimal net assets
Family size of four/one in college
Dependent student, attending full-time and residing on campus
Cost of attendance is averaged between UAA/UAF for 2009-10 year

B-level GPS Award

Family income	$25,000	$50,000	$75,000	$100,000
Cost of Attendance	$18,500	$18,500	$18,500	$18,500
Less Pell Grant	-$5,550	-$0	-$0	-$0
Remaining Costs	$12,950	$18,500	$18,500	$18,500
Less GPS	-$3,566	-$3,566	-$3,566	-$3,566
Remaining Costs	$9,384	$14,934	$14,934	$14,934
Less EFC	-$2,000	-$6,772	-$14,157	-$15,401
Unmet Need	$7,384	$8,212	$777	$0
Less Needs GPS @ 50%	-$3,692	-$4,106	-$388	$0
Remaining Costs	$3,692	$4,106	$389	$0
Total State Aid	$7,258	$7,672	$3,954	$3,566
Total Student & Family Paid	$5,692	$10,878	$14,546	$15,401

Note: Actual results will vary based on family size, net assets, enrollment level, eligibility for additional non-loan aid, dependency status of student and whether the student resides: at home, on campus, or off campus but independent from parental household.

Provided by Diane Barrans February 25, 2010

Governor's Performance Scholarship Aid by Family Income

Assumes: Minimal net assets
Family size of four/one in college
Dependent student, attending full-time and residing on campus
Cost of attendance is averaged between UAA/UAF for 2009-10 year

C-level GPS Award

Family income	$25,000	$50,000	$75,000	$100,000
Cost of Attendance	$18,500	$18,500	$18,500	$18,500
Less Pell Grant	-$5,550	-$0	-$0	-$0
Remaining Costs	$12,950	$18,500	$18,500	$18,500
Less GPS	-$2,378	-$2,378	-$2,378	-$2,378
Remaining Costs	$10,572	$16,122	$16,122	$16,122
Less EFC	-$2,000	-$6,772	-$14,157	-$15,401
Unmet Need	$8,572	$9,350	$1,965	$721
Less Needs GPS @ 50%	-$4,286	-$4,675	-$982	-$360
Remaining Costs	$4,286	$4,675	$983	$361
Total State Aid	$6,664	$7,053	$3,360	$2,738
Total Student & Family Paid	$6,286	$11,447	$15,140	$15,762

Note: Actual results will vary based on family size, net assets, enrollment level, eligibility for additional non-loan aid, dependency status of student and whether the student resides: at home, on campus, or off campus but independent from parental household.

Provided by Diane Barrans February 25, 2010

23) Does the whole needs based part of it muddy the waters? Should we not just push the merit part, and work on a needs based bill later?

The core of the GPS program is the demand for excellence or merit from students. Discussions in the House and Senate Education Committees evidence that a needs-based component is an important addition to the program.

A provision for need following the achievement of GPS performance standards preserves the integrity of the program as a vehicle to meet the goals delineated in the GPS Legislation.

24) What is the financial cost of the needs based amendment as proposed by the administration?

The inclusion of a needs-based addition to the GPS program will increase the costs of the program. EED Finance Director Eddy Jeans is working on those projections based on the current college-going patterns in Alaska. It is important to note that to the extent the program is successful in encouraging more low-income students into postsecondary education than have historically participated beyond high school, this successful outcome will increase programs costs.

WorkKeys®

The WorkKeys® system provides employers, schools, students, and community organizations with a common language for building a higher-skilled, higher-paid workforce.
Using WorkKeys . . .

- Employers can identify and develop workers for a wide range of skilled jobs, both professional and technical
- Students and workers can document and advance their employability skills
- Educators can tailor instructional programs to help students acquire the skills employers need.

The WorkKeys system uses job profiling combined with WorkKeys assessments, instructional guidance, and reporting to help students and workers identify their strengths and weaknesses as they pursue their education and career goals. This enables them to make appropriate decisions about jobs.

What skills does WorkKeys measure?
WorkKeys assessments measure nine foundational workplace skills:

- Applied Mathematics
- Applied Technology
- Business Writing
- Listening
- Locating Information
- Observation
- Reading for Information
- Teamwork
- Writing

WorkKeys also measures personal skills:

- Performance — a job applicant's tendency toward unsafe behaviors and attitudes toward work
- Talent — characteristics such as dependability, assertiveness, and emotional stability
- Fit — the interests and values that determine the fit between a candidate and occupations in an organization

What kinds of jobs are profiled?
WorkKeys is used for white-collar professional jobs as well as jobs on the shop floor.

More than 15,000 unique job titles, ranging from accountant to automotive technician and from welder to webmaster, have been profiled.

WorkKeys is also the foundation of the ACT National Career Readiness Certificate, a nationally recognized credential for job seekers.

What companies are using WorkKeys?

Thousands of companies across the United States and worldwide have experienced the benefits of WorkKeys in a broad range of high technology, manufacturing, service, and retail environments. WorkKeys has been used in virtually every industry.
Review these examples of WorkKeys case studies to see how companies have used WorkKeys.

What benefits have companies that use WorkKeys experienced?
Companies that use the WorkKeys system to assess their incoming and current workforce typically achieve substantial benefits, including:

- Improved employee selection and advancement procedures
- Reduced overtime
- Reduced turnover
- Increased productivity
- Fewer legal challenges over hiring processes
- Higher employee morale

For specific examples, see WorkKeys case studies.

Why should students, parents, and educators care about these tests?
All students enter the workforce eventually—whether they get a job right out of high school, work part-time while continuing their education, or go through extensive postsecondary training.

WorkKeys stresses skills development important for virtually *every* type of employment. In fact, the fastest growing segments of the WorkKeys job analyses are being done for professional, technical, and managerial jobs that require at least a bachelor's degree.
The abilities to learn, listen, communicate, work in teams, and solve problems—all areas addressed by WorkKeys—are important assets for any employee, regardless of career choice. They are also extremely important in today's higher education. (ACT.org)

Responses to Rep. Gardner's GPS Questions from 3/9/10
Submitted by EED 3/9/10

1. **Page 9, Lines 16-21:** Alaska graduates who graduate from out of state: I think we need to limit this to students who completed at least 2 years of high school in Alaska.

Outside of the AS 01.10.055 residency requirements will be set forth in regulation.

2. **Page 9, Lines 27-28:** Meets other minimum qualifications: What does this mean?
Page 9, Line 27. Meets other minimum qualifications to apply: G.P.A, Rigorous Curriculum and Standardized Assessment Score

Page 9, Line27. "or continue to be eligible ..." Students must meet requirements for continued eligibility. (G.P.A. and/or Academic Progress) The Commission anticipates its regulations will align with other financial aid programs' standard for a student to be in good academic standing.

3. **Page 10:** Eligibility for academic scholarship: I believe we discussed the possibility of a student who graduates in May while lacking one or more of the GPS required classes and wants to take meet the qualifications by taking summer classes. Is this possible under the language of Sec 14.43.820?

Yes, it is covered in Sec. 14.43.830 under the alternative pathway. Otherwise students need to get busy in high school.

4. **Page 11, Line 7:** a process through which a student who is no longer eligible can regain eligibility: Please explain what this means.

A student will lose eligibility if the student:

- does not take advantage of the scholarship within the six year limit following graduation from high school. Military service may extend this timeline;
- completes eight semesters of eligibility;
- does not maintain a grade-point average of 2.5 at a qualified postsecondary institution;

- does not meet other minimum qualifications to apply or continue to be eligible for a governor's scholarship;
    - ✓ has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;
    - ✓ is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or
    - ✓ has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiv3er under standards adopted by the department.
- does not maintain Satisfactory Academic Progress (SAP) -- 12 credits every regular semester (fall and spring). Students who are on a part-time schedule (4-11) are not required to maintain SAP.
- does not maintain a 2.5 minimum GPA.

Students may regain eligibility following the completion of at least one full-time semester (without GPS) that meets the eligibility requirement and if they otherwise meet the good academic standing requirements.

5. Page 12, Line 22-24: $3,000 per school year for career and technical scholarship: I'd like more discussion about how this figure was selected, and what it means to students in terms of the likely costs of their continuing education.

It was considered a reasonable amount for C+ achievers. The CS for HB297 allows for A students and B students to use the academic scholarship at a career and technical school if they choose.

6. Page 12, Line 30-31: ....scholarship terminates .....unless the student qualifies for an extension: Under what circumstances might a student qualify for an extension?

Military service.

7. Page 16, Line 10: Scholarship awards given to institution: Does this mean that if the award is granted to a student in error, and given to the institution, the student has to pay it back?

This language is intended to indicate that the awards will be disbursed via the institution

on behalf of the student. It is the standard procedure to disburse all aid via the institution. The institution is then responsible for verifying that the student is enrolled in the proper number of courses, is also enrolled in a certificate or degree program, is in academic good standing and is otherwise eligible for the aid. The referenced line is in subsection (b) and only indirectly relates to subsection (c) which clarifies that students have to return award amounts that were awarded in error.

Responses to Rep. Seaton's Questions on GPS from 3/7/10 Submitted by EED on 3/9/10

1. **Sec 1**
   "School Districts to determine eligibility" – How does this work with **"Page 9"** qualifications some of which are not under the purview of a school district [i.e. they have GPAs but may not the college entrance exams etc]; and more especially **"Page 10, Line 9"** seems to be eligibility determined by the 'Commission'.

   The school district will certify the edibility of students enrolled in the district. The school district has direct access to a student's coursework and grades/standards. Standardized test scores are sent directly to the student's high school or to colleges. The student will be required to direct scores to the high school for purposes of scholarship edibility.

   Page 10, Line 8. *Sec. 14.43.820. "Eligibility for an academic scholarship. (a) Subject to appropriation, the commission shall award a merit-based academic scholarship to an applicant* ***who meets the eligibility criteria for the award under the program."***

   The school district certifies eligibility; the Alaska Commission on Postsecondary Education awards the merit-scholarship.

2. **Page 16 line 7- 8**
   "Commission shall establish application procedures." This may all work but I would like to see a flow chart to be sure we are not establishing conflicting authorities and everyone is clear who does what in the program.

   Page 8, Line 8. The Department will be responsible for developing programmatic standards ..."

   Page 8, Line 13. "The respective agencies shall adopt necessary regulations under AS 44.62 relating to the programmatic standards for required academic achievement for eligibility only by giving advance public notice...."

   Page 8, Line 9. "The Commission shall administer the daily operations of the program and financing of the program, including the procedures for applying for the scholarships, establishing standards for and ensuring continuing compliance with programmatic standards, and requiring students to apply for other non loan financial aid, consistent with federal law."

3. **Page 9 line 19-21**
   Does this mean - left Alaska as a High School student or any aged student for any number or years as long as parent is on allowable absence? Military, does this mean a student retains

for 20+ year career then 6 year to use after retirement? This seems to be creating an indeterminate unfunded liability especially in the new age of a service person being to give their VA education benefit to another family member then utilizing GPS. Is this intended in the bill? Perhaps allowing a specific 2 years additional qualification period is more definable for the fiscal note. There should probably be a qualification of extension that the member maintained their Alaska residency.

Page 9, Line 21. The custodial parent must be an Alaska resident.

Page 9, Line 18. *"for purposes of this subparagraph, allowable circumstances include a circumstance in which a* ***high school student*** *who is an Alaska resident left the state because of the military service of the student's custodial parent who is an Alaska resident;"*

4. **Similarly on Page 9, Line 24**
   After school add " if the student maintains Alaska residency"

   The Department will define this in Regulation. There probably should be a limit for the State Board to consider.

5. **Page 9, Lines 27 -28**
   What does this mean or continue to be eligible for GPS ?? if did not meet other minimum requirements???

   Page 9, Line 27. Meets other minimum qualifications to apply: G.P.A, Rigorous Curriculum and Standardized Assessment Score

   Page 9, Line27. "or continue to be eligible ..." Students must meet requirements for continued eligibility. (G.P.A. and/or Academic Progress) The Commission anticipates its regulations will align with other financial aid programs' standard for a student to be in good academic standing.

6. **Page 10, Line 20 and Page 11, Line 26**
   I thought the testimony was that all GPA was on 4 point scale but we have definition of GPA on page 17 of 4 point and 5 point for AP scale?? We need to clarify on record with the Commissioner and keep or adjust based on committee policy decision.

   5.0 scale reference should be removed.

7. **Page 10, Line 28**
   Does this give flexibility for Accuplacer exam that UA rural campuses use or is it just ACT or SAT scores that are privately or publically paid for?

The State Board will select the exam. The ACT and SAT are used by most state merit aid programs. While some states do pay for exams on a statewide level, this bill does not propose that Alaska do so. Students are expected to pay for this exam. In the case of the ACT exam, the testing company (College Board) does provide some fee waivers based on students' low-income status.

SAT $45; ACT $32; ACT Plus Writing $47
Both exams provide a fee waiver for students who cannot pay the registration fee.

The Accuplacer is designed to help students identify their academic strengths and needs to assist in planning an appropriate schedule of coursework.

ACCUPLACER was developed, standardized, and validated by the College Board, a division of the Educational Testing Service (which also administers the SATs, GREs, and TOEFL tests). ACCUPLACER assesses students' skill levels in English and mathematics to help determine which courses they should start -- where they have the greatest chance of success.

8. **Page 11, Line 7 (6) and Page 12 Lines 8-9 (5)**
What is this and what are limits? Is this getting eligibility after failing to have good enough GPA or core classes or is it reestablishing residency or ??? It is not the rural school unavailability of classes as that is in (7) and we were NOT going to have waivers of criteria.

A student will lose eligibility if the student:

- does not take advantage of the scholarship within the six year limit following graduation from high school. Military service may extend this timeline;
- completes eight semesters of eligibility;
- does not maintain a grade-point average of 2.5 at a qualified postsecondary institution;
- does not meet other minimum qualifications to apply or continue to be eligible for a governor's scholarship;
    - ✓ has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;
    - ✓ is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or
    - ✓ has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiv3er under standards adopted by the department.
- does not maintain Satisfactory Academic Progress (SAP) -- 12 credits every regular semester (fall and spring). Students who are on a part-time schedule (4-11) are not required to maintain SAP.
- does not maintain a 2.5 minimum GPA.

Students may regain eligibility following the completion of at least one full-time semester (without GPS) that meets the eligibility requirement and if they otherwise meet the good academic standing requirements.

9. **Page 12, Line 16**
   What does this mean in the Maximum Awards section? "and require very high academic achievement..." similarly line 17 " and require high academic achievement..." and on pg 12 line 18 "and require moderate academic achievement..." These seem to be qualification references stuck to the awards or are they referring to some postsecondary GPA attainment which has not previously been examined?? Is there a reason to mix the programmatic standards, eligibility and the award level sections??

   The comments "very high", "high" and "moderate" are editorial references to the merit academic tiers for initial GPS eligibility.

10. **Page 12, Line 29**
    Define how pro rata works. Is between half time and full time ½ the award or does it start at ½ then go up proportionately by every credit to full award at minimum full time status?

    What is the definition of a part-time student?

    - For the purposes of this program part-time students will have to be at least half-time to qualify. This means they carry between 6 and 11 credits during a semester. Full-time students carry 12 or more credits per semester.
    - Students who attend less than full-time still use up a semester of eligibility.
    - Students who attend during a summer session use up a semester of eligibility.
    - Subject to the half-time cap noted below, students will be awarded scholarship funds based on their cost of attendance for between 6 and 11 credits.
    - The maximum merit award a half-time student can qualify for will be 50% of the maximum applicable to their tier.

11. **Page 13, Line 2**
    What do lines 2-7 mean more than the citation AS 14.43.815(a) (3) already encompasses. Lines 7-8 seem to be the only needed new part.

    Lines 2-7 allows a merit-based academic scholarship to be used in a manner similar to a career and technical scholarship.

12. **Page 15 lines 3-4**
    Did we get a firm decision as to whether or not this provision is applying to alternative testing methods or accommodations for special needs students?

No it is not. Special needs students are already provided accommodations based on the IEP.

13. Page 15-16

Does this definition of "physically located in the state" have any consequences for High School District collaboration with outside administered virtual curriculums? I realize that it is for postsecondary institutions but I want to be sure we do not draw any unintended consequences for curriculum being offered by high schools for core curriculum or dual credit courses. We need clarification on the record.

No.

14. Page 16 line 10

This says that the money goes to the institution but we had testimony that in some cases it could go directly to students to cover off campus room and board etc. Do we need to change language to allow what Diane Barons said would take place or will such be prevented by this statutory language?

This language is intended to indicate that the awards will be disbursed via the institution on behalf of the student. It is the standard procedure to disburse all aid via the institution. The institution is then responsible for verifying that the student is enrolled in the proper number of courses, is also enrolled in a certificate or degree program, is in academic good standing and is otherwise eligible for the aid. The referenced line is in subsection (b) and only indirectly relates to subsection (c) which clarifies that students have to return award amounts that were awarded in error.

15. Page 17

Should the report include the number of scholarships used at each institution?

Yes. This information will be included as regulations are developed.

Responses to Questions from (H) EDC Members from 2/12/2010 Hearing
Submitted by EED

1. **Rep. Seaton indicated that he would like additional information regarding home schooled students.**

Response:

- Home school students who are not affiliated with a state sponsored program must:
  a. Meet all Alaska graduation credit requirements
  b. Successfully complete the GPS curriculum requirements
  c. Achieve the GPS eligibility score on the ACT/SAT
  d. Achieve the GPS GPA eligibility score.

- Home School students affiliated with a district sponsored distance program must:
  a. Meet all graduation requirements for the State of Alaska and the sponsoring district
  b. Successfully complete the GPS curriculum requirements
  c. Achieve the GPS eligibility score on the ACT/SAT
  d. Achieve the GPS GPA eligibility score.

- Homes school students must meet the same criteria used for high school students.

- All transcripts should include 9th to 12th grade courses, and the time frame of each course (academic year and semester). In addition, an assessment of performance (letter grade, percentage, standards rubric, etc.) is required.

- Home schooled graduates must meet and apply for the award and enroll at an eligible college prior to age 19.

- The Department of Education and Early Development will act as the certification office for non-affiliated home school students.

2. **REPRESENTATIVE MUNOZ requested an analysis of the scoring matrix for SAT/ACT and how they compare to requirements of schools across the nation. She indicated that the samples indicated appeared high. What type of score is a competitive school in the Lower 48 in terms of average admission?**

Response:

About 1.48 million of the 3.3 million members of the high school class of 2009 took the ACT, typically in their junior year.

Scoring matrix for SAT/ACT and how they compare to requirements of schools across the nation.
The ACT® test assesses high school students' general educational development and their ability to complete college-level work.

- The multiple-choice tests cover four skill areas: English, mathematics, reading, and science.
- The Writing Test, which is optional, measures skill in planning and writing a short essay.
- To develop the test, ACT incorporates the objectives for instruction for middle and high schools throughout the United States, reviews approved textbooks for subjects taught in Grades 7–12, and surveys educators on which knowledge skills are relevant to success in postsecondary education. ACT publishes a technical manual that summarizes studies conducted of its validity in predicting freshman GPA, equating different high school GPAs, and measuring educational achievement.[8]
- Colleges use the ACT and the SAT Reasoning Test because there are substantial differences in funding, curricula, grading, and difficulty among U.S. secondary schools due to American, local control, and the prevalence of private, distance, home schooled students and, most importantly, lack of rigorous college entrance examination system like those used in other countries. ACT/SAT scores are used to supplement the secondary school record and help admission officers put local data—such as course work, grades, and class rank—in a national perspective.
- Most colleges use ACT scores as only one factor in their admission process.

ACT has identified the minimum score needed on each ACT test to indicate a **50% chance of obtaining a B** or higher or about a **75% chance of obtaining a C** or higher in the corresponding first-year college course.

ACT Test	ACT Benchmark Score	College Course
English	18	English Composition
Math	22	Algebra
Reading	21	Social Sciences/Humanities
Science	24	Biology

ACTstudent.org

State By State report of ACT performance

The chart below summarizes each section and the average test score based on graduating high school seniors in 2009.

State	% of Graduates Tested	Average Composite Score	Average English Score	Average Math Score	Average Reading Score	Average Science Score
National	45	21.1	20.6	21.0	21.4	20.9
Alabama	76	20.3	20.5	19.5	20.7	20.1
Alaska	29	21.0	20.1	21.1	21.7	20.7
Arizona	15	21.9	21.3	22.1	22.4	21.3
Arkansas	73	20.6	20.6	20.1	21.0	20.2
California	19	22.2	21.8	22.8	22.4	21.4
Colorado	100	20.8	20.1	20.5	21.1	20.8
Connecticut	21	23.5	23.6	23.5	24.0	22.6
Delaware	11	22.6	22.2	22.5	23.1	22.0
District of Columbia	30	19.4	19.1	19.5	19.7	18.6
Florida	62	19.5	18.7	19.7	20.2	19.0
Georgia	40	20.6	20.1	20.6	20.9	20.3
Hawaii	22	21.5	20.9	22.1	21.4	21.0
Idaho	58	21.6	20.9	21.3	22.3	21.4
Illinois	97	20.8	20.5	20.7	20.8	20.7
Indiana	24	22.2	21.6	22.4	22.6	21.6
Iowa	59	22.4	21.9	21.9	22.9	22.4
Kansas	74	21.9	21.4	21.7	22.4	21.8
Kentucky	100	19.4	18.8	19.0	19.8	19.7
Louisiana	89	20.1	20.3	19.6	20.2	20.0
Maine	9	23.1	23.0	23.0	23.6	22.3
Maryland	17	22.1	21.9	22.1	22.5	21.5

Massachusetts	18	23.9	23.9	24.3	24.3	22.8
Michigan	100	19.6	18.6	19.6	19.6	20.1
Minnesota	68	22.7	22.0	22.7	23.1	22.6
Mississippi	93	18.9	19.1	18.3	19.0	18.7
Missouri	67	21.6	21.5	20.9	22.1	21.5
Montana	54	22.0	21.2	21.7	22.7	21.7
Nebraska	72	22.1	21.9	21.8	22.5	22.0
Nevada	30	21.5	20.9	21.4	22.0	21.0
New Hampshire	15	23.5	23.3	23.4	24.1	22.6
New Jersey	16	23.1	22.9	23.5	23.2	22.1
New Mexico	65	20.0	19.3	19.6	20.7	20.0
New York	25	23.1	22.5	23.4	23.3	22.7
North Carolina	15	21.6	20.9	22.0	21.9	21.1
North Dakota	78	21.5	20.7	21.5	21.8	21.6
Ohio	64	21.7	21.1	21.4	22.2	21.7
Oklahoma	71	20.7	20.5	19.9	21.4	20.5
Oregon	33	21.4	20.5	21.5	21.9	21.1
Pennsylvania	14	22.1	21.7	22.2	22.4	21.5
Rhode Island	10	22.8	23.0	22.5	23.4	21.8
South Carolina	50	19.8	19.2	20.0	19.9	19.8
South Dakota	74	22.0	21.2	21.8	22.3	22.0
Tennessee	92	20.6	20.7	19.8	21.0	20.4
Texas	30	20.8	19.9	21.3	20.9	20.6
Utah	68	21.8	21.4	21.1	22.6	21.6

Vermont	24	23.1	22.9	22.9	23.7	22.5
Virginia	20	21.9	21.7	21.8	22.3	21.4
Washington	18	22.8	22.4	22.9	23.5	22.1
West Virginia	62	20.7	20.8	19.6	21.4	20.5
Wisconsin	67	22.3	21.7	22.2	22.6	22.3
Wyoming	99	20.0	18.9	19.8	20.4	20.2

Totals for graduating seniors were obtained from *Knocking at the College Door—March 2008, Projections of High School Graduates by State and Race/Ethnicity, 1992–2022*, © March 2008 by the Western Interstate Commission for Higher Education.

Alaska SAT/ACT Scores

SAT / ACT scores are **not required** for **associate or certificate** admission at any UA campus.
SAT/ACT are **not required** for admission to UAA and UAS for baccalaureate admission.
UAF uses a more competitive admission standard for their baccalaureate programs. At UAF, ACT or SAT scores can be used in lieu of minimum HS GPA.

At UAF:

- 72% of students, who submit ACT scores, possess composite scores of 18 (or higher).
- 85% of students, who submit SAT scores, possess composite scores of 400 or higher. The average GPA for entering freshman at UAF is 3.15.

SAT scores for Alaska: for the year 2009 (includes graduating seniors in the class of 2009): 3589 Alaskan high school students took and received scores on the SAT. The average scores were:

- Critical Reading: 520
- Math: 516
- Writing: 492

For the same year for all test takers: over 1.5 million test takers. The average scores were:

- Critical Reading: 501
- Math: 515
- Writing: 493

Alaska

University of Alaska, Fairbanks Admissions Requirements

Baccalaureate Degree

- Must have a high school diploma, **AND**
- Pass the 16-credit high school core curriculum with a GPA of at least 2.5, **AND**
- Submit results of the ACT Plus Writing (preferred) or SAT exam taken within the last two years, **AND**
  Have a high school GPA of at least 3.0, **OR**
  Have a high school GPA of at least 2.5 and ACT Plus Writing score of at least 18 or SAT score of at least 1290 (including writing skills section).
- Freshman and transfer applicants with fewer than 30 semester credit hours must submit the results of either the ACT Plus Writing (preferred) or the SAT examination. Test results must be less than two years old. These test scores are used to help place the student in English, mathematics and other first-year courses.

Certificate or Associate Degree

- Must have a high school diploma, or GED
- Students with fewer than 30 transferable semester hours, who will take English or mathematics course work must submit results of the ACCUPLACER test. Alternatively, SAT or ACT Plus Writing test results are accepted.

Distribution of high school units required and/or recommended*

	Units Required	Units Recommended
English	4	N/A
Mathematics	3	N/A
Science	3	N/A
Lab	1	N/A
Foreign language	N/A	2
Social studies	3	N/A
History	N/A	N/A
Academic electives	3	N/A
Total academic units	16	

2006-2007 Freshman Class Profile

- Top 10 percent of high school class: 15%
- Top 25 percent of high school class: 35%
- Top 50 percent of high school class: 64%
- First-year students submitting high school class standing: 57%
- Average high school GPA: 3.2
- First-year students submitting GPA: 70%

- **First-year students submitting SAT scores: 52%**
  SAT scores (25/75 percentile):

Critical Reading:	450 - 600
Math:	450 - 590
Combined:	900 - 1190

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	SAT Critical Reading	SAT Math
700-800	4.0%	2.8%
600-699	24.5%	19.8%
500-599	33.5%	36.6%
400-499	26.4%	30.1%
300-399	9.9%	10.0%
200-299	1.6%	0.7%

First-year students submitting ACT scores: 33%

ACT scores (25/75 percentile):

English:	16 - 24
Math:	17 - 25
Composite:	18 – 25

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	ACT Composite	ACT English	ACT Math
30-36	2.4%	4.1%	4.4%
24-29	32.7%	25.1%	29.8%
18-23	41.2%	40.0%	37.0%
12-17	22.8%	25.8%	28.8%
6-11	1.0%	5.1%	N/A
Below 6	N/A	N/A	N/A

University of Alaska, Anchorage Admissions Requirements

Admission Requirements Baccalaureate Degree

Qualifications (one of the following)

- Graduation from high school with GPA of at least 2.5 and completion of either SAT, ACT or a UAA-approved test (high school graduates with GPAs between 2.0 and 2.49 will be admitted on probation); or
- Successful completion of the GED, and completion of either SAT, ACT or a UAA-approved test.

Admission Requirements Certificate for Associate Degree (1-2 years)

Qualifications (one of the following)

- A high school diploma (no minimum GPA required); or
- GED; or
- Ability to Benefit Certificate (must be 18 years of age or older).

	Units Required	Units Recommended
English	N/A	4
Mathematics	N/A	2
Science	N/A	3
Lab	N/A	N/A
Foreign language	N/A	1
Social studies	N/A	3
History	N/A	1
Academic electives	N/A	N/A
Total academic units	N/A	N/A

2006-2007 Freshman Class Profile

Top 10 percent of high school class: 12%
Top 25 percent of high school class: 31%
Top 50 percent of high school class: 61%
First-year students submitting high school class standing: 77%
Average high school GPA: N/A
First-year students submitting GPA: N/A
First-year students submitting SAT scores: 44%

SAT scores (25/75 percentile):

Critical Reading:	446 - 570
Math:	450 - 570
Combined:	896 – 1140

Percent of first time, first-year students enrolled in Fall 2006 with scores in each range:

	SAT Critical Reading	SAT Math
700-800	2.5%	2.1%
600-699	14.9%	15.7%
500-599	37.4%	37.6%
400-499	34.1%	33.5%
300-399	10.3%	9.9%
200-299	0.7%	1.2%

First-year students submitting ACT scores: 21%

ACT scores (25/75 percentile):

English:	16 - 24
Math:	17 - 25
Composite:	18 - 25

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	ACT Composite	ACT English	ACT Math
30-36	2.8%	5.0%	4.2%
24-29	27.3%	23.1%	30.9%
18-23	46.8%	39.3%	35.9%
12-17	22.6%	26.7%	29.0%
6-11	0.6%	5.6%	0.0%
Below 6	0.0%	0.3%	0.0%

University of Alaska, Southeast Admissions Requirements

Alaska high school graduates must pass all sections of the High School Qualifying Exam to be admitted. If the cumulative GPA is below a 2.0 a student may be admitted on probation and will be required to maintain a minimum GPA of 2.0 during your first semester.

High school completion requirement: High school diploma is required and GED is accepted

2006-2007 Freshman Class Profile

Top 10 percent of high school class: 9%
Top 25 percent of high school class: 19%
Top 50 percent of high school class: 44%
First-year students submitting high school class standing: 76%
Average high school GPA: 3.0
First-year students submitting GPA: 75%
First-year students submitting SAT scores: 44%

SAT scores (25/75 percentile):

Critical Reading:	442 - 600
Math:	440 - 570
Combined:	882 - 1170

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	SAT Critical Reading	SAT Math
700-800	2.9%	1.9%
600-699	26.5%	11.7%

	SAT Critical Reading	SAT Math
500-599	8.8%	40.3%
400-499	44.1%	34.6%
300-399	17.6%	11.5%
200-299	0.0%	0.0%

First-year students submitting ACT scores: 18%

ACT scores (25/75 percentile):

English:	17 - 21
Math:	19 - 22
Composite:	20 – 23

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	ACT Composite	ACT English	ACT Math
30-36	15.8%	15.8%	15.8%
24-29	72.7%	57.9%	74.0%
18-23	11.5%	26.3%	10.2%

Alaska Pacific University Admission Requirements

Admissions Requirements High school completion requirement: High school diploma is required and GED is accepted

2006-2007 Freshman Class Profile
Top 10 percent of high school class: 11%
Top 25 percent of high school class: 50%
Top 50 percent of high school class: 68%
First-year students submitting high school class standing: 60%
Average high school GPA: 3.3
First-year students submitting GPA: 83%
First-year students submitting SAT scores: 50%

SAT scores (25/75 percentile):

Critical Reading:	450 - 610
Math:	470 - 610
Combined:	920 - 1220

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	SAT Critical Reading	SAT Math

	SAT Critical Reading	SAT Math
700-800	0.0%	0.0%
600-699	26.0%	26.0%
500-599	46.0%	37.0%
400-499	22.0%	31.0%
300-399	6.0%	6.0%
200-299	0.0%	0.0%

First-year students submitting ACT scores: 36%

ACT scores (25/75 percentile):

English:	20 - 28
Math:	19 - 26
Composite:	21 – 26

Percent of first-time, first-year students enrolled in Fall 2006 with scores in each range:

	ACT Composite	ACT English	ACT Math
30-36	4.0%	9.0%	9.0%
24-29	48.0%	26.0%	34.0%
18-23	48.0%	61.0%	48.0%
12-17	0.0%	4.0%	9.0%
6-11	0.0%	0.0%	0.0%
Below 6	0.0%	0.0%	0.0%

Ability-to-Benefit (Accuplacer question)

Degree-seeking individuals 18 years or older who have not earned a high school diploma or GED must take the ATB Test, in order to demonstrate that they have the ability to benefit from a college education. To demonstrate this ability, the individual must achieve the following federally determined Accuplacer scores:

- **Arithmetic:** 34
- **Reading Comprehension:** 55
- **Sentence Skills:** 60

If individual has already completed 60 college credits, the ATB test is not necessary. Individuals taking the ATB test on Accuplacer are permitted to retake the entire test after a 14-day waiting period. The ATB provision does not allow candidates to retake only a portion of the test: all three parts of Accuplacer must be completed in one sitting. It is very important to inform the test proctor if you are testing under Ability-to-Benefit, to insure you will be administered the correct tests. The regular Accuplacer test cannot be used to validate Ability-to-Benefit.

3. **Rep. Seaton asked how will the residency requirements of the GPS interact with the university, private university or certificated programs in Alaska, i.e. AVTEC and resident programs?**

Response:

- The GPS statute draft provides minimal guidance. Residency requirements will be defined by regulation.

- In addition to specific GPS eligibility requirements, a student must demonstrate Alaska residency, which is determined by the post-secondary institution.

- A student whose custodial parent or legal guardian is an Alaska resident at the time the student graduates from high school or is in active military service and maintains Alaska as their domicile state is considered an Alaska resident.

- This is an important point with regard to tuition. If the university considers a student a non-resident, they will charge higher tuition.

Alaska Residency for Tuition Purposes at UA

Students who qualify for resident status should file an application for residency for the term they plan to attend, with required documentation at the appropriate university office prior to the published end of the add/drop period for regular semester-length courses.

The following is a summary of the Board of Regents policy to determine whether you are eligible for resident tuition. Students eligible for Alaska resident tuition must be United States citizens or eligible non-citizens and include those who:

- Received or have been qualified to receive an Alaska Permanent Fund Dividend within the last 12 months.
- Have graduated in the last 12 months from a qualified Alaska high school.
- Have been physically present in Alaska for the past two years.
- Are active-duty military personnel or members of the National Guard, or their spouses or dependent children.
- Are students from foreign cities and provinces that have established sister city or sister province relationships with the state of Alaska or Alaska municipalities, and have been approved by the president.
- Are participants in the UA Scholars program.
- Are participants in the University of Alaska College Savings Plan program who meet eligibility criteria as established by the Education Trust of Alaska.
- Are dependent children of a person who holds an associate, baccalaureate, or graduate degree from the University of Alaska.

- Are dependent children of an Alaska resident, as evidenced by the most current federal income tax return filed within the past 16 months.
- Are participating in the Western Interstate Commission on Higher Education (WICHE) or Western Regional Graduate Program (WRGP).
- Are enrolled in four or fewer credit hours within the UA system.

4. **REPRESENTATIVE GARDNER offered the question of the military families.**

- A student whose custodial parent or legal guardian is an Alaska resident at the time the student graduates from high school or is in active military service and maintains Alaska as their domicile state is considered an Alaska resident.

5. **CHAIR SEATON asked about the criteria for losing eligibility.**

Response:

A student will lose edibility if the student:

- does not take advantage of the scholarship within the six year limit following graduation from high school. Military service may extend this timeline;
- completes eight semesters of eligibility;
- does not maintain a grade-point average of 2.5 at a qualified postsecondary institution;
- does not meet other minimum qualifications to apply or continue to be eligible for a governor's scholarship;
    - ✓ has not complied with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements apply to the student;
    - ✓ is currently in default or owes a refund on a federal financial aid loan under the federal guaranteed student loan program or financial aid awarded under this chapter; or
    - ✓ has been convicted of a felony in the state or another jurisdiction and has not qualified for a waiv3er under standards adopted by the department.
- does not maintain Satisfactory Academic Progress (SAP) -- 12 credits every regular semester (fall and spring). Students who are on a part-time schedule (4-11) are not required to maintain SAP.

Students may regain eligibility following the completion of one full-time semester that meets the eligibility requirement.

6. **CHAIR SEATON requested a more detailed explanation of the role of GED's .**

- The GPS does not include a pathway for a G.E.D.
- The language of 14.43.820 addresses the requirement for home school students to meet both the curricular requirements necessary to achieve a diploma and the rigorous curriculum demands of the GPS. It is not a pathway for a G.E.D.
- Some states have a GED pathway to a scholarship. The points on a G.E.D. are used to qualify a student's attendance.

Hathaway GED Criteria

A student who attended a Wyoming high school, did not graduate, took the GED, and whose class has graduated, may qualify for a Hathaway Scholarship. Below are ACT and GED score requirements for Hathaway Scholarships. Students below a 550 GED do not qualify for UW admission.

Opportunity	Minimum GED of 500, and minimum ACT of 19
Performance	Minimum GED of 540, and minimum ACT of 21
Honors	Minimum GED of 575, and minimum ACT of 25

Information on Taking the GED in Alaska

The GED (General Educational Development) test in Alaska is a 5-part national exam for the high school equivalency; the five GED tests cover reading, writing, science, social studies and mathematics, and are taken individually. The GED test may be taken by any adult over 18 who is not currently enrolled in a high school diploma program; persons 16 to 18 years old must have written documentation that they have withdrawn from school, such as a transcript or withdrawal slip, and legal emancipation documentation or a parent or guardian's signature before GED testing is allowed. Two retests, per test purchased, are available for each of the five sections; there are no limits to how many times a person can retake the test. Your total score on the GED in Alaska must be at least 2,250 points and no one test can have a lower score than 410. The GED test is submitted to the Alaska Department of Labor and Workforce Development, where the score is computed. All GED applicants must reside in the state of Alaska at the time of their GED testing application; tests must also be taken at an official GED testing center in Alaska. Testing sites for the GED in Alaska include, but are not limited to, Anchorage, Nome, Kenai Peninsula, Homer, Palmer, Juneau, Sitka, Fairbanks, Dillingham, Soldotna and Kodiak.

**UA Associate Vice President, Saichi Oba will follow up with the committee on G.E.D.'s administered by the outlying UA campuses.

7. **Representatives Munoz and Wilson would like more information on the disparity between the cost of attending UA and technical schools. Why is the GPS set at $3,000 per year for the CTE?**

Response:
The CTE scholarship is an average. It could be increased to include room and board costs.

Estimated 2009-2010 UAF Annual Costs

FRESHMEN and SOPHOMORES	**Alaska Resident**	**Non-Resident**	**WUE****
Tuition and Fees* *(30 credits, 100-200-level classes)*	$5,138	$15,218	$7,298
Room and Board *(double room & 19 meals/week on campus)*	$6,802	$6,802	$6,802
ANNUAL TOTAL	$11,940	$22,020	$14,100

JUNIORS and SENIORS	**Alaska Resident**	**Non-Resident**	**WUE****
Tuition and Fees* *(30 credits, 300-400-level classes)*	$5,678	$15,788	$8,108
Room and Board *(double room & 19 meals/week on campus)*	$6,802	$6,802	$6,802
ANNUAL TOTAL	$12,480	$22,590	$14,910

GRADUATE STUDENTS	**Alaska Resident**	**Non-Resident**
Tuition and Fees* *(18 credits, 600-level classes)*	$6,536	$12,602
Room and Board *(double room & 19 meals/week on campus)*	$6,802	$6,802
ANNUAL TOTAL	$13,338	$19,404

ALL STUDENTS	**Living Off Campus**	**Living On Campus**
Books/Supplies	$1,300	$1,300
Miscellaneous/Personal	$2,070	$2,070
Transportation	$1,800	$432

** Includes Wood Center student life, student government, technology, transportation, UA network, athletics, Student Recreation Center and health center fees. Does not include health insurance, books, supplies, travel, parking, miscellaneous expenses or special costs associated with international or exchange students. Costs are subject to change.*

*** Western Undergraduate Exchange*

AVTEC Training Dates

Alaska Culinary Academy

- **Professional Cooking & Baking**, 210 training days
  Offered 01/05/10 to 12/16/10, 08/16/10 to 06/30/11

Alaska Maritime Training Center Courses

- **Marine License Preparation - Master Mate**, 45 training days
  TBA
- **Qualified Member of the Engine Department (QMED) Oiler**, 60 training days
  Offered 09/07/10 to 12/02/10
- **See all AVTEC Maritime training dates and costs**
  (Complete class listing)

Allied Health Department - Anchorage Training Facility

- **Certified Nurse Assistant (CNA)**, 38 training days
  Offered 01/04/10 to 02/26/10, 02/03/10 to 03/30/10, 03/08/10 to 04/28/10, 04/05/10 to 05/27/10, 05/05/10 to 06/29/10, 06/07/10 to 08/03/10, 07/12/10 to 09/01/10
- **Licensed Practical Nurse (LPN)**, 176 training days
  Offered 01/04/10 to 11/18/10, 08/16/10 to 07/01/11

Applied Technologies Department

- **Automotive Technology**, 197 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 06/09/11
- **Combination Welding**, 172 training days
  Offered 01/25/10 to 12/17/10, 08/16/10 to 05/04/11
- **Diesel/Heavy Equipment Technologies**, 197 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 06/09/11
- **Industrial Electricity**, 197 training days
  Offered 08/16/10 to 6/09/11
- **Pipe Welding**, 75 training days
  Offered 01/19/10 to 05/05/10, 09/01/10 to 12/17/10
- **Power Plant Operation**, 40 training days
  Offered 01/11/10 to 03/05/10, 03/17/10 to 05/11/10
- **Structural Welding**, 97 training days
  Offered 01/25/10 to 06/11/10, 08/16/10 to 01/17/11

Information Technology Department

- **Business & Office Technology**, 183 training days
  Offered 01/05/10 to 12/17/10, 08/16/10 to 05/19/11
- **Information Technology**, 188 training days
  Offered 08/16/10 to 05/26/11
- **Web Development Technology**, 188 training days
  Offered 08/16/10 to 07/12/11

Building Trades Technology

- **Facility Maintenance Construction Trades**, 188 training days
  Offered 08/16/10 to 05/26/11
- **Plumbing & Heating**, 102 training days
  Offered 01/05/10 to 05/28/10

AVTEC Training Cost * Costs Effective July 1, 2009

Program	Tuition	Technology Fee[1]	Security Deposit	Student Service Fee*	Meal Plan[4]	Dormitory Fees	Dorm Security Deposit[3]	Books/ Supplies[2] sold by AVTEC	Tools/ Supplies Not sold by AVTEC	Total
Qualified Member of the Engine Department (QMED) Oiler	$1,650	$150	$50	$75	$1,573	$1,820	$200	$155	$655	$6,328
Marine License Preparation - Master Mate	$1,650	$150	$50	$75	$1,086	$1,260	$200	$302	N/A	$4,773
Certified Nurse Assistant	$1,320	N/A	N/A	N/A	N/A	N/A	N/A	$580	N/A	$1,900
Licensed Practical Nurse	$5,000	$150	$50	N/A	N/A	N/A	N/A	$360	N/A	$5,560
Business & Office Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,800	N/A	$12,825
Information Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$2,600	N/A	$13,625
Web Development Technology	$2,750	$150	$50	N/A	N/A	N/A	N/A	$2,400	N/A	$5,350
Professional Cooking & Baking	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,425	$300	$12,750
Automotive Technology	$2,750	$150	$50	$75	$3,400	$4,400	$200	$600	$3,600	$15,225
Diesel/Heavy Equipment Technologies	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,050	$3,700	$15,775
Industrial Electricity	$2,750	$150	$50	$75	$3,400	$4,400	$200	$950	$2,300	$14,275
Pipe Welding	$1,650	$150	$50	$75	$1,700	$2,100	$200	$570	$700	$7,195
Power Plant Operation	$1,320	$150	$50	$75	$975	$1,120	N/A	N/A	$420	$4,110
Structural Welding	$2,200	$150	$50	$75	$1,700	$2,200	$200	$920	$600	$8,095
Combination Welding	$2,750	$150	$50	$75	$3,400	$4,400	$200	$1,500	$800	$13,325
Facility Maintenance/ Construction Trades	$2,750	$150	$50	$75	$3,400	$4,400	$200	$650	$2,000	$13,675
Plumbing & Heating	$2,200	$150	$50	$75	$1,700	$2,200	$200	$236	$1,700	$8,511

8. **Rep. Seaton would like to know what the definition of a part-time student is.**

Response:

- Part-time students carry between 6 and 11 credits during a semester. Full-time students carry 12 or more credits per semester.
- Students who attend part-time use up a semester of eligibility.
- Students who attend during a summer session use up a semester of eligibility.

9. **Special Education and the GPS**

Response:

AS 14.30.180 Purpose. It is the purpose of AS14.30.180 - 14.30.350 to provide an appropriate public education for each child with a disability in the state who is at least three years of age but less than 22 years of age; (2) allow procedures and actions necessary to comply with the requirements of federal law, including 20 U.S.C. 1400 – 1487 (Individuals with Disabilities Education Act.)

10. **Representatives Edgmon and Buch asked about the Alternative Pathways: How will decisions be made pursuant to Section 14.43.830?**

Response:

The Commissioner will develop in conjunction with the State Board of Education, a process to consider requests for a make-up procedure or alternative pathway for students who are not eligible for a scholarship to make up a deficit by alternative means if the deficit was caused by circumstances that would make it unfair not to allow the student to make up the deficit.

Regulations adopted by the State Board of Education require an opportunity for public hearing, comment and public discussion.

11. Rep. Seaton asked if a student is able to graduate from a high school out of state and then enroll in an Alaska high school in an effort to gain eligibility of the GPS; essentially graduating from high school twice?

Response:

Practice in Alaska is to request the student's transcripts from the sending school. This practice allows the receiving Alaska high school to verify whether or not the student has in fact already graduated from an out of state high school.

Louie Flora

Subject: FW: Rep. Seaton comments on GPS work-draft

From: Paul Seton [mailto:pkseaton@gmail.com]
Sent: Saturday, March 06, 2010 11:18 AM
To: Louie Flora; Rep. Paul Seaton
Subject: RE: Items for Monday's House Education Hearing including GPS work-draft with amendments

Louie,
Please distribute my comments to the committee and the Commissioner and theirs to me so our thought processes can progress before the committee meeting and we will be more prepared to address the issues during the committee meeting.

Re: HB 297 (EDU) workdraft 26 GH2771\R of 3/4/10
Sec 1 School Districts to determine eligibility – How does this work with page 9 qualifications some of which are not under the purview of a school district [i.e. they have GPAs but may not the college entrance exams etc];
and more especially page 10 line 9 seems to be eligibility determined by the 'commission'.
Also page 16 line 7-8 Commission shall establish application procedures.
This may all work but I would like to see a flow chart to be sure we are not establishing conflicting authorities and everyone is clear who does what in the program.

Pg 9 line 19-21
Does this mean - left Alaska as a High School student or any aged student for any number or years as long as parent is on allowable absence?

Pg 9 military, does this mean a student retains for 20 + year career then 6 year to use after retirement? This seems to be creating an indeterminate unfunded liability especially in the new age of a service person being to give their VA education benefit to another family member then utilizing GPS. Is this intended in the bill? Perhaps allowing a specific 2 years additional qualification period is more definable for the fiscal note.
There should probably be a qualification of extension that the member maintained their Alaska residency.

Similarly on page 9 lie 24 after school add " if the student maintains Alaska residency"

Page 9 lines 27 -28
What does this mean or continue to be eligible for GPS ?? if did not meet other minimum requirements???

Page 10 line 20 and page 11 line 26
I thought the testimony was that all GPA was on 4 point scale but we have definition of GPA on page 17 of 4 point and 5 point for AP scale?? We need to clarify on record with the Commissioner and keep or adjust based on committee policy decision.

Page 10 line 28

Does this give flexibility for Acuplacer exam that UA rural campuses use or is it just ACT or SAT scores that are privately or publically paid for?

Page 11 line 7 (6) and page 12 lines 8-9 (5) What is this and what are limits? Is this getting eligibility after failing to have good enough GPA or core classes or is it reestablishing residency or ??? It is not the rural school unavailability of classes as that is in (7) and we were NOT going to have waivers of criteria.

Page 12 line 16 what does this mean in the Maximum Awards section? "and require very high academic achievement..." similarly line 17 " and require high academic achievement..." and on pg 12 line 18 "and require moderate academic achievement..." These seem to be qualification references stuck to the awards or are they referring to some postsecondary GPA attainment which has not previously been examined?? Is there a reason to mix the programmatic standards, eligibility and the award level sections??

Page 12 line 29, Define how pro rata works. Is between half time and full time ½ the award or does it start at ½ then go up proportionately by every credit to full award at minimum full time status?

Page 13 line 2 What do lines 2-7 mean more than the citation AS 14.43.815(a)(3) already encompasses. Lines 7-8 seem to be the only needed new part.

Page 15 lines 3-4 Did we get a firm decision as to whether or not this provision is applying to alternative testing methods or accommodations for special needs students?

Page 15-16 Does this definition of "physically located in the state" have any consequences for High School District collaboration with outside administered virtual curriculums? I realize that it is for postsecondary institutions but I want to be sure we do not draw any unintended consequences for curriculum being offered by high schools for core curriculum or dual credit courses. We need clarification on the record.

Page 16 line 10 This says that the money goes to the institution but we had testimony that in some cases it could go directly to students to cover off campus room and board etc. Do we need to change language to allow what Diane Barons said would take place or will such be prevented by this statutory language?

Page 17 Should the report include the number of scholarships used at each institution?

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Thursday, March 04, 2010 4:52 PM
To: Paul Seaton; Rep. Paul Seaton
Subject: FW: Items for Monday's House Education Hearing including GPS work-draft with amendments

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From: Louie Flora
Sent: Thursday, March 04, 2010 4:52 PM

EXECUTIVE SUMMARY

INTRODUCTION

Singaporean students ranked first in the world in mathematics on the Trends in International Mathematics and Science Study-2003; U.S. students ranked 16th out of 46 participating nations at grade 8 (Mullis, et al., 2004). Scores for U.S. students were among the lowest of all industrialized countries. Because it is unreasonable to assume that Singaporean students have mathematical abilities inherently superior to those of U.S. students, there must be something about the system that Singapore has developed to teach mathematics that is better than the system we use in the United States.

This exploratory study compares key features of the Singapore and U.S. mathematics systems in the primary grades, when students need to build a strong mathematics foundation. It identifies major differences between the mathematics frameworks, textbooks, assessments, and teachers in Singapore and the United States. It also presents initial results from four pilot sites that introduced the Singapore mathematics textbook in place of their regular textbooks.

Analysis of these evidentiary streams finds Singaporean students more successful in mathematics than their U.S. counterparts because *Singapore has a world-class mathematics system with quality components aligned to produce students who learn mathematics to mastery.* These components include Singapore's highly logical national mathematics framework, mathematically rich problem-based textbooks, challenging mathematics assessments, and highly qualified mathematics teachers whose pedagogy centers on teaching to mastery. Singapore also provides its mathematically slower students with an alternative framework and special assistance from an expert teacher.

The U.S. mathematics system does not have similar features. It lacks a centrally identified core of mathematical content that provides a focus for the rest of the system. Its traditional textbooks emphasize definitions and formulas, not mathematical understanding; its assessments are not especially challenging; and too many U.S. teachers lack sound mathematics preparation. At-risk students often receive special assistance from a teacher's aide who lacks a college degree. As a result, the United States produces students who have learned only to mechanically apply mathematical procedures to solve routine problems and who are, therefore, not mathematically competitive with students in most other industrialized countries.

The experiences of several of the U.S pilot sites that introduced the Singapore mathematics textbooks without the other aspects of the Singaporean system also illustrate the challenges teachers face when only one piece of the Singapore system is replicated. Some pilot sites coped successfully with these challenges and significantly improved their students' mathematics achievement, but others had great difficulty. Professional training improved the odds of success, as did serving a stable population of students who were reasonably able with mathematics. These mixed results further reinforce the comparative findings that the U.S. will have to consider making comprehensive reforms to its school mathematics system if we are to replicate the Singaporean successes.

The U.S. mathematics system has some features that are an improvement on Singapore's system, notably an emphasis on 21st century thinking skills, such as reasoning and communications, and a focus on applied mathematics. However, if U.S. students are to become successful in these

RESEARCH

- In 2001 (the most recent year for which data are available), US industry spent more on tort litigation than on research and development.[37]

- In 2005, only four American companies ranked among the top 10 corporate recipients of patents granted by the *United States* Patent and Trademark Office.[38]

- Beginning in 2007, the most capable high-energy particle accelerator on Earth will, for the first time, reside outside the United States.[39]

- Federal funding of research in the physical sciences, as a percentage of GDP, was 45% less in FY 2004 than in FY 1976.[40] The amount invested annually by the US federal government in research in the physical sciences, mathematics, and engineering combined equals the annual increase in US health care costs incurred every 20 days.[41]

PERSPECTIVES

- "We go where the smart people are. Now our business operations are two-thirds in the U.S. and one-third overseas. But that ratio will flip over the next 10 years." –Intel spokesman Howard High[42]

- "If we don't step up to the challenge of finding and supporting the best teachers, we'll undermine everything else we are trying to do to improve our schools."—Louis V. Gerstner, Jr., Former Chairman, IBM[43]

- "If you want good manufacturing jobs, one thing you could do is graduate more engineers. We had more sports exercise majors graduate than electrical engineering grads last year." — Jeffrey R. Immelt, Chairman and Chief Executive Office, General Electric[44]

- "If I take the revenue in January and look again in December of that year 90% of my December revenue comes from products which were not there in January." – Craig Barrett, Chairman of the Intel Corporation[45]

- "When I compare our high schools to what I see when I'm traveling abroad, I am terrified for our workforce of tomorrow." –Bill Gates, Chairman and Chief Software Architect of Microsoft Corporation[46]

- "Where once nations measured their strength by the size of their armies and arsenals, in the world of the future knowledge will matter most." –President Bill Clinton [47]

- "Science and technology have never been more essential to the defense of the nation and the health of our economy."—President George W. Bush[48]

PRINTTHIS

Private Sector Leaders Committed to Efforts Focused on Science, Technology, Engineering, and Math (STEM) Education

WASHINGTON, Nov. 23 /PRNewswire-USNewswire/ -- The following is being issued by Information Technology Industry Council:

Today the White House is announcing a national education initiative to strengthen America's economic competitiveness through leadership in science, technology, engineering, and math (STEM) education.

Led by former CEO and Chairman Craig Barrett of Intel Corporation; Chairman, President and CEO Glenn Britt of Time Warner Cable; Ursula Burns, CEO of Xerox Corporation; Antonio M. Perez, Chairman and CEO of Eastman Kodak Company; and Dr. Sally Ride, CEO of Sally Ride Science and the first American woman in space; in conjunction with Carnegie Corporation of New York, and the Bill and Melinda Gates Foundation, the effort seeks to improve America's students' interest and performance in the STEM disciplines, which are the foundation for innovation.

"At Intel, we have seen what young people can do with math and science when they are inspired and well-taught. It is up to all of us to stimulate that interest and provide teachers who can guide and nurture students in these critical subjects," said Craig R. Barrett.

"For nearly a half century, Xerox has been enabling young people to pursue educations and careers in science, technology, engineering and math," said Ursula Burns. "President Obama's initiative is not only the right thing for the young people of our country, but essential to maintaining America's leadership position in the global economy."

"The American economy has always depended on innovation, and in a knowledge-based society, there can be no real innovation without an educational emphasis on science, technology, engineering and math," said Antonio M. Perez, Chairman and CEO of Eastman Kodak. "This is especially important to create a workforce that can succeed in today's rapidly changing economy. Kodak has a long history of supporting education in these disciplines because we know that innovation is the key differentiator for our company and our country."

"We are grateful the Obama administration is focused on America's need to increase its STEM proficiency, and believe this will have positive outcomes for technology-focused businesses like Time Warner Cable," Glenn Britt said. "We have a need to fill the jobs pipeline with qualified engineers and technologists to continue our tradition of significant innovation in the telecommunications industry."

Under this public-private partnership, founders are building a coalition that seeks to shape a strong national STEM network that will mobilize the business community, philanthropists, educators, governors and the public at-large. These founding champions aim to recruit other leaders from the business community to create a robust advisory board that will contribute the necessary resources to fund a sustainable effort. Working at a rapid pace--similar to the one that fueled our entry into the space race 50 years ago--this new nonprofit organization seeks to mobilize the resources needed to fuel a national STEM initiative and raise the level of math and science learning for all students.

Supported by a dynamic and highly qualified executive and staff, the organization will aim to improve STEM performance of America's students, by harnessing new technologies and social networks to connect teachers with STEM professionals, drive public demand for STEM education and careers, and challenge companies to engage in ways consistent with their core business competencies through building an national innovation infrastructure. Organizations including National Math and Science Institute and Battelle have already signed on to help as core partners.

"America's global competitiveness and the future of our democratic society depend on our ability to mobilize together now, with

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STEM Quotes

Quotable Quotes about Math + Science

"Today, more than ever before, science holds the key to our survival as a planet and our security and prosperity as a nation. It's time we once again put science at the top of our agenda and work to restore America's place as the world leader in science and technology."
-- President Barack Obama

"America faces many challenges...but the enemy I fear most is complacency. We are about to be hit by the full force of global competition. If we continue to ignore the obvious task at hand while others beat us at our own game, our children and grandchildren will pay the price. We must now establish a sense of urgency."
--Charles Vest, President of the National Academy of Engineering, President Emeritus at Massachusetts Institute of Technology

Q: What do we know works to improve student achievement in K-12 STEM [science, technology, engineering, and mathematics] education?
A: "I'd say great teachers, who know the content."

--U.S. Secretary of Education Arne Duncan

Q: You've talked about the value of alternative certification. But there are different approaches. Attracting midcareer professionals is one approach. But then there's the Teach for America model, and the UTeach [at the University of Texas] model. What are the strengths and weaknesses of those different approaches?

A: "I love 'em all. I see them as three different buckets. You have the young guns, the Teach for America students who are right out of school. Then you have the midcareer changers. Then you have a set of folks in their 50s and 60s, moving toward retirement. But they still have a good 10 to 15 years in them. I think we need to work very aggressively in all three areas. The important thing is to collect the data and track them over time, to see who's achieving the best results for children."
--U.S. Secretary of Education Arne Duncan, interview with Science Magazine

"If America is to maintain our high standard of living, we must continue to innovate. We are competing with nations many times our size. We don't have a single brain to waste. Math and science are the engines of innovation. With these engines we can lead the world. We must demystify math and science so that all students feel the joy that follows understanding."

-- Dr. Michael Brown, former Nobel Prize winner for medicine and the Paul J. Thomas Professor of Molecular Genetics and Director of the Jonsson Center for Molecular Genetics at the University of Texas Southwestern Medical School in Dallas

Q: Anything you would like business schools to teach more? Less?
A: In our business, there's not enough emphasis on math. Coming out of college, we really like to have kids who like math, study math and get it. And so I'd like to make sure that there is an emphasis on math.

Q: But somebody might say, 'That's what calculators are for.'
A: And that's exactly the problem. Because when, at least when I was in school, we didn't have the computer technology that we have today to do a lot of the work for us. And so I think there's logic that has to go into this. And I don't think you should actually have to have a calculator for every decision that you make that has numbers attached to I t. Some of that should just come to you quickly, and you should be able to quickly move to your instincts about that being a good or not good decision."
- Terry J. Lundgren, CEO of Macy's, interviewed by The New York Times, April 12, 2009

"The United States is facing much more than a temporary economic crisis - we may put a patch on our stalled economic system, but we aren't likely to see robust, long-term growth unless we get a 21st century engine."

-- Tom Luce, CEO National Math and Science Initiative

"Only by providing leading-edge human capital and knowledge capital can American continue to maintain a high standard of living, including providing national security for its citizens."

-- Norman Augustine, Chair, "Rising Above the Gathering Storm" Committee

"On October 4, 1957, history changed with the Soviet Union's successful launch of Sputnik I, the world's first man-made satellite. Americans were alarmed that we had been outpaced technologically and saw the Soviet feat as a threat to our national security. In order to catch up with the Russians, our nation swung into action and infused new funding and resources into scientific research on a priority basis that resulted in new labs springing up all over the country. To support this national initiative, schools upgraded and expanded math and science instruction at every level. Congress established scholarships and grants to enable young people to pursue science and engineering majors in college and graduate schools. These efforts paid off as a new generation of American scientists and engineers was produced and the United States became the Mecca for scientific research in virtually all fields. Now, five decades later, we are again on the verge of falling behind technologically, largely because of a failure to provide world class science and math instruction in our schools...We cannot fail to prepare our children to thrive in a world where science and technology define in many ways how we work, live and entertain ourselves."
-- Marian Wright Edelman, President and Founder, Children's Defense Fund

"I relate a lot of it to my football training. We had a highly functioning team and learned all the things you need to do to have a successful launch. I try to tell kids if you play sports, you can be an Astronaut, because it is very similar, the training is similar. It's just that you have to learn something different. I tell them, 'Hey, go for your dreams -- but you have to have a plan.' My plan was education. ..I was in Algebra class like you are in the eighth grade, I did the same things you do. There's nothing magic about becoming an Astronaut, it's about dedication and working hard. It's work ethic. If they have that work ethnic and apply themselves, they can be an Astronaut also."
-- Astronaut Leland Melvin, who was drafted after college by the NFL to play as a wide receiver for the Detroit Lions and recently served on the crew of the space Shuttle Atlantis on a mission to the international space station.

"The financial crisis just made the hole deeper, which is why our stimulus needs to be both big and smart, both financially and educationally stimulating. It needs to be able to produce not only more shovel-ready jobs and shovel-ready workers, but more Google-ready jobs and Windows-ready and knowledge-ready workers."
-- Columnist Thomas L. Friedman, The New York Times.

"In a global economy, the best jobs are not going to go to the best in your class, but to the best in the world," said Gary Phillips, a chief scientist for the American Institutes for Research in Washington, D.C. "Some of the Asian countries are just outstanding in math and science achievement and we're way behind." Phillips' research shows that even American eighth graders in the best-performing states like Massachusetts rank significantly below eighth grade "We do produce students who function at the highest levels in math and science internationally. The problem is we don't produce enough of them."
--Vivien Stewart, vice president for Education at Asia Society in New York

"Now that we know what works, we should ask government and corporate leaders to take action today. Every minute we wait, we fall further behind other countries."

-- Tom Luce, CEO National Math and Science Initiative

"Only by providing leading-edge human capital and knowledge capital can America continue to maintain a high standard of living - including providing national-security - for its citizens."

-- Norm Augustine, chair, "Rising Above the Gathering Storm" Committee

"Will America lead...and reap the rewards? Or will we surrender that advantage to other countries with clearer vision?"

-- Susan Hockfield, President MIT

"Yes, we know the world is flat. But what are we going to do about it? We need to start educating kids today for the jobs of tomorrow. We need better math and science classes and more math and science teachers. We need to launch a national campaign to make math and science a national priority. And we need to act like our future depends on it. After all, it does."

-- Tom Luce, CEO National Math and Science Initiative

"Among the most consistently cited challenges facing science and math education are the number and quality of teachers. The National Science Board's Science and Engineering Indicators 2008 report noted that 80 percent of schools had teaching vacancies last year, with 74 percent having vacancies in math programs and 56 percent having openings in physical science departments."

-- Rob Broisseau, Inside Science News Service

"One of my favorite quotes is from Carl Sagan, who said it's suicidal to create a society that depends on science and technology in which no one knows anything about science and technology - and that's the road that we are headed down.
I think part of the issues is that it takes year, decades, to build the capability to have a society that does depend on science and technology.
You need to generate the scientists and engineers, starting in school-elementary school, middle school, you have to fund the research that those scientists go on to do-the fundamental research. You have to generate the engineers that can turn those scientific breakthroughs into products and services. And then you have to have the right environment."
--Sally Ride, President and CEO Sally Ride Science, former Astronaut, first American woman in space.

"This new generation will have the opportunity to solve many global issues: healthcare, energy security and the global food crisis to name just a few. Given this, the missing ingredient is a better knowledge of math and science and its power to provide solutions to these problems. Technology can and will change the world. For this younger generation to be the force for good they want to be, they need to understand that the new literacy of the 21st century includes math and science."

-- Tom Luce, CEO, NMSI

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WYOMING
HATHAWAY
SCHOLARSHIP PROGRAM
Make College A Reality

REFERENCE MANUAL

Data Collection
2010 →

Version 1.20 11/17/2009

Reference Manual Changes from Version 1.10

Section	Page(s)	Item	Action	New Code	New Text
Data Reporting Cycle	11, 14	Cycle-At-a-Glance/Who-What-Why-When	Added Step		Summer End-of-Term Report
The Reports	17	The End-Of-Term Report	Added paragraph		"Note: The due date for the End-of-Term report serves as the deadline for submitting Hathaway Scholarships granted for the semester. Scholarships reported to the WDE after the end-of-term due date will not be reimbursed to the post secondary institution."
The Reports	17	The End-Of-Term Report (2nd pgf)	Sentence - edit		~~" AND have not used up their 4 or 8 semester limit"~~ " AND have not used up their 8 semester (96 credit hrs) limit"
The Data Transfer Path	20	Relationships Between Elements	Sentence - added text		5. Cumulative data (hours and points) supports the CUMULATIVE_STATUS (if student has attended only one institution), unless an appeal was approved
Appendix A	28, 32, 35, 38	Element #13 - HS_NAME	Changed element		HS_ID (WDE School Identification #)
Appendix A	30, 40	Element # 36 - GPA_CUM_HRS_GR	Added to Data Definition		"..since initiation of the Hathaway scholarship"
Appendix A	30, 40	Element # 37 - EARNED_CUM_HRS_NGR	Added to Data Definition		"..since initiation of the Hathaway scholarship"
Appendix A	30, 40	Element # 38 - EARNED_CUM_HRS_REM	Added to Data Definition		"..since initiation of the Hathaway scholarship"
Appendix A	30, 40	Element # 39 - EARNED_CUM_PTS	Added to Data Definition		"..since initiation of the Hathaway scholarship"
Appendix A	30, 40, 41	Element #40 - CUMULATIVE_STATUS	Added valid value	750	INELIGIBLE CONTINUOUS ENROLLMENT
Appendix A	30, 40, 41	Element #40 - CUMULATIVE_STATUS	Added valid value	775	REDUCED TO OPPORTUNITY
Appendix A	30, 40, 41	Element #40 - CUMULATIVE_STATUS	Added valid value	900	APPEAL APPROVED

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The Law:

Statutes and Rules & Regulations Governing the Hathaway Scholarship Program

Data Reporting

Hathaway Scholarship Reimbursements

Statute:

21-16-1308 (a)(v) The department shall determine and certify to the state treasurer the amount which is equal to seventy-five percent (75%) of the total amount the eligible institution received during the preceding semester under this subsection. Not later than September 1 for the fall semester and not later than January 15 for the spring semester, the state treasurer shall pay from the scholarship expenditure account the amount certified by the department. The department shall review the lists provided under paragraph (iv) of this subsection, determine there is no duplication of students, and determine and certify to the state treasurer the balance of the amount due under this article to each institution for the semester. The state treasurer shall pay from the scholarship expenditure account the balance of the amount due. Payments of the balance due under this paragraph shall be made not later than seventy-five (75) days after the institution's semester has commenced. Payments to the university shall be made directly to the university. Payments to the community colleges shall be made directly to each college and be reported by the state treasurer to the community college commission. Should a prepayment under this paragraph exceed the amount actually due the institution for any semester, the excess amount shall be calculated by the department and deducted from the next payment made.
For purposes of this subsection, payments due for summer terms shall be included within the calculations and payments for the subsequent fall semester.

Rules & Regulations:

Chapter 38, Section 18, Payment to Institutions.

(a) For the first four years of the program, eligible institutions shall report to the Wyoming Department of Education by August 1 estimates of the number of students and the scholarship awards they anticipate for the upcoming fall semester. Institutions must report again to the Department by December 1 the number of students and scholarship amounts they anticipate for the following spring semester. Community colleges shall additionally report to the Commission the estimates they submitted to the Department for August 1 and December 1.

> (i) The Department shall certify to the State Treasurer the amounts to be paid to each eligible institution in a manner that will enable the prepayment to be made to the institutions by September 1 for the fall semester and by January 15 for the spring semester.

(b) After the first four years of estimates by the institutions, the Department will rely on actual data to make annual prepayments to institutions in the amount of 75% of the total amount that institution received the preceding semester.

(i) The Department will certify to the state treasurer the amount to be paid to each eligible institution in time for the institutions to receive their fall semester prepayment by September 1 and their spring semester prepayment January 15.

(c) Within 30 days of the commencement of each semester, the community colleges shall submit to the Wyoming Community College Commission a list of students enrolled in the institution who qualify for Hathaway Merit and Need-Based Scholarships, and the amount for which they qualify.

(d) Within 10 days of receipt of the last student data list from an individual community college, the Commission shall verify no inappropriate duplication of students exists between the colleges then shall submit to the Department a complete list of students and the amount each college is to receive for Hathaway Scholarship awards.

(e) Within 45 days of the commencement of each semester, the University shall certify to the Department a list of students enrolled in the institution who qualify for Hathaway Merit and Need-Based Scholarships, and the amount for which they qualify.

(f) The lists submitted to the Department from the eligible institutions must include all the data elements needed to enable the institutions and the Department to meet the reporting requirements of the Hathaway Scholarship program. Data elements shall include but are not limited to:

(i) Student name, birth date, and gender;
(ii) Unique student identifier identified by the Department and the institutions;
(iii) Name of the institution;
(iv) Hathaway scholarship category;
(v) Number of credit hours;
(vi) Semester identifier; and
(vii) High school graduation year.

(g) Upon receipt of the two student lists, the Department shall verify there is no inappropriate duplication of students among the institutions.

(i) Any duplication of students will be reported by the Department to the institutions and to the Commission. The institutions, in coordination with the Commission, will research and resolve the problem, if any, and submit final lists back to the Department.

(ii) If it is determined a student is properly attending multiple eligible institutions, the Department shall award the entire Hathaway scholarship for which the student qualifies to the eligible institution designated in the student's consortium agreement as the home institution.

(h) When the final lists are certified as accurate and approved, the Department will certify to the state treasurer the balance of the amount due to each institution for the semester.

(i) The state treasurer shall pay the amounts due no later than 75 days after commencement of the institution's semester. Individual payments will be made to the University and to each community college.

(i) The state treasurer shall report to the Wyoming Community College commission and the Department the amounts paid to each college.

(j) Any prepayment that exceeds the amount actually due the institution for any semester shall be calculated by the Department and deducted from the next payment(s) made to the institution.

(k) Students receiving a Hathaway Scholarship for a summer semester shall be included with the institution's fall semester calculations.

(i) The Department will consequently adjust the award to the institution for the fall semester to include the appropriate additional amount for the summer semester.

Hathaway Scholarship Reporting on Participants and their Academic Progress

Statute:

21-16-1308

(c) The department shall establish annual reporting procedures for purposes of policy analysis and program evaluation and providing accurate data to the legislature and governor relative to the program's impact on the state and on students.

In developing the annual reporting procedure the department shall consult with the University of Wyoming and community college financial aid officers and registrars or their designees. It is the intention of the legislature that the reporting system and the requirements thereof shall be applicable to all recipients of scholarships under this article. Compliance with this section shall be made a condition of receiving a scholarship under this article.

The reporting system shall include the following information:

(i) A report prepared for each semester or equivalent periods of time during each academic year relative to the rate of retention of program participants;

(ii) Scholarships-by-students as they progress from semester to semester or other equivalent periods of time as may be applicable once enrolled at an eligible institution.

The data shall be reported by institution attended, by the instructional program, and by scholarship category and shall include

-the percent of students losing scholarship eligibility due to not earning the minimum number of credit hours,

-the percent of students losing scholarship eligibility due to not having the required cumulative grade point average,

-the percent of students losing scholarship eligibility for failing to make satisfactory academic progress

-and the percentage of students losing scholarship eligibility for failing to enroll.

The same information shall also be reported by categories showing those students qualifying through WORKKEYS scores and GED scores and by the group of students who attended a home-based educational program and did not graduate from an eligible high school;

(iii) The persistence rates at the eligible institutions of freshmen, sophomore, junior and senior students receiving a scholarship reported by scholarship category and by award year;

(iv) The graduation rates or rates of completion of the chosen post-secondary education program if otherwise applicable for students receiving a scholarship reported by scholarship category and award year, including for those graduating with an academic degree at the baccalaureate level the rate for persons graduating within four (4) years, within five (5) years and within six (6) years, respectively and including for those graduating with a certificate or associate degree the rate for persons graduating within one (1), two (2) and three (3) years;

(v) The mean length of time required for a student receiving a scholarship under this article to graduate with a degree or to complete the certificate program with such information being reported by scholarship category and by award year;

(vi) An annual report on the number of applicants as well as the percent of high school graduates by high school district who apply for a scholarship by scholarship category, and the percent of those students who are awarded a scholarship and subsequently enroll in an eligible institution;

(vii) Statistical studies on the relationship between the courses taken and grades earned by a high school student and the student's score on the ACT or WORKKEYS test. Relative to public high schools, such statistical studies shall use student course and grade data that is otherwise available from the schools and such studies shall be conducted at no additional cost to the governing authority of any public high school;

(viii) Statistical studies on the relationship between the courses taken and the grades earned in high school and the student's college or university GPA.

(d) The annual report by the department shall be submitted to the governor and the legislature in accordance with W.S. 9-2-1014.

Rules & Regulations:

Chapter 38, Section 22, Data Gathering and Reporting Procedures

(a) In consultation with school districts and the financial aid officers and registrars of the eligible institutions, or their designees, the Department shall develop annual reporting procedures for purposes of policy analysis and program evaluation. The annual report on the Hathaway Scholarship Program shall be presented by the Department in accordance with the budget timeframes identified in W.S. § 9-2-1014.

(b) Data reporting is a requirement for receipt of scholarship funds.

(c) The University of Wyoming shall submit the required information directly to the Department.

(d) Wyoming community colleges shall submit the required information to the Wyoming Community College Commission which shall submit to the Department individual college information, as well as a summative report of all college data.

(e) Information to be provided to the Department from the eligible institutions includes:

(i) By district and scholarship type, the number and percent of students who apply, the number and percent of students who meet success curriculum requirements, the number and percent of students awarded a scholarship, and the number and percentage of students who subsequently enroll in the institution;

(ii) Rate of retention of scholarship recipients;

(iii) Persistence rate of freshman, sophomore, junior, and senior scholarship recipients, by original award year, by scholarship type; and

(iv) Graduation rates or rates of completion, by scholarship type by award year to include:

(A) For those receiving a baccalaureate level degree, the rate scholarship recipients graduated in four, five or six years, and the mean length of time for students to earn the degree; and

(B) For those receiving a certificate or associate degree, the rate scholarship recipients graduated in one, two, or three years, and the mean length of time for students to complete the certificate or associate degree.

(v) By institution, instructional program, scholarship type, and award year, report on the loss of scholarship eligibility of students at the end of each spring semester according to the following categories:

(A) Those qualifying through high school graduation with the accompanying GPA and ACT requirements;

(B) Those qualifying through high school graduation with the accompanying GPA and WorkKeys requirements;

(C) Those qualifying through GED and the accompanying ACT requirements;

(D) Those qualifying through a home-based educational program and the accompanying ACT requirements.

(vi) In addition to reporting the number of students who have lost scholarship eligibility as specified in Section 22 (e)(v) of these rules, institutions shall provide further data on cause of loss of scholarship to include:

(A) The number and percentage of students failing to meet satisfactory academic progress due to either minimum number of credit hours and/or failure to maintain minimum cumulative GPA ;

(B) The number and percentage of students failing to maintain minimum continuous enrollment requirements; and

(C) The number and percentage of students failing to enroll in the eligible institution.

(f) Studies the Department shall undertake annually for each graduating cohort include:

(i) Analysis of the relationship between courses taken, grades earned in high school, and a student's ACT and or WorkKeys test scores; and

(ii) Analysis of the relationship between courses taken, grades earned in high school, and a student's college and/or university GPA.

The Reporting Cycle

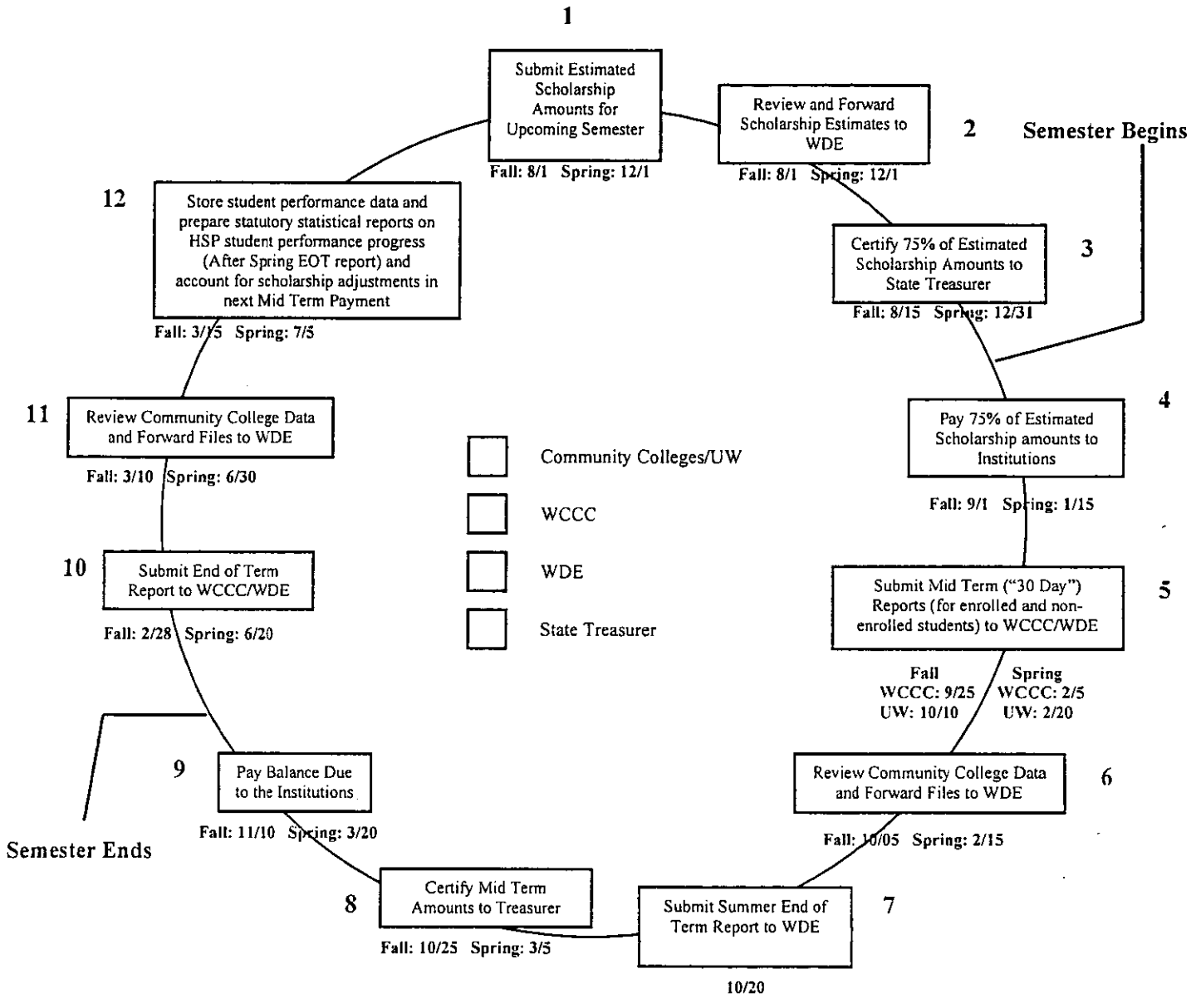
As the statutes quoted in the previous section indicate, the Hathaway data collection is based on the need for information in three areas; **Scholarship Applicants , Scholarship Amounts Awarded,** and **Student Performance**. This information is gathered by the institutions and collected by the WCCC (if applicable) and the WDE via four reports during each semester (see p.16-17 for details about each report). These reports are created, reviewed, stored, and analyzed in eleven steps during a semester. The participants in the cycle are the Institutions, the Wyoming Community College Commission (WCCC), The Wyoming Department of Education (WDE), and the State Treasurer.

All steps in the reporting cycle involve the listing, verification, or reimbursement of **Scholarship Amounts Awarded,** whereas **Scholarship Applicant** and **Student Performance** data are dealt with in only a few of the steps. Applicant and performance data are analyzed by the WDE after the end of each school year to generate the statutorily required statistics on the applicants and the academic progress of scholarship recipients.

The next page provides an illustration of the reporting cycle. The pages that follow it provide detail on each step in the process in a "Who, What, Why, and When" format.

Successive sections provide more information about the required data reports, the data submission path, scholarship accounting, and student progress statistics.

The Cycle At-a-Glance



Note: the dates are approximate – refer to the rules for exact time intervals.

Refer to pages 12 thru 15 for details on each step in the cycle.....

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1. WHO: **Community Colleges/UW**
   WHAT: **The Estimate Report.** (Page 16)
   WHY: To receive 75% reimbursement at the beginning of the semester.
   WHEN: By 8/1 for the Fall semester, and 12/1 for the Spring semester. (Community Colleges report to the WCCC, UW reports directly to the WDE)

2. WHO: The WCCC
   WHAT: Review Estimate Reports submitted by each individual Community College and forward to WDE.
   WHY: To ensure reports are complete.
   WHEN: Upon Receipt from the Community Colleges.

3. WHO: The WDE
   WHAT: Download the Estimate Reports to the HSP Data Warehouse and prepare certification to the State Treasurer.
   Required Information for each institution: Beginning Balance, Recipient Counts and Amounts by Scholarship Category, and Total Amount to be paid.
   WHY: To track individual institution balances and to ensure institutions are properly compensated.
   WHEN: Submit certified amounts to the State Treasurer by 8/15 for the Fall semester and by 12/31 for the Spring semester.

4. WHO: The State Treasurer
   WHAT: Pay from the scholarship expenditure account 75% of the estimated scholarship amounts due to each institution as certified by the WDE.
   WHY: To reimburse the institutions for the Hathaway scholarships awarded.
   WHEN: By 9/1 for the Fall semester, and by 1/15 for the Spring semester.

5. WHO: Community Colleges/UW
   WHAT: The Mid Term Reports (Page 16)
   WHY: To provide the WDE with data to calculate the remaining balance due for scholarships awarded, and to provide information on attempted hours and instructional program selections, and to provide data on applicants who did not enroll. Data on enrolled and non-enrolled students are submitted in two separate reports.
   WHEN: Community Colleges: Submit to the WCCC within 30 days of the commencement of each semester.
   UW: Submit to the WDE within 45 days of the commencement of each semester.

6. WHO: The WCCC
   WHAT: Review Mid Term Reports submitted by the Community Colleges for accuracy and verify no inappropriate duplication of students exists and forward to WDE.
   WHY: To ensure that no student exceeds the maximum scholarship amount allowed if enrolled in more than one institution.
   WHEN: Within 10 days of receipt from the Community Colleges.

7. WHO: Community Colleges/UW
WHAT: The Summer End-Of-Term Report (Page17)
WHY: To provide the WDE with data to run the statutory statistical reports on Hathaway student performance and to include summer scholarships for reimbursement (to be applied to the fall semester Mid Term payment).
WHEN: By 10/20 of each year

8. WHO: The WDE
WHAT: Download the Mid Term Reports to the HSP Data Warehouse, review for duplicate student records between CCs and UW, and prepare certification to the State Treasurer.
Required Information for each institution: Beginning Balance, Recipient Counts and Amounts by Scholarship Category, and Total Amount to be paid.
WHY: To track individual institution balances and to ensure institutions are properly compensated.
WHEN: Submit certified amounts to the State Treasurer by 10/25 for the Fall semester, and by 3/5 for the Spring Semester.

9. WHO: The State Treasurer
WHAT: Pay from the scholarship expenditure account the balance of the amount due to each institution as certified by the WDE.
WHY: To reimburse the institutions the balance due for the Hathaway scholarships awarded.
WHEN: Within 75 days of the commencement of each semester.

10. WHO: **Community Colleges/UW**
WHAT: **The End-Of-Term Report.** (Page 17)
WHY: To provide the WDE with data to run the statutory statistical reports on Hathaway student performance and to account for any adjustments in scholarship reimbursements (to be applied to next semester's Mid Term payment).
WHEN: **Community Colleges:** Submit to the WCCC within 60 days of the end of fall semester, and within 30 days of the end of spring semester.
UW: Submit to the WDE within 70 days of the end of fall semester, and within 40 days of the end of spring semester.

11. WHO: The WCCC
WHAT: Review the End-Of-Term Reports submitted by the Community Colleges for completeness and duplicate student records between institutions and forward to WDE.
WHY: To ensure that accurate data is submitted to WDE.
WHEN: Within 10 days of receipt from the Community Colleges.

12. WHO: The WDE
WHAT: Download the End Of Term Reports to the Hathaway Data Warehouse and prepare student performance statistics (post Spring only), and identify any adjustments to scholarship amounts.
WHY: To comply with the annual statutory reporting and track individual institution balances to ensure institutions are properly compensated.
WHEN: The annual statutory statistical reports on student performance are to be completed by 10/1. Any adjustments in scholarship amounts will be applied to next semester's Mid Term payment.

The Reports

1. The Estimate Report

This is an estimated totals report that is submitted by the institutions by 8/1 for the fall semester, and by 12/1 for the spring semester. As the title indicates, it is an estimate of the number of students and scholarships within the four merit levels, as well as an estimate of the Needs award. 75% of the estimated scholarship total is remitted to the institutions as a prepayment for the semester. The payments need to be made by the State Treasurer to the institutions by 9/1 for the fall semester, and by 1/15 for the spring semester.

The three reports below require the collection and submission of certain pieces of data that pertain to Hathaway Scholarship applicants and enrolled students. These data elements and their properties are listed in Appendix A starting on page 27.

2. a) The Mid Term Report - Enrolled Students

This report is submitted by the community colleges to the WCCC within thirty days of the start of the semester, who then forwards the files within ten days of receipt to the WDE. The University submits the file directly to the WDE within 45 days of the start of the semester. The institutions receive the difference between the 75% of the Estimate payment and the sum of scholarship amounts provided in this report. The payments need to be made by the State Treasurer to the institutions within 75 days of the start of the semester. Information on attempted hours and instructional program is included in this report. The specific elements for this data submission are listed on pages 31 - 33.

b) The Mid Term Report - Non-Enrolled New Applicants

This report is to accompany the Mid Term Report for Enrolled Students. It provides information about new applicants (or newly screened Wyo grads, GED or Home Schooled students) who did not qualify or did not accept the scholarship and includes data indicating the reason for non-enrollment. The purpose of this report is to complete the set of applicants for the semester being reported;

All Students in the Mid Term Non-Enrolled New Applicants file
\+ All New Students in the Mid Term Enrolled Students file
= New Applicants for the reporting term

The specific elements for this data submission are listed on pages 34 - 36.

3. The End-of-Term Report – Enrolled Students

The main purpose of this report is for the institutions to submit student performance data that is analyzed by the WDE for the statutorily required annual academic progress statistics. However, any changes made to individual scholarship amounts during the last part of the current semester will be registered and accounted for as an adjustment to the last payment for the following semester.

Students to be included in this report:
-All students who have initiated the scholarship (in the past or in the current semester), whether they received a scholarship during the semester or not,
-AND have not used up their 8 semester (96 credit hrs) limit,
-AND are inside of the 6 year deadline

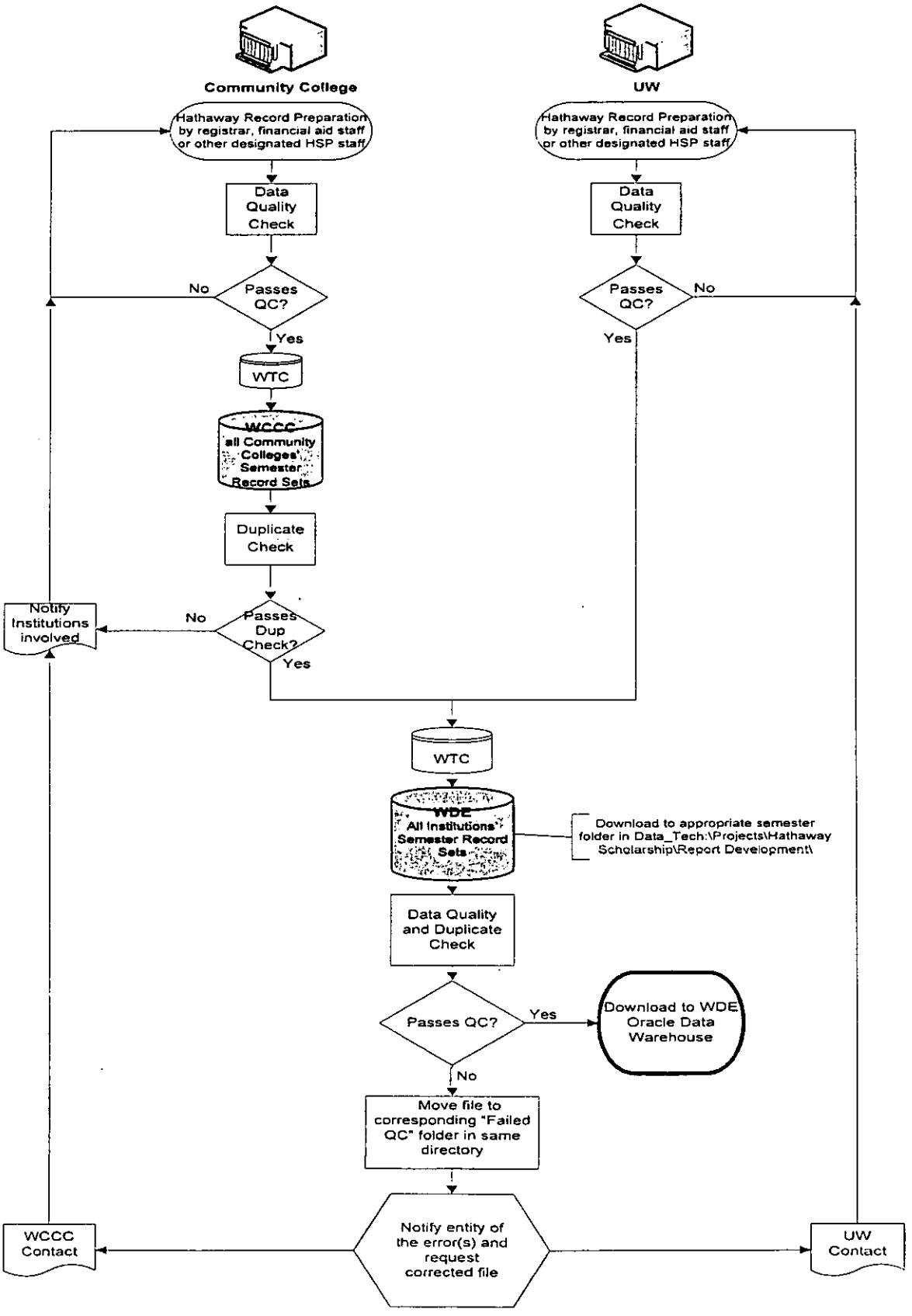
The specific elements for this data submission are listed on pages 37 – 40.

Note: *The due date for the End-of-Term report serves as the deadline for submitting Hathaway Scholarships granted for the semester. Scholarships reported to the WDE after the end-of-term due date will not be reimbursed to the post secondary institution.*

The Data Transfer Path

The Wyoming Transcript Center (WTC) provides a secure method of transferring sensitive student information between the entities that are involved in creating and managing the data. Within the path, it is essential to have data quality check points to guarantee that the HSP Data Warehouse ultimately receives accurate records with clean data to ensure efficient and precise reporting.

The following page illustrates the flow of information as it originates at the Institutions, passes through the Wyoming Community College Commission (if applicable), and ultimately downloaded to the WDE Data Warehouse. Information about the data quality checks follows on page 20.


Community College
UW
Hathaway Record Preparation by registrar, financial aid staff or other designated HSP staff
Hathaway Record Preparation by registrar, financial aid staff or other designated HSP staff
Data Quality Check
Data Quality Check
No
Passes QC?
Passes QC?
No
Yes
Yes
WTC
WCCC all Community Colleges' Semester Record Sets
Duplicate Check
Notify Institutions involved
No
Passes Dup Check?
Yes
WTC
WDE All Institutions' Semester Record Sets
Download to appropriate semester folder in Data_Tech:\Projects\Hathaway Scholarship\Report Development\
Data Quality and Duplicate Check
Passes QC?
Yes
Download to WDE Oracle Data Warehouse
No
Move file to corresponding "Failed QC" folder in same directory
WCCC Contact
Notify entity of the error(s) and request corrected file
UW Contact

Data Quality Checks

(Refer to Appendix A starting on page 28 for data element detail)

Data Elements

1. All required fields are populated.
2. Fields are populated with Valid Values only, and consistent with specified format.
3. There are no duplicate records.

Relationships Between Elements

1. High School performance data (HS_GPA, ACT_SCORE, GED_SCORE, WORKKEYS_SCORE) supports the scholarship level (SCHOLARSHIP_CATEGORY).
2. Award Amount (MERIT_AWARD_AMOUNT) is not greater than the amount allowed based on the scholarship level and attempted non-remedial hours (ATT_SEM_HRS_GR + ATT_SEM_HRS_NGR).
3. For each of the semester hour fields, earned hours do not exceed attempted hours.
4. Previous semester's Cumulative Data supports the current scholarship level (SCHOLARSHIP_CATEGORY).
5. Cumulative data (hours and points) supports the CUMULATIVE_STATUS (if student has attended only one institution), unless an appeal was approved.

Post End-Of-Term Record Updates

Any change to a student Hathaway record during the semester should be reflected in the End-of-Term Report for that semester.

If there is a change to any Hathaway data element after the End-of-Term Report was submitted, upload to the Wyoming Transcript Center (WTC) the complete Hathaway record(s) (all required elements must be included) that contains the changes, and notify the WCCC of the data transfer (UW notifies WDE). The same submission process and quality checks applies to individual record transfers.

The Accounting

As is mentioned in the Data Reporting Cycle section on pages 10 - 15 , the WDE receives three updates from the institutions during any given semester that include scholarship amounts awarded, and are provided via these reports discussed in detail on pages 16 - 17;

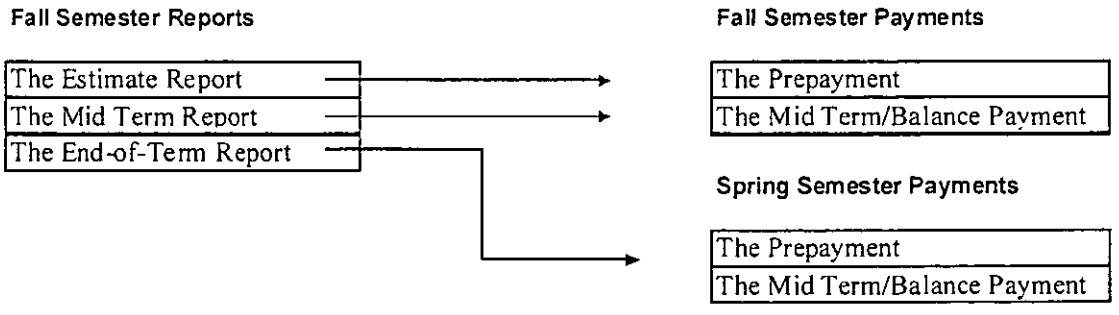
1. The Estimate Report
2. The Mid Term Report – Enrolled Students
3. The End-of-Term Report – Enrolled Students

The scholarship information declared in these reports is accounted for in two payments to the institutions each semester;

1. The Prepayment
2. The Mid Term/Balance Payment

Special note regarding the End-of-Term Report: Since the last payment (the Mid Term/Balance Payment) for the current semester, and the first payment (the Prepayment) for the following semester have already been processed by the time this report is due, the amount in this report must be carried forward to the second payment (the Mid Term/Balance Payment) for the following semester.

Illustration:



See next page for the current accounting set-up.

2008SP Reports

	Report	Scholarships	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount
1	Estimate Report 12/1/07	Honors	67	$107,200	16	$25,600	20	$32,000	44	$70,400	45	$63,740	32	$47,200	42	$64,000	266	$410,140	625	975,000	891	$1,385,140
2		Performance	193	$230,000	55	$66,000	39	$46,800	130	$156,000	108	$122,786	92	$108,000	120	$138,777	737	$868,363	490	575,000	1,227	$1,443,363
3		Opportunity	151	$120,200	33	$26,400	27	$21,600	118	$91,200	60	$46,495	65	$50,400	90	$69,577	544	$425,872	230	175,000	774	$600,872
4		Career	65	$52,000	20	$16,000	24	$19,200	40	$32,000	30	$22,753	30	$23,200	18	$14,400	227	$179,553	0	0	227	$179,553
5		Need Award	39			$5,091	6	$1,371	9	$1,697	5	$1,800	7	$1,900	83	$28,343	245	240,000	328	$268,343
6		Estimated Sch.Shps.	476					$124,491				$247,471	219	$230,600	270	$288,654	1,774	$1,912,271	1,345	1,965,000	3,119	$3,877,271
7	Mid Term (30 Day) Report	Honors																				
8		Performance																				
9		Opportunity																				
10		Career																				
11		Need Award																				
12		Actual Sch.Shps.	0	$0	0	$0	0	$0	0					$0	0	$0	0	$0	0	$0	0	$0
13	Supplemental Report	Honors																				
14		Performance																				
15		Opportunity																				
16		Career																				
17		Need Award																				
18		Additional Sch.Shps.																				
19	End of Term (Post Sem) Report	Honors																				
20		Performance																				
21		Opportunity																				
22		Career																				
23		Need Award																				
24		Final Sch.Shps.	0	$0	0	$0	0	$0	0	$0	0	$0	0	$0	0	$0	0	$0		$0		$0

Line 1: This amount is provided by the institutions. The details are entered above in the Estimate Report section.

Line 2: This amount is 75% of line 2

Line 4: This amount is carried over from the previous semester's End-Of-Term Report since both payments for last semester (and the first payment for this semester) have already been processed.

Line 5: This amount is provided by the institutions. The details are entered above in the Mid-Term Report section.

Line 6: This amount is the difference between line 5 and line 3, plus line 4.

2008SP Accounting

			Casper College	Central Wy. College	Eastern Wy. College	Laramie County CC	Northwest College	Sheridan College	Western Wy.	Community	UW	Grand Total
1	Estimated	Estimate	$525,125	$134,759	$124,691	$350,971	$257,471	$230,600			$1,965,000	$3,877,271
2		75% of Estimate	$393,844	$101,069	$93,518	$263,228	$193,103	$172,950			$1,473,750	$2,907,953
3		1st Payment	$393,844	$101,069	$93,518	$263,228	$193,103	$172,950	$216,491	$1,434,203	$1,473,750	PAY $2,907,953
4	After Mid-Term (30 Day) Report	From 2007FA Final										
5		Actual										
6		Balance Due										
7		2nd Payment										
8	After End of Term	Final Actual										
9		Balance Due										
10		Carry over to 2008FA										

Line 6: This amount is the difference between line 5 and line 3, plus line 4.

Line 8: This amount is provided by the institutions. The details are entered above in the End-of-Term Report

Line 9: This amount is the difference between line 8 and line 5.

Line 10: Same as line 9, but noting that the amount is being carried over to next semester's 2nd payment since both payments for this semester, and the first payment for next semester have already been processed.

The Student Academic Progress Statistics

Statute requires that we gauge the counts of Hathaway Scholarship students and their academic progress in order to make good recommendations to the legislature on how the program can be "adjusted" to optimize the State's return on the scholarship funding. The required information is listed in statute and rules and quoted on pages 6 - 9. The data that is analyzed is delivered to the WDE via the Mid-Term Report and the End-of-Term Report (p.16 - 17), and the required data elements are listed and described in Appendix A starting on page 27.

Initial HSP Applicants

The institutions must submit a Hathaway record (based on the required data elements) for each applicant, whether the student filled out an application, or was automatically screened by the institution. Both enrolled and non-enrolled applicants must be reported. Refer to Appendix B on page 42 for an overview on how to qualify an applicant.

Returning HSP Students

Fewer data elements are required for students who enrolled in the program prior to the current semester. Data such as gender, high school graduation date, high school GPA, ACT scores, etc. is already on file at the WDE from the institution's initial data submission for these students. Refer to the Requirement Indicator field in the data element lists to see what data are required for each report, starting on page 31 in Appendix A.

Hathaway data for students who have lost eligibility, but returned to school, must still be submitted. These students may regain eligibility in later semesters, so we want to maintain continuity in the semester records for these students.

HSP Students not Returning

No record needs to be generated and submitted by the institution for an active Hathaway student (initiated the scholarship in a prior semester) who is expected to return, but fails to enroll. A gap in successive semesters enrolled within the data warehouse is enough information in itself to gauge continuous enrollment.

Refer to pages 24 - 25 for a tabelized view of the statutorily required HSP statistics.

Hathaway Scholarship Program Student Performance Reports

Information Required as provided in Chapter 38 - Rules for the Hathaway Scholarship Program - Section 22 (e)		Statutory Reference	Report	Grouping 1	Grouping 2	Grouping 3	Conditions/Remarks
(i)	Count of applicants	21-16-1308(c)(vi)	HSP01	NA	NA	NA	Denominator = All Wyo HS grads/residents initially registered in an eligible institution.
	Count of students awarded a scholarship		HSP03	By Scholarship Type	By School District		
	Percent of students awarded a scholarship		HSP03				
	Count of students subsequently enrolling		HSP04				
	Percent of students subsequently enrolling		HSP04				
(ii)	Rate of retention of scholarship recipients	21-16-1308(c)(i)	HSP05				
(iii)	Persistence rate of Freshman recipients	21-16-1308(c)(iii)	HSP06	By Award Year	By Scholarship Type		
	Persistence rate of Sophomore recipients		HSP07				
	Persistence rate of Junior recipients		HSP08				
	Persistence rate of Senior recipients		HSP09				
(iv) A	Rate of recipients graduating in 4 years - Bacc degree	21-16-1308(c)(iv)	HSP10	By Scholarship Type	By Award Year		
	Rate of recipients graduating in 5 years - Bacc degree		HSP11				
	Rate of recipients graduating in 6 years - Bacc degree		HSP12				
(iv) B	Rate of recipients graduating in 1 year - Cert or Assc degree		HSP13				
	Rate of recipients graduating in 2 years - Cert or Assc degree		HSP14				
	Rate of recipients graduating in 3 years - Cert or Assc degree		HSP15				
(v) A	Count of students losing elig. - Qualified through HS graduation - GPA/ACT		HSP20	By Instructional Program	By Scholarship Type	By Award Year	
(v) B	Count of students losing elig. - Qualified through HS graduation - GPA/WorkKeys		HSP21				
(v) C	Count of students losing elig. - Qualified through GED/ACT		HSP22				
(v) D	Count of students losing elig. - Qualified through Home Based Ed. Program		HSP23				

Hathaway Scholarship Program Student Performance Reports

(vi) A	Count of students failing to meet SAP due to min credit hrs	21-16-1308(c)(ii)	HSP24	By Instructional Program	By Scholarship Type	By Award Year	
	Count of students failing to meet SAP due to min GPA		HSP25				
	Percent of students failing to meet SAP due to min credit hrs		HSP24				
	Percent of students failing to meet SAP due to min GPA		HSP25				
(vi) B	Count of students failing to maintain min continous enrollment requirements		HSP26	By Instructional Program	By Scholarship Type	By Award Year	
	Percent of students failing to maintain min continous enrollment requirements		HSP26				
(vi) C	Count of students failing to enroll in the eligible institution		HSP04				Awarded, but failed to enroll.
	Percent of students failing to enroll in the eligible institution		HSP04				
Section 22 (f)							
(i)	Relationship between courses taken, grades earned in HS, and student's ACT and/or WorkKeys test scores	21-16-1308(c)(vii)	HSP28				
(ii)	Relationship between courses taken, grades earned in HS, and student's college university GPA	21-16-1308(c)(viii)	HSP29				

Appendices

Appendix A

Appendix A contains the current data elements, as well as proposed elements that will take effect at the beginning of the 09/10 school year.

The Appendix contains four sets of element lists;

-The Data Element Master List p. 27
-The Data Elements for the Mid-Term Report, Enrolled Students p. 31
-The Data Elements for the Mid-Term Report, Non-Enrolled New Applicants p. 34
-The Data Elements for the End-Of-Term Report, Enrolled Students p. 37

Appendix B

Appendix B is a flow chart that illustrates the process of qualifying an initial applicant for the Hathaway Scholarship. Students that are not placed in the Enrolled "bucket" at the bottom of the flowchart are accounted for in the Mid-Term Report for Non-Enrolled New Applicants.

Appendix A

WYOMING HATHAWAY SCHOLARSHIP PROGRAM

DATA REPORTING ELEMENTS
2009-10 Master List

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition
1	WISER_ID	Text	8	8-digits	The WDE 8-digit state assigned student record identifier. (Institutions will be required to provide WISER ID to WDE starting Fall 2007 for WY HS graduates)
2	SSN	Text	9	9-digits no dashes	Social Security Number (SSN) or unique identifier used by the institution when SSN was not provided by the student. This is a text data type to ensure leading "0"s are captured.
3	COLLEGE_ID	Text	7	0150010 1350011 0750012 0850013 1150015 1750003 1550016 1950017	The college identification number of the post secondary eligible institution assigned by WDE. This is a text data type to ensure leading "0"s are captured. 0150010 = UW 1350011 = CC 0750012 = CWC 0850013 = EWC 1150015 = LCCC 1750003 = NWCC (Sheridan) 1550016 = NWC (Powell) 1950017 = WWCC
4	COLLEGE	Text	4	UW CC CWC EWC LCCC NWCC NWC WWCC	The abbreviation of the post secondary eligible institution. UW = University of Wyoming CC = Casper College CWC = Central Wyoming College EWC = Eastern Wyoming College LCCC = Laramie County Community College NWCC = North West Community College (Sheridan) NWC = Northwest College (Powell) WWCC = Western Wyoming Community College
5	SEMESTER	Text	6	YYYYFA YYYYSP YYYYSU	The semester or term for which data is being reported. Year followed by semester code. Semester codes: FA for fall, SP for spring, and SU for summer 2008FA = fall semester beginning in September 2008 2009SP = spring semester beginning in January 2009 2009SU = summer term beginning in June 2009

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition
6	LAST_NAME	Text	60	Name characters	Student's last name
7	FIRST_NAME	Text	15	Name characters	Student's first name
8	MIDDLE_NAME	Text	15	Name characters	Student's middle name
9	NAME_SUFFIX	Text	8	Name characters	Generational indicator i.e. Sr, Jr, III
10	DATE_OF_BIRTH	Text	8	YYYYMMDD	Student's date of birth
11	GENDER	Text	1	F, M, U	Student's Gender: F-Female; M-Male; U-Unknown
12	HS_CITY	Text	60	"name" "name1_name2" Casper Rock_Springs	Name of the city of the high school i.e.:
13	HS_ID	Text	7	"0000000"	WDE assigned school ID
14	HS_GRAD_DATE	Text	6	YYYYMM	High school graduation date, year and month only in format YYYYMM (or corresponding date for students earning GEDs or receiving home-based education)
15	HS_GRAD_TYPE	Text	8	WYO_GRAD OTR_GRAD HOME GED	High School Graduation Type. Element needed to gauge performance by qualification: WYO_GRAD = Wyoming High School Graduate OTR_GRAD = Eligible Out-of-State High School Graduate per W.S. 21-16-1303c HOME = Home-based GED = GED
16	ACT_SCORE	Number	2	0 - 36	ACT composite score (or SAT score converted to equivalent ACT score)
17	WORKKEYS_SCORE	Number	2	0 - 20	"cumulative score ... on applied math, reading for information and locating information on WorkKeys tests"
18	GED_SCORE	Number	3	0 - 800	GED standard score
19	HS_GPA	Number	4	0.00 - 4.00	"Grade point average" or "GPA" means the numbered grade average calculated using a 4.0 scale

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition
20	NON_ENROLLMENT_REASON	Text	2	10 20 30 40 50	10 = NOT QUALIFIED DUE TO NON ACADEMIC REASON(S) 20 = NOT QUALIFIED DUE TO HIGH SCHOOL ACADEMIC REASON(S) 30 = QUALIFIED BUT FAILED TO ENROLL 40 = QUALIFIED BUT DECLINED 50 = QUALIFIED BUT DEFERRED See page 41 for more detail
21	SEMESTER_STATUS			70 80 90 95 97	70 = COMPLETED SEMESTER 80 = WITHDRAW 90 = REGAIN ELIGIBILITY ATTEMPT 95 = POST INITIATION DEFERMENT (enrolled) 97 = POST INITIATION DEFERMENT (military/religious) See page 41 for more detail
22	SCHOLARSHIP_CATEGORY	Text	1	1 2 3 5	The students level of merit scholarship for the semester being reported. 1 = HONORS 2 = PERFORMANCE 3 = OPPORTUNITY 5 = OPPORTUNITY PROVISIONAL
23	INSTRUCTIONAL_PROGRAM	Text	2	2 digits	NCES CIP Family Code (the first two digits of the CIP code) Le.: 09 = Communication, Journalism, and Related Programs 14 = Engineering This is a text data type to ensure leading "0"s are captured
24	DEGREE	Text	4	BA, AA, CERT, etc	Required when college degree is completed. Code set to be defined by UW and CC's
25	GRAD_DATE	Text	6	YYYYFA YYYYSP YYYYSU	Required when college degree is completed. Grad Date codes: FA for fall, SP for spring, and SU for summer 2009FA = fall semester beginning in September 2009 2010SP = spring semester beginning in January 2010 2010SU = summer term beginning in June 2010
26	MERIT_AWARD_AMOUNT	Number	7	0 - 1600	HSP award amount - can be zero - NOT BLANK
27	NEED_AMOUNT	Number	7	0 - 10000	HSP need based amount - can be zero - NOT BLANK
28	CONSORTIUM	Text	1	T/F	Is the student concurrently enrolled in 2 or more Hathaway eligible institutions? T = True F = False
29	ATT_SEM_HRS_GR	Number	2	0-99	Credit Hours Enrolled: non-remedial, A - F grade outcome courses

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition
30	ATT_SEM_HRS_NGR	Number	2	0-99	Credit Hours Enrolled: non-remedial, P/F, S/U, or similar grade outcome courses
31	ATT_SEM_HRS_REM	Number	2	0-99	Credit Hours Enrolled: remedial
32	EARNED_SEM_HRS_GR	Number	2	0-99	Semester Credit Hours Earned for non-remedial, A - D grade earned courses
33	EARNED_SEM_HRS_NGR	Number	2	0-99	Semester Credit Hours Earned non-remedial, S or P grade outcome
34	EARNED_SEM_HRS_REM	Number	2	0-99	Semester Credit Hours Earned remedial
35	EARNED_SEM_PTS	Number	3	0-999	Semester GPA/Quality Points Earned: for non-remedial, A - F grade earned courses
36	GPA_CUM_HRS_GR	Number	3	0-999	Cumulative Credit Hours Earned for non-remedial, A - F grade earned courses (for this institution). This data is used to measure cumulative GPA since initiation of the Hathaway scholarship
37	EARNED_CUM_HRS_NGR	Number	3	0-999	Cumulative Credit Hours Earned non-remedial, S or P grade outcome (for this institution) since initiation of the Hathaway scholarship
38	EARNED_CUM_HRS_REM	Number	3	0-999	Cumulative Credit Hours Earned remedial (for this institution) since initiation of the Hathaway scholarship
39	EARNED_CUM_PTS	Number	3	0-999	Cumulative GPA/Quality Pts. Earned: non-remedial, A-F grade earned courses (this institution) since initiation of the Hathaway scholarship
40	CUMULATIVE_STATUS Spring Only	Text	3	100 200 300 400 500 600 700 750 775 800 900	100 = INELIGIBLE GPA 200 = INELIGIBLE HRS 300 = INELIGIBLE SAP 400 = INELIGIBLE GPA HRS 500 = INELIGIBLE GPA SAP 600 = INELIGIBLE HRS SAP 700 = INELIGIBLE GPA HRS SAP 750 = INELIGIBLE CONTINUOUS ENROLLMENT 775 = REDUCED TO OPPORTUNITY 800 = SATISFACTORY 900 = APPEAL APPROVED

See page 41 for more detail

WYOMING HATHAWAY SCHOLARSHIP PROGRAM — Make College A Reality

DATA ELEMENTS FOR THE MID-TERM REPORT
- ENROLLED STUDENTS -

Deadline for submitting this report:
Community Colleges: to WCCC within 30 days of the commencement of the semester
University of Wyoming: to WDE within 45 days of the commencement of the semester

The following values indicate if population of each particular field is required or optional, per the following codes: R = required; O = optional; (R) = required if event occurred; R-I then O = required on the first mid semester report corresponding to each student's initial application, optional for subsequent reporting periods.

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
1	WISER_ID	Text	8	8-digits	The WDE 8-digit state assigned student record identifier. (Institutions will be required to provide WISER ID to WDE starting Fall 2007 for WY HS graduates)	R
2	SSN	Text	9	9-digits no dashes	Social Security Number (SSN) or unique identifier used by the institution when SSN was not provided by the student. This is a text data type to ensure leading "0"s are captured.	R
3	COLLEGE_ID	Text	7	0150010 1350011 0750012 0850013 1150015 1750003 1550016 1950017	The college identification number of the post secondary eligible institution assigned by WDE. This is a text data type to ensure leading "0"s are captured. 0150010 = UW 1350011 = CC 0750012 = CWC 0850013 = EWC 1150015 = LCCC 1750003 = NWCC (Sheridan) 1550016 = NWC (Powell) 1950017 = WWCC	R
4	COLLEGE	Text	4	UW CC CWC EWC LCCC NWCC NWC WWCC	The abbreviation of the post secondary eligible institution. UW = University of Wyoming CC = Casper College CWC = Central Wyoming College EWC = Eastern Wyoming College LCCC = Laramie County Community College NWCC = North West Community College (Sheridan) NWC = Northwest College (Powell) WWCC = Western Wyoming Community College	O

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
5	SEMESTER	Text	6	YYYYFA YYYYSP YYYYSU	The semester or term for which data is being reported. Year followed by semester code. Semester codes: FA for fall, SP for spring, and SU for summer 2008FA = fall semester beginning in September 2008 2009SP = spring semester beginning in January 2009 2009SU = summer term beginning in June 2009	R
6	LAST_NAME	Text	60	Name characters	Student's last name	R
7	FIRST_NAME	Text	15	Name characters	Student's first name	R
8	MIDDLE_NAME	Text	15	Name characters	Student's middle name	O
9	NAME_SUFFIX	Text	8	Name characters	Generational indicator i.e. Sr, Jr, III	O
10	DATE_OF_BIRTH	Text	8	YYYYMMDD	Student's date of birth	R_I then O
11	GENDER	Text	1	F, M, U	Student's Gender: F-Female, M-Male, U-Unknown	R_I then O
12	HS_CITY	Text	60	"name" "name1_name2"	Name of the city of the high school i.e.: Casper Rock_Springs	R_I then O
13	HS_ID	Text	7	"0000000"	WDE assigned school ID	R_I then O
14	HS_GRAD_DATE	Text	6	YYYYMM	High school graduation date, year and month only in format YYYYMM (or corresponding date for students earning GEDs or receiving home-based education)	R_I then O
15	HS_GRAD_TYPE	Text	8	WYO_GRAD OTR_GRAD HOME GED	High School Graduation Type. Element needed to gauge performance by qualification. WYO_GRAD = Wyoming High School Graduate OTR_GRAD = Eligible Out-of-State High School Graduate per W.S. 21-16-1303c HOME = Home-based GED = GED	R_I then O
16	ACT_SCORE	Number	2	0 - 36	ACT composite score (or SAT score converted to equivalent ACT score)	R_I then O
17	WORKKEYS_SCORE	Number	2	0 - 20	"cumulative score ... on applied math, reading for information and locating information on WorkKeys tests".	R_I then O
18	GED_SCORE	Number	3	0 - 800	GED standard score	R_I then O

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
19	HS_GPA	Number	4	0.00 - 4.00	"Grade point average" or "GPA" means the numbered grade average calculated using a 4.0 scale	R_I then O
22	SCHOLARSHIP_CATEGORY	Text	1	1 2 3 5	The students level of merit scholarship for the semester being reported. 1 = HONORS 2 = PERFORMANCE 3 = OPPORTUNITY 5 = OPPORTUNITY PROVISIONAL	R
23	INSTRUCTIONAL_PROGRAM	Text	2	2 digits	NCES CIP Family Code (the first two digits of the CIP code) i.e.: 09 = Communication, Journalism, and Related Programs 14 = Engineering This is a text data type to ensure leading "0"s are captured	R
26	MERIT_AWARD_AMOUNT	Number	7	0 - 1600	HSP award amount - can be zero - NOT BLANK	R
27	NEED_AMOUNT	Number	7	0 - 10000	HSP need based amount - can be zero - NOT BLANK	R
28	CONSORTIUM	Text	1	T/F	Is the student concurrently enrolled in 2 or more Hathaway eligible institutions? T = True F = False	R
29	ATT_SEM_HRS_GR	Number	2		Credit Hours Enrolled: non-remedial, A - F grade outcome courses	R
30	ATT_SEM_HRS_NGR	Number	2		Credit Hours Enrolled: non-remedial, P/F, S/U, or similar grade outcome courses	R
31	ATT_SEM_HRS_REM	Number	2		Credit Hours Enrolled: remedial	R

DATA ELEMENTS FOR THE MID-TERM REPORT
- NON-ENROLLED NEW APPLICANTS -

Deadline for submitting this report:
Community Colleges: to WCCC within 30 days of the commencement of the semester
University of Wyoming: to WDE within 45 days of the commencement of the semester

The following values indicate if population of each particular field is required or optional, per the following codes: R = required; O = optional; (R) = required if event occurred; R-I then O = required on the first mid-semester report corresponding to each student's initial application, optional for subsequent reporting periods.

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
1	WISER_ID	Text	8	8-digits	The WDE 8-digit state assigned student record identifier. (Institutions will be required to provide WISER ID to WDE starting Fall 2007 for WY HS graduates)	R
2	SSN	Text	9	9-digits no dashes	Social Security Number (SSN) or unique identifier used by the institution when SSN was not provided by the student. This is a text data type to ensure leading "0"s are captured.	R
3	COLLEGE_ID	Text	7	0150010 1350011 0750012 0850013 1150015 1750003 1550016 1950017	The college identification number of the post secondary eligible institution assigned by WDE. This is a text data type to ensure leading "0"s are captured. 0150010 = UW 1350011 = CC 0750012 = CWC 0850013 = EWC 1150015 = LCCC 1750003 = NWCC (Sheridan) 1550016 = NWC (Powell) 1950017 = WWCC	R
4	COLLEGE	Text	4	UW CC CWC EWC LCCC NWCC NWC WWCC	The abbreviation of the post secondary eligible institution. UW = University of Wyoming CC = Casper College CWC = Central Wyoming College EWC = Eastern Wyoming College LCCC = Laramie County Community College NWCC = North West Community College (Sheridan) NWC = Northwest College (Powell) WWCC = Western Wyoming Community College	O

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
5	SEMESTER	Text	6	YYYYFA YYYYSP YYYYSU	The semester or term for which data is being reported. Year followed by semester code. Semester codes: FA for fall, SP for spring, and SU for summer 2008FA = fall semester beginning in September 2008 2009SP = spring semester beginning in January 2009 2009SU = summer term beginning in June 2009	R
6	LAST_NAME	Text	60	Name characters	Student's last name	R
7	FIRST_NAME	Text	15	Name characters	Student's first name	R
8	MIDDLE_NAME	Text	15	Name characters	Student's middle name	O
9	NAME_SUFFIX	Text	8	Name characters	Generational indicator i.e. Sr, Jr, III	O
10	DATE_OF_BIRTH	Text	8	YYYYMMDD	Student's date of birth	R
11	GENDER	Text	1	F, M, U	Student's Gender: F-Female, M-Male, U-Unknown	R
12	HS_CITY	Text	60	"name" "name1_name2" Casper Rock_Springs	Name of the city of the high school i.e.:	R
13	HS_ID	Text	7	"0000000"	WDE assigned school ID	R
14	HS_GRAD_DATE	Text	6	YYYYMM	High school graduation date, year and month only in format YYYYMM (or corresponding date for students earning GEDs or receiving home-based education)	R
15	HS_GRAD_TYPE	Text	8	WYO_GRAD OTR_GRAD HOME GED	High School Graduation Type. Element needed to gauge performance by qualification. WYO_GRAD = Wyoming High School Graduate OTR_GRAD = Eligible Out-of-State High School Graduate per W.S. 21-16-1303c	R
16	ACT_SCORE	Number	2	0 - 36	ACT composite score (or SAT score converted to equivalent ACT score)	R
17	WORKKEYS_SCORE	Number	2	0 - 20	"cumulative score ... on applied math, reading for information and locating information on WorkKeys tests"	R
18	GED_SCORE	Number	3	0 - 800	GED standard score	R
19	HS_GPA	Number	4	0.00 - 4.00	"Grade point average" or "GPA" means the numbered grade average calculated using a 4.0 scale	R

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
20	NON_ENROLLMENT_REASON	Text	2	10 20 30 40 50	10 = NOT QUALIFIED DUE TO NON ACADEMIC REASON(S) 20 = NOT QUALIFIED DUE TO HIGH SCHOOL ACADEMIC REASON(S) 30 = QUALIFIED BUT FAILED TO ENROLL 40 = QUALIFIED BUT DECLINED 50 = QUALIFIED BUT DEFERRED	R

See page 41 for more detail

WYOMING HATHAWAY SCHOLARSHIP PROGRAM Make College A Reality

DATA ELEMENTS FOR THE END-OF-TERM REPORT
- ENROLLED STUDENTS -

Deadline for submitting this report:
Community Colleges: Fall: to WCCC within 60 days of the end of the semester
Spring: to WCCC within 30 days of the end of the semester
University of Wyoming: Fall: to WDE within 70 days of the end of the semester
Spring: to WDE within 40 days of the end of the semester

The following values indicate if population of each particular field is required or optional, per the following codes: R = required; O = optional; (R) = required if event occurred; R-I then O = required on the first mid semester report corresponding to each student's initial application, optional for subsequent reporting periods.

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
1	WISER_ID	Text	8	8-digits	The WDE 8-digit state assigned student record identifier. (Institutions will be required to provide WISER ID to WDE starting Fall 2007 for WY HS graduates)	R
2	SSN	Text	9	9-digits no dashes	Social Security Number (SSN) or unique identifier used by the institution when SSN was not provided by the student. This is a text data type to ensure leading "0"s are captured.	R
3	COLLEGE_ID	Text	7	0150010 1350011 0750012 0850013 1150015 1750003 1550016 1950017	The college identification number of the post secondary eligible institution assigned by WDE. This is a text data type to ensure leading "0"s are captured. 0150010 = UW 1350011 = CC 0750012 = CWC 0850013 = EWC 1150015 = LCCC 1750003 = NWCC (Sheridan) 1550016 = NWC (Powell) 1950017 = WWCC	R

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
4	COLLEGE	Text	4	UW CC CWC EWC LCCC NWCC NWC WWCC	The abbreviation of the post secondary eligible institution. UW = University of Wyoming CC = Casper College CWC = Central Wyoming College EWC = Eastern Wyoming College LCCC = Laramie County Community College NWCC = North West Community College (Sheridan) NWC = Northwest College (Powell) WWCC = Western Wyoming Community College	O
5	SEMESTER	Text	6	YYYYFA YYYYSP YYYYSU	The semester or term for which data is being reported. Year followed by semester code. Semester codes: FA for fall, SP for spring, and SU for summer 2008FA = fall semester beginning in September 2008 2009SP = spring semester beginning in January 2009 2009SU = summer term beginning in June 2009	R
6	LAST_NAME	Text	60	Name characters	Student's last name	R
7	FIRST_NAME	Text	15	Name characters	Student's first name	R
8	MIDDLE_NAME	Text	15	Name characters	Student's middle name	O
9	NAME_SUFFIX	Text	8	Name characters	Generational indicator i.e. Sr, Jr, III	O
10	DATE_OF_BIRTH	Text	8	YYYYMMDD	Student's date of birth	O
11	GENDER	Text	1	F, M, U	Student's Gender: F-Female, M-Male, U-Unknown	O
12	HS_CITY	Text	60	"name" "name1_name2" Casper Rock_Springs	Name of the city of the high school i.e.:	O
13	HS_ID	Text	7	"0000000"	WDE assigned school ID	O
14	HS_GRAD_DATE	Text	6	YYYYMM	High school graduation date, year and month only in format YYYYMM (or corresponding date for students earning GEDs or receiving home-based education)	O

Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
15	HS_GRAD_TYPE	Text	8	WYO_GRAD OTR_GRAD HOME GED	High School Graduation Type. Element needed to gauge performance by qualification. WYO_GRAD = Wyoming High School Graduate OTR_GRAD = Eligible Out-of-State High School Graduate per W.S. 21-16-1303c	O
16	ACT_SCORE	Number	2	0 - 36	ACT composite score (or SAT score converted to equivalent ACT score)	O
17	WORKKEYS_SCORE	Number	2	0 - 20	"cumulative score ... on applied math, reading for information and locating information on WorkKeys tests"	O
18	GED_SCORE	Number	3	0 - 800	GED standard score	O
19	HS_GPA	Number	4	0.00 - 4.00	"Grade point average" or "GPA" means the numbered grade average calculated using a 4.0 scale	O
21	SEMESTER_STATUS			70 80 90 95 97	70 = COMPLETED SEMESTER 80 = WITHDRAW 90 = REGAIN ELIGIBILITY ATTEMPT 95 = POST INITIATION DEFERMENT (enrolled) 97 = POST INITIATION DEFERMENT (military/religious)	R
22	SCHOLARSHIP_CATEGORY	Text	1	1 2 3 5	The students level of merit scholarship for the semester being reported. 1 = HONORS 2 = PERFORMANCE 3 = OPPORTUNITY 5 = OPPORTUNITY PROVISIONAL	R
23	INSTRUCTIONAL_PROGRAM	Text	2	2 digits	NCES CIP Family Code (the first two digits of the CIP code) i.e.: 09 = Communication, Journalism, and Related Programs 14 = Engineering This is a text data type to ensure leading "0"s are captured	R
24	DEGREE	Text	4	BA, AA, CERT, etc	Required when college degree is completed: Code set to be defined by UW and CC's	(R)
25	GRAD_DATE	Text	6	YYYYFA YYYYSP YYYYSU	Required when college degree is completed. Grad Date codes: FA for fall, SP for spring, and SU for summer 2009FA = fall semester beginning in September 2009 2010SP = spring semester beginning in January 2010 2010SU = summer term beginning in June 2010	(R)

See page 41 for more detail

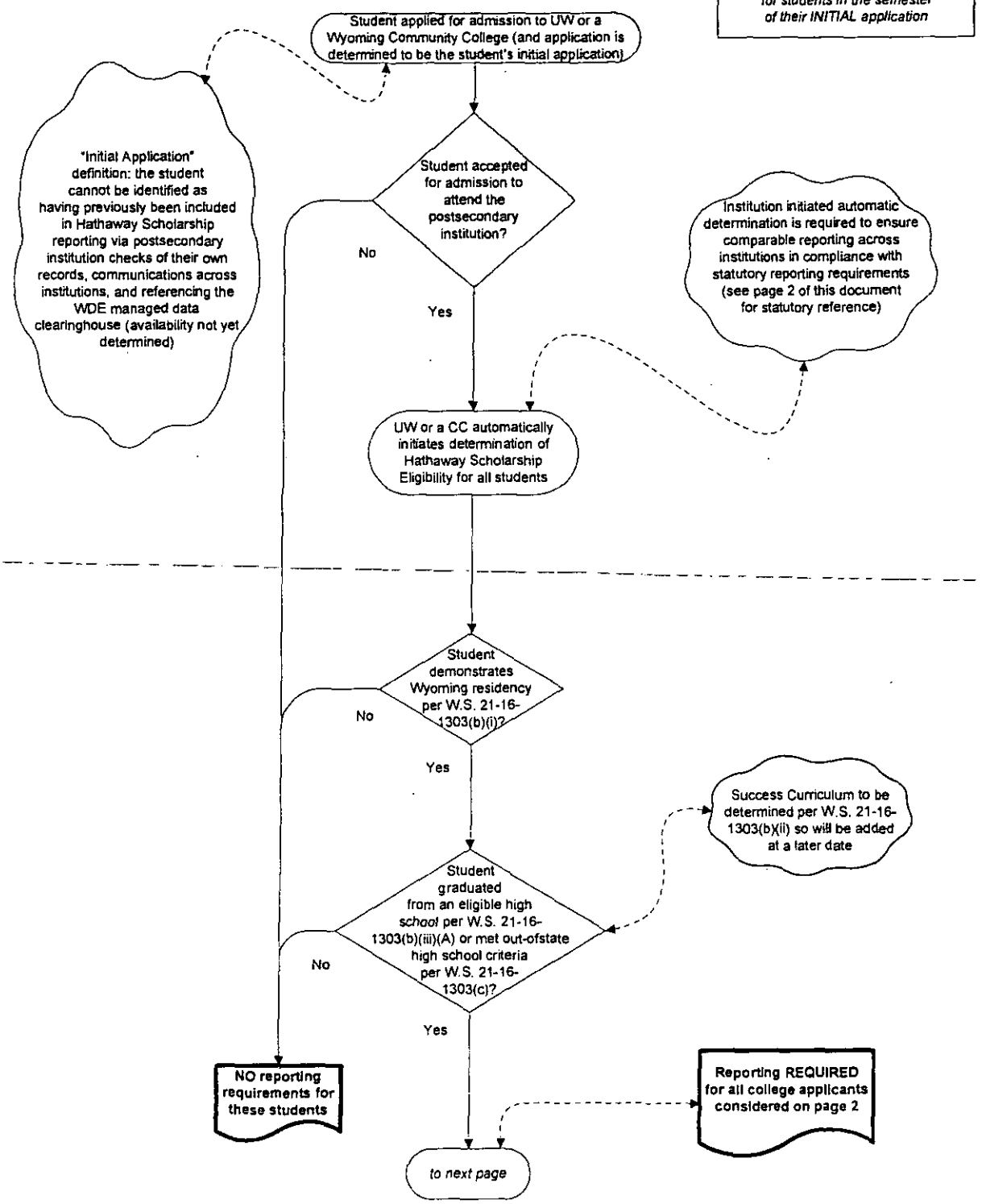
Field #	Data Element / Field Name	Data Type	Length	Valid Values / Format	Data Definition	Requirement Indicator
26	MERIT_AWARD_AMOUNT	Number	7	0 - 1600	HSP award amount - can be zero - NOT BLANK	R
27	NEED_AMOUNT	Number	7	0 - 10000	HSP need based amount - can be zero - NOT BLANK	R
28	CONSORTIUM	Text	1	T/F	Is the student concurrently enrolled in 2 or more Hathaway eligible institutions? T = True F = False	R
29	ATT_SEM_HRS_GR	Number	2		Credit Hours Enrolled: non-remedial, A - F grade outcome courses	R
30	ATT_SEM_HRS_NGR	Number	2		Credit Hours Enrolled: non-remedial, P/F, S/U, or similar grade outcome courses	R
31	ATT_SEM_HRS_REM	Number	2		Credit Hours Enrolled: remedial	R
32	EARNED_SEM_HRS_GR	Number	2		Semester Credit Hours Earned for non-remedial, A - D grade earned courses	R
33	EARNED_SEM_HRS_NGR	Number	2		Semester Credit Hours Earned non-remedial, S or P grade outcome	R
34	EARNED_SEM_HRS_REM	Number	2		Semester Credit Hours Earned remedial	R
35	EARNED_SEM_PTS	Number	6		Semester GPA/Quality Points Earned: for non-remedial, A - F grade earned courses	R
36	GPA_CUM_HRS_GR	Number	2		Cumulative Credit Hours Earned for non-remedial, A - F grade earned courses (for this institution). This data is used to measure cumulative GPA since initiation of the Hathaway scholarship	R
37	EARNED_CUM_HRS_NGR	Number	2		Cumulative Credit Hours Earned non-remedial, S or P grade outcome (for this institution) since initiation of the Hathaway scholarship	R
38	EARNED_CUM_HRS_REM	Number	2		Cumulative Credit Hours Earned remedial (for this institution) since initiation of the Hathaway scholarship	R
39	EARNED_CUM_PTS	Number	6		Cumulative GPA/Quality Pts. Earned: non-remedial, A-F grade earned courses (this institution) since initiation of the Hathaway scholarship	R
40	CUMULATIVE_STATUS Spring only	Text	3	100 200 300 400 500 600 700 750 775 800 900	100 = INELIGIBLE GPA 200 = INELIGIBLE HRS 300 = INELIGIBLE SAP 400 = INELIGIBLE GPA HRS 500 = INELIGIBLE GPA SAP 600 = INELIGIBLE HRS SAP 700 = INELIGIBLE GPA HRS SAP 750 = INELIGIBLE CONTINUOUS ENROLLMENT 775 = REDUCED TO OPPORTUNITY 800 = SATISFACTORY 900 = APPEAL APPROVED See page 41 for more detail	R

Data Element	Code	Name	Description
NON_ENROLLMENT_REASON	10	NOT QUALIFIED DUE TO NON ACADEMIC REASON(S)	Applicant does not meet non academic requirements of the Hathaway Scholarship (citizenship, selective service, loans and aid, legal, etc.) per W.S. 21-16-1303(b)(ii)(B) and W.S. 21-16-1303(e)
	20	NOT QUALIFIED DUE TO HIGH SCHOOL ACADEMIC REASON(S)	Applicant does not meet minimum high school GPA and/or ACT/WORKKEYS scores requirements for the Hathaway Scholarship per W.S. 21-16-1303(b)(iii)©
	30	QUALIFIED BUT FAILED TO ENROLL	Awarded student; fails to enroll in at least 6 non remedial credit hours
	40	QUALIFIED BUT DECLINED	Awarded student; enrolls but actively refuses the scholarship
	50	QUALIFIED BUT DEFERRED	Awarded student; turned down scholarship for later use
SEMESTER_STATUS	70	COMPLETED SEMESTER	Enrolled student, received scholarship, and received a grade in at least one non-remedial class.
	80	WITHDRAW	Enrolled student, received scholarship, but withdrew from ALL non-remedial classes
	90	REGAIN ELIGIBILITY	Enrolled student, did not receive scholarship, and used semester to regain eligibility
	95	POST INITIATION DEFERMENT (enrolled)	Is an existing Hathaway student, enrolled, but chose to defer the scholarship
	97	POST INITIATION DEFERMENT (mil/rel)	Is an existing Hathaway student, did not enroll, and obtained approval to defer enrollment for this semester due to military or religious reasons
CUMULATIVE_STATUS	100	INELIGIBLE GPA	Enrolled student; not eligible next semester due to not meeting the GPA requirements ONLY
	200	INELIGIBLE HRS	Enrolled student; not eligible next semester due to not meeting credit hour requirements ONLY
	300	INELIGIBLE SAP	Enrolled student; not eligible next semester due to not meeting other (non-credit hour) SAP requirements as defined by the institution ONLY: ("...and meeting such other criteria as established by the eligible institution to ensure the student earns his degree or certificate in a timely manner.")
	400	INELIGIBLE GPA HRS	Enrolled student; not eligible next semester due to not meeting GPA requirements AND not meeting credit hour requirements
	500	INELIGIBLE GPA SAP	Enrolled student; not eligible next semester due to not meeting GPA requirements AND not meeting other (non-credit hour) SAP requirements
	600	INELIGIBLE HRS SAP	Enrolled student; not eligible next semester due to not meeting credit hour requirements AND not meeting other (non-credit hour) SAP requirements
	700	INELIGIBLE GPA HRS SAP	Enrolled student; not eligible next semester due to not meeting GPA requirements AND not meeting credit hour requirements AND not meeting other (non-credit hour) SAP requirements
	750	INELIGIBLE CONTINUOUS ENROLLMENT	Enrolled student; not eligible next semester due to not attempting 6 or more non-remedial hours to maintain continuous enrollment
	775	REDUCED TO OPPORTUNITY	Enrolled student; Honors or Performance dropped to Opportunity due to Hathaway cumulative GPA
	800	SATISFACTORY	Cumulative results meet or exceed Hathaway criteria
	900	APPEAL APPROVED	Enrolled student; did not meet continued performance criteria for the school year, but won an appeal to continue receiving the scholarship

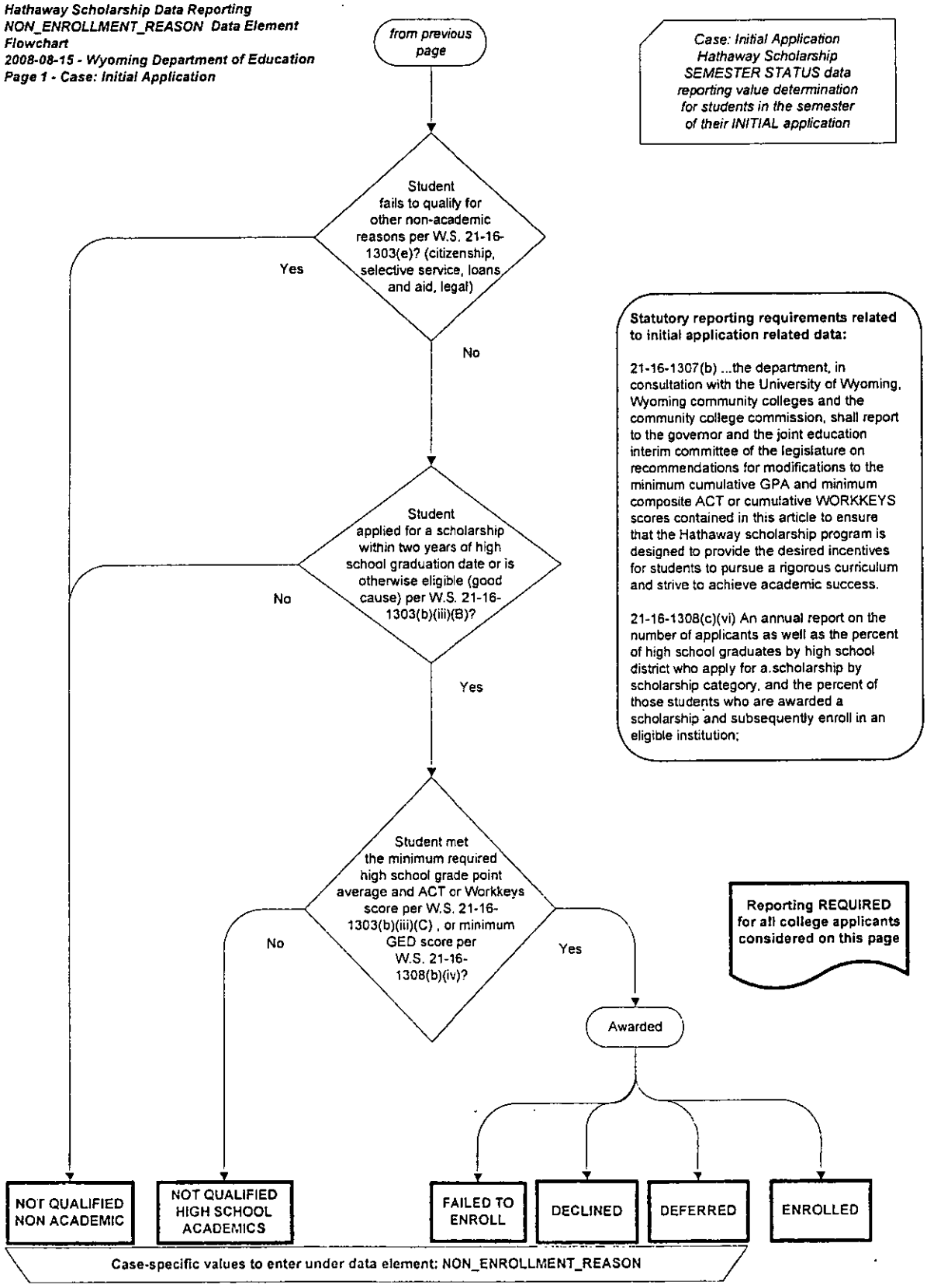
Appendix B

Hathaway Scholarship Data Reporting
NON_ENROLLMENT_REASON Data Element
Flowchart
2008-08-15 - Wyoming Department of Education
Page 1 - Case: Initial Application

Case: Initial Application
Hathaway Scholarship
ELIGIBILITY STATUS data reporting value determination for students in the semester of their INITIAL application



Hathaway Scholarship Data Reporting
NON_ENROLLMENT_REASON Data Element Flowchart
2008-08-15 - Wyoming Department of Education
Page 1 - Case: Initial Application



GPS

FROM "THE TOOLBOX REVISITED"
Executive Summary Attached -

for HB 291 Senate

Summary of high school curriculum and performance variables

To remind the reader of our tools before heading into Step 1 of the logistic narrative: For the high school curriculum components of the analysis we have a composite variable called HSCURRQ, and four variables set forth in Part II above describing discrete components of HSCURRQ that we can test as proxy measures for the composite—highest level of mathematics, science momentum (a combination of highest math and core laboratory science credits), foreign language credits, and number of Advanced Placement courses. In a moment all these will appear in a correlation matrix that will provide a preview of how they might play out in multivariate analyses.

For our other performance measures, we bring forward from Part II a quintile presentation of the student's high school class rank/GPA, and a quintile presentation of senior year test score.

Academic Resources

The original *Tool Box* advanced a notion explored and developed by Karl Alexander of Johns Hopkins and his associates in numerous exemplary contributions to the research literature: A student's academic background was far more important than demographic variables such as gender, race/ethnicity, family composition, and socioeconomic status in relation to test performance (Alexander and Pallas 1984), entering higher education (Thomas, Alexander, and Eckland 1979), and, in one study, degree completion (Alexander, Riordan, Fennessey and Pallas 1982). How does one reflect a composite idea of "academic background" of students coming out of high school and into postsecondary education? The key measure of Academic Resources (or ACRES, as the original *Tool Box* variable was called in order to elicit the idea of academic cultivation), combined curricular record, academic performance (class rank/GPA) as an indicator of student effort, and an external measure in the form of performance on tests of general learned abilities. These three components, as we have seen, are set out in quintiles. To get a preliminary idea of their relative strength in relation to bachelor's degree completion and to equalize the conditions of judging degree-completion rates by performance quintiles, table 9 takes all on-time high school graduates in 1992 and indicates the percentage who completed a bachelor's degree by December 2000 by quintile of each of the three components of Academic Resources. To be included in table 9, the student's record had to contain positive values for all three components.

Table 9 offers some hints of what multivariate analysis will confirm. Compared to the distributions for academic curriculum intensity and class rank/GPA, the test score quintile variable yields weaker degree completion rates in its highest two quintiles. This is a clear sign that the test score quintile will not have as strong an association with degree completion as the curriculum and performance factors. At first glance, it looks as if class rank/GPA will be fairly dependable, but it has one minor bump. The reader is directed in table 9 to the percentage of eventual bachelor's recipients from the lowest quintile of class rank/GPA (13 percent) compared to the percent of bachelor's degree completers in the lowest quintile of test scores and academic curriculum (about 9 percent in both cases). The differences are statistically significant in a

descriptive account such as that of table 9, but how meaningful they turn out to be must await a multivariate context. In the meantime, one would posit that the class rank/GPA measure may not prove as strong as the curriculum measure.

Table 9. Percentage of on-time 1992 high school graduates who continued their education in any postsecondary institution who completed bachelor's degrees by December 2000, by quintile performance in the three component variables of Academic Resources

	Percent completing bachelor's degree				
Population	Quintiles of Academic Resources components				
	Highest	Second	Third	Fourth	Lowest
All on-time1992 high school graduates who continued to postsecondary education at any time					
Curriculum	81.7 (1.50)	60.5 (2.14)	35.5 (1.93)	23.4 (1.99)	8.7 (1.37)
Class rank/GPA	78.8 (1.47)	59.1 (2.24)	40.3 (2.11)	25.7 (2.16)	13.0 (1.94)
Senior test score	74.9 (1.72)	53.9 (1.92)	37.2 (2.16)	26.7 (2.41)	8.9 (1.31)

NOTES: Standard errors are in parentheses. Weighted N = 1.6M.
SOURCE: National Center for Education Statistics: NELS:88/2000 Postsecondary Transcript Files (NCES 2003-402 and Supplement).

A multivariate analysis involving these variables, in fact, confirms our suspicions, and its results are presented in table 10. The model is the foundation for construction of the composite variable, Academic Resources, and is derived from ratios of the standardized beta estimates of the three high school performance indicators produced by a logistic regression with bachelor's degree attainment as the dependent variable and no controls (the logistic regression itself can be found in Appendix L, table L7). The change in these ratios between those for the High School Class of 1982 and those for the High School Class of 1992, while still leaving academic curriculum with the highest weight, narrows the gap between curriculum and performance, and lowers the strength of test scores as a component of Academic Resources. Given the differences in overall participation in the variable, i.e., the proportion of 12th-graders for whom all three components have positive values, some of the change may be an artifice of the NELS:88/2000 data set. But the principal message is one observed when commenting on the change in the distribution of students by highest level of mathematics studied in high school: The higher the average level of mathematics attainment, the more student effort, reflected in grades, will count. This theme will continue to play out when our story crosses the matriculation line into postsecondary education; and it was one of the principal points made by DesJardins, McCall, Ahlburg and Moye (2002) in their critique of the original *Tool Box* study.

When using all three measures—curriculum, class rank, and ACT test score—in a traditional linear analysis predicting first-year college grades, Pike and Saupe (2002) found curriculum to be the strongest, though their curriculum variable was dichotomous (students either meeting or not meeting the entrance specifications for a selective state university), which would naturally increase its power. Even when they introduced indirect effects of high school characteristics —control (private/public), size, mean ACT score of students, and mean proportion of students who attended the university—the parameter estimates for this curriculum variable were significantly greater than those for test scores or class rank. While *The Toolbox Revisited* is not in the business of predicting first-year grades, it is gratifying to note research that has similar respect for the propulsive power of course of study.

Table 10. Component weights of the high school Academic Resources variable for 1982 12th-graders and 1992 12th-graders who presented positive values for all three components

Components of Academic Resources	1982 12th-graders	1992 12th-graders
Academic curriculum intensity	.41	.42
Classrank/GPA	.30	.33
Senior test score	.29	.25

NOTE: Columns will add to 1.00.
SOURCES: High School & Beyond/Sophomore cohort (NCES 2000-194), and NELS:88/2000 Postsecondary Transcript Files (NCES 2003-402 and Supplement).

A second message bears repeating from its formulation in the original *Tool Box*: Student effort in curriculum participation and performance over the three *years* of high school (grades 10 to 12) reflected in the transcript data is worth considerably more than performance on a three-*hour* test on a Saturday morning. Test scores are a natural consequence of the academic intensity of curriculum and quality of student effort reflected in grades, and the weakening position of the test score variable in the ACRES configuration for the NELS:88/2000 cohort is a natural outcome of improvements in academic curriculum participation of the post-*A Nation at Risk* era.

Correlations

Now that we have all the precollegiate variables explained and in place, the process of bringing zoom and macro lenses of multivariate analysis to bear begins. The first stage sets forth a correlation matrix of precollegiate academic variables including three outcomes: on-time high school graduation, basic postsecondary "access," and bachelor's degree completion. Table 11 presents the Pearson's *r* results. Some of these correlations are weak, suggesting that one or both of the variables in question will not add to the explanatory power of a logistic regression. On-time high school graduation, for the most noted example, is not related to anything (this was also true in the parallel correlation matrix in the original *Tool Box*). Other relationships are not surprising, e.g., Advanced Placement has almost no bearing on entering postsecondary education (96.7 percent [s.e. = 1.48] of NELS 12th-graders with any AP courses entered the postsecondary sphere, versus 75.9 percent [s.e. = 1.01] of those with no AP course work).

Table 11. Correlations of major precollege Academic Resources variables and high school graduation status, college entry, and bachelor's degree attainment by December 2000 for 1992 12th-graders

	Curriculum intensity quintile (CURRQ)	AP courses (APCRS)	Highest math (5 levels) (HMATH)	Science momentum (3 levels) (SCIMOM)	Foreign language (3 levels) (FLAN)	Class rank/GPA quintile (RANK)	Senior test quintile (TEST)	On-time HS grad, standard diploma (ONTIME)	Post-secondary entry (PSENT)
CURRQ	-----	0.368	0.777	0.774	0.645	0.572	0.581	0.167*	0.352
APCRS		-----	0.438	0.366	0.270	0.326	0.317	0.050*	0.111*
HMATH			-----	0.869	0.519	0.618	0.634	0.124*	0.301
SCIMOM				-----	0.489	0.594	0.578	0.118*	0.279
FLAN					-----	0.430	0.510	0.146*	0.338
RANK						----	0.566	0.185*	0.298
TEST							-----	0.138*	0.313
ONTIME								-----	0.168*
PSENT									-----
BACHELOR'S	0.524	0.319	0.538	0.530	0.451	0.493	0.469	0.129*	0.332

NOTE: All estimates except those noted with an asterisk are statistically significant at $p<.05$ or better.
SOURCE: National Center for Education Statistics: NELS:88/2000 Postsecondary Transcript Files (NCES 2003-402 and Supplement).

True to its position in the construction of the composite academic curriculum intensity variable (abbreviated here as CURRQ), in fact, Advanced Placement does not exhibit as strong a correlation with the composite as do the mathematics, science momentum, and foreign language components. Why? Because AP is invoked as a sorting criterion in only six of those 31 levels of academic curriculum intensity (see Appendix F), while highest mathematics is invoked in 25 levels, foreign languages in 18, and core laboratory science or all science in 30. Common sense says that we will find higher correlations of these other components with the composite curriculum variable.

But among those other components, the correlation between the highest level of mathematics and science momentum (which includes highest math in its definition) is so strong (0.869) as to set off collinearity bells. The clear message is to use only one of them in any multivariate analysis. The highest level of mathematics was dropped because the variable represents only one curricular area, whereas SCIMOM carries two. Likewise, following Pedhazur's (1982) rules of thumb for identifying potential collinearity problems from correlations, table 11 advises that if we use the high school academic curriculum index, we should not invoke either highest level of math or science momentum in the same multivariate model.

The only other observations of the correlation matrix of table 11 worth special attention are:

- When bachelor's degree completion is the reference point, the relative correlations of the curriculum, class rank/GPA, and test score variables are in roughly the same relationship observed in the more complex construction of the composite Academic Resources variable: Curriculum exhibits the strongest correlation, followed by class rank/GPA, followed by test score.
- However, when the referent variable is simply entering postsecondary education, (a) the correlation coefficients are much lower, and (b) the test score variable is slightly stronger than class rank/GPA.

The bottom line of these two conclusions: What counts for completion will be more potent than what counts for mere entrance (the "easy part," in the words of Venezia, Kirst, and Antonio, 2003).

Step 1: The First Logistics

In the commentaries and critiques of these aspects of the original *Tool Box*, two potent questions were raised:

> 1) Is a composite variable such as Academic Resources, a variable that yokes together very different types of measures (a basically qualitative curriculum index, class rank and GPA, test score), as convincing as these measures taken separately in any multivariate account of degree completion (DesJardins, McCall, Ahlburg, and Moye 2002)?
>
> 2) Unlike class rank/GPA and senior test score, the academic curriculum intensity variable is built from components, some of which are high profile in their own right, e.g., Advanced Placement and highest level of mathematics reached in high school. If we substitute the major components for the composite in an account of degree completion, will they be as convincing?

In light of these questions, three distinct ways of setting up the first step in the progression of logistic analyses that lead us to appreciate what makes a difference (and how much of a difference) in completing a bachelor's degree for students who attended a four-year college at any time were explored. The first step covers both student demographics and high school performance.

What happens to all those demographic variables in the "demography only" logistic of table 3 when these three competing approaches were tried out? With the exception of gender, race/ethnicity, and becoming a parent by age 20, the minute the high school performance variables enter, the demographic variables disappear. Taken individually, none of them—first postsecondary generation status, second language dominant, recent immigrant status, family income, number of siblings, and urbanicity of community in which the student's high school was located—meet the statistical criteria for either entering or staying in the logistic models employed in this study. But two of these variables, family income and level of parents' education, play dominant roles in the construct of socioeconomic status, which itself more than qualifies for the logistic treatment.

for HB 297-GPS section

THE TOOLBOX REVISITED

Paths to Degree Completion from High School Through College

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Executive Summary

The Toolbox Revisited is a data essay that follows a nationally representative cohort of students from high school into postsecondary education, and asks what aspects of their formal schooling contribute to completing a bachelor's degree by their mid-20s. The universe of students is confined to those who attended a four-year college at any time, thus including students who started out in other types of institutions, particularly community colleges.

The core question, data source, and legacy

The core question is not about basic "access" to higher education. It is not about persistence to the second term or the second year following postsecondary entry. It is about completion of academic credentials—the culmination of opportunity, guidance, choice, effort, and commitment.

To answer the question, *The Toolbox Revisited* uses the most recently completed of the national grade-cohort longitudinal studies conducted by the National Center for Education Statistics. This study, known as the NELS:88/2000, began with a national sample of eighth-graders in 1988. They were scheduled to be in the 12th grade and graduate from high school in 1992. They were followed through December 2000. In addition to regular interviews with these students, the data set on which this essay draws includes the critical components of high school and college transcripts, and the transcript data are the principal sources for the academic history observed.

The Toolbox Revisited was designed as a replication of a noted previous study published by the U.S. Department of Education, *Answers in the Tool Box: Academic Intensity, Attendance Patterns, and Bachelor's Degree Attainment* (1999), hereinafter referred to as "the original *Tool Box,*" which based its analysis on a national cohort of high school students who were scheduled to graduate in 1982, and who were followed through 1993. The question naturally arose as to whether the hypotheses and analyses based on that cohort's history would hold up in the story of the slightly overlapping 1992–2000 period.

We have learned a great deal in a very short time from numerous initiatives of states and private foundations to prepare high school students better for higher education, and from major federal stimuli under the *No Child Left Behind* legislation to jump start the process of academic momentum prior to high school. One of the reasons for examining the academic history of the NELS:88/2000 cohort is that its students attended high school after the wave of reforms in the 1980s that followed the critique of U.S. education offered by the seminal report, *A Nation at Risk* (1983), and, hence, may provide some clues as to the likely outcomes of current reform efforts.

Much has changed in other ways, too, since the High School Class of 1982 (the subjects of the original *Tool Box*) moved through their scheduled 12th grade and through postsecondary education. A dramatically higher proportion of high school seniors of all race/ethnicity groups continue their education, though access gaps remain (Wirt et al. 2005, indicator 22). Postsecondary attendance patterns among traditional-age students have become far more

complex, with nearly 60 percent of undergraduates attending more than one institution, and 35 percent of this group crossing state lines in the process; community college transfer rates rising nearly 10 percentage points; one out of eight undergraduates based in four-year institutions using community colleges to fill in pieces of their curriculum, and another eight percent "swirling" back and forth between the four-year and two-year sectors. Dual-enrollment while in high school, credit-by-examination, and use of summer terms all added to the dynamic mix of time and space that marked student pathways in the1990s.

With all this change, we still measure something called "college graduation rates" with anachronistic formulas that do not track students through increasingly complex paths to degrees. As a result, we do not understand what is really going on. The dominant language accompanying analyses bemoaning putatively low graduation rates is a language of "attrition," with students labeled "at risk" or "minimally college-qualified," and leaking out of "pipelines."

This study looks at student histories derived from transcript records in a different way and with a different tone. It follows the student, not the institution, because it is the *student's* success that matters to families—and to the nation. It allows the maximum length of postsecondary time for the High School Class of 1992, 8.5 years, for students to earn degrees no matter how many institutions they attend. It notes that if the history of the Class of 1982 were truncated at 8.5 years, there has been a decent improvement in bachelor's degree attainment among non-incidental students (those who earned more than 10 credits, i.e. "made a go of it") who attended a four-year college at any time (from 60 to 66 percent). It is natural to ask how this happened, to identify the moments and aspects of schooling that may have made a difference, and to reflect on what might make the most difference in the future for narrowing degree-completion gaps by race/ethnicity. In that task, *The Toolbox Revisited* looks for the features of academic history that are realistically subject to change by institutions whose principal business is the generation, preservation, and dissemination of knowledge. While acknowledging that for degree-completion rates to improve, students themselves must respond, and that their response does not occur in a vacuum, the features of student histories that are the domain of this inquiry do not include social and psychological variables attendant on the passage from adolescence to adulthood.

It is important to note that, as was the case for the original *Tool Box*, the student universe for *The Toolbox Revisited* constitutes roughly half who reach the 12th grade (table 1). It does not include students who failed to graduate from high school, those who earned General Education Diplomas (GEDs), those who had not enrolled in any postsecondary institution by the age of 26, and those who entered the postsecondary system but never attended a bachelor's degree-granting institution. The resulting demographics are slightly more female, slightly less minority, less with a second language background, and a higher socioeconomic status distribution than the cohort as a whole (table 2).

Organization

We learned from critiques of the original *Tool Box* to sort the chronology of events with greater care. There are seven steps in the analysis of *The Toolbox Revisited*, each of which involves a

collection of variables that are investigated in terms of the degree to which they help us explain bachelor's degree completion for the population of students under investigation:

Step 1: Demographic background and high school history
Step 2: Postsecondary entrance (timing and type of institution)
Step 3: First postsecondary year history (curriculum and performance)
Step 4: Factors of financing postsecondary education in the early years
Step 5: Postsecondary attendance patterns
Step 6: Extended postsecondary history (curriculum and performance)
Step 7: Final model, with complete academic history

This essay also takes an important pause outside the steps of the core statistical model to consider the characteristics of student progress through the *second* year following postsecondary entry.

As each step of the statistical model of student history is set forth, it is pointed out where the results are similar to the findings of the original *Tool Box* with its earlier population, and where they diverge. All seven steps are subsequently assembled together in one place (table 29) so that the reader can observe the factors that have *consistently* contributed to degree completion.

Principal Stories and Guidance

This executive summary offers themes, highlights, and implications of the data for those who comment on secondary and higher education and make decisions about institutional or system policy—editorial writers, legislators, researchers, education administrators.

Two national longitudinal studies, a decade apart, have told similar stories. When the second story reinforces the first—and sheds even more light—something has to be right, and it behooves us to pay attention. Both of them provide support for current efforts to improve the quality of high school curricula and the participation in those curricula of ever larger proportions of students. Both of them provide guidance for college and community college processes likely to lead students to degree completion.

Some of what was learned from the original *Tool Box* was taken to heart at the secondary school level, and, in some respects, we are seeing positive results in academic curricular participation in high schools. But counting Carnegie units[1] in English or science is not the same as describing and validating what students have learned, and whether that learning links smoothly to the performance expectations of the postsecondary world. *The Toolbox Revisited* says we have more to do, that the bulk of our task lies both after the college matriculation line, and in communication and outreach between postsecondary institutions and high schools. How do we

[1]A Carnegie unit is the basic credit system for U.S. secondary schools. It is generally recognized as representing a full year (36-40 weeks) in a specific class meeting four or five times per week for 40-50 minutes per class session (Martinez and Bray 2002).

learn what we have to do? By following students in the richness and complexity of their postsecondary histories.

Curriculum, starting in high school, and continuing

However complex students' attendance patterns, the principal story line leading to degrees is that of content. What one learns is what one studies, and what one brings to economic and community life. The story starts in high school, but merely crossing the bridge to college or community college doesn't mean the story is over. Furthermore, the bridge is not always aligned with the road on the other side.

The academic intensity of the student's high school curriculum still counts more than anything else in precollegiate history in providing momentum toward completing a bachelor's degree. At the highest level of a 31-level scale describing this academic intensity (see Appendix F), one finds students who, through grade 12 in1992, had accumulated:

3.75 or more Carnegie units of English
3.75 or more Carnegie units of mathematics
highest mathematics of either calculus, precalculus, or trigonometry
2.5 or more Carnegie units of science *or* more than 2.0 Carnegie units of core laboratory science (biology, chemistry, and physics)
more than 2.0 Carnegie Units of foreign languages
more than 2.0 Carnegie Units of history and social studies
1.0 or more Carnegie Units of computer science
more than one Advanced Placement course
no remedial English; no remedial mathematics

These are minimums. In fact, students who reached this level of academic curriculum intensity accumulated much more than these threshold criteria (see table F1), and 95 percent of these students earned bachelor's degrees (41 also percent earned master's, first professional, or doctoral degrees) by December 2000.

Provided that high schools offer these courses, students are encouraged or required to take them, and, in the case of electives, students *choose* to take them, just about everybody could accumulate this portfolio. Unfortunately, not all high schools present adequate opportunity-to-learn, and some groups of students are excluded more than others. Latino students, for example, are far less likely to attend high schools offering trigonometry (let alone calculus) than white or Asian students. Students from the lowest socioeconomic status (SES) quintile attend high schools that are much less likely to offer any math above Algebra 2 than students in the upper SES quintiles (table 6). If we are going to close gaps in preparation—and ultimate degree attainment—the provision of curriculum issue has to be addressed. In recent years, colleges and community colleges have begun to provide these courses to high school students, and distance learning provides additional options if students have access to the technology. The hypothetical

consequences of participating in curriculum configurations approaching that illustrated above for Latino degree completion rates, in particular, are stunning (table 32).

There is a quantitative theme to the curriculum story that illustrates how students cross the bridge onto and through the postsecondary landscape successfully. The highest level of mathematics reached in high school continues to be a key marker in precollegiate momentum, with the tipping point of momentum toward a bachelor's degree now firmly above Algebra 2. But in order for that momentum to pay off, earning credits in truly college-level mathematics on the postsecondary side is *de rigeur*. The world has gone quantitative: business, geography, criminal justice, history, allied health fields—a full range of disciplines and job tasks tells students why math requirements are not just some abstract school exercise. By the end of the second calendar year of enrollment, the gap in credit generation in college-level mathematics between those who eventually earned bachelor's degrees and those who didn't is 71 to 38 percent (table 21). In a previous study, the author found the same magnitude of disparity among community college students in relation to earning a terminal associate degree (Adelman 2005a). The math gap is something we definitely have to fix.

A dominant feature of academic histories that cannot really be assessed until the end of the second year following college entry is the extent to which students successfully completed credits in a range of "gateway" courses. It is at this point that the postsecondary curricular story line fully emerges, with ratios of participation in the "gateways" between those who ultimately earned degrees and those who did not running 6:1 in American literature, 4:1 in general chemistry, and more than 3:1 in precalculus, micro/macroeconomics, introduction to philosophy, and world civilization (table 20). These gaps in curricular participation argue for academic administrators to identify their key gateway courses and regularly monitor participation.

College and community college expectations for their first-year students in those gateway courses—expressed through examinations, paper and laboratory assignments—need to be more public. Examples such as those offered by the American Diploma Project in its report, *Ready or Not: Creating a High School Diploma That Counts* (2004), should be shared with larger audiences than policymakers and others who habitually read such reports. Parents should see those assignments even if they don't understand them; high school teachers should ponder them to assess whether their exiting students are likely to be prepared; and, most importantly, high school students have got to see them as road signs to their next education destination. *The Toolbox Revisited* advocates making these examples part and parcel of admissions packets, publicity brochures, and Web sites. There is risk in this: Some students may be scared away. But there is no better way to enhance articulation and preparedness than to display what students can expect.

Postsecondary benchmarks

In both colleges and community colleges, the curriculum story line intersects attendance patterns and performance in ways that set benchmarks for academic advisement and intervention:

- Less than 20 credits by the end of the first calendar year of enrollment (no matter in what term one started, whether summer, fall, winter, spring) is a serious drag on degree completion. The original *Tool Box* told the same story. It is all the more reason to begin the transition process in high school with expanded dual enrollment programs offering true postsecondary course work so that students enter higher education with a *minimum* of 6 additive credits to help them cross that 20-credit line. Six is good, 9 is better, and 12 is a guarantee of momentum.
- We falsely believe that beginning students drop out of higher education in appalling numbers by the end of their scheduled first academic year of attendance. In fact, about 90 percent of traditional-age beginning students turn up somewhere (maybe not at the first school attended) and at some time (maybe not in the fall term) during the subsequent calendar academic year (which we measure as July 1 through June 30). However impressive this percentage, the *quality* of persistence counts more, and, for a third of these students, the quality of persistence leaves much to be desired (table 17). *The Toolbox Revisited* urges that institutions monitor and report the quality (as much as the fact) of persistence.
- More than 60 percent of the students in the sample under investigation enrolled during summer terms. Undergraduates are not only more geographically mobile, but have shattered observance of the traditional academic calendar. Summer term credits are more than metaphors for high octane persistence: Earning more than 4 credits during those terms held a consistently positive relationship to degree completion, and gave African-American students, in particular, a significant boost in hypothetical graduation rates (table 32). College and community college administrators can be very creative in expanding the use of summer terms.

Student uses of time

The example of summer-term credits, particularly in combination with the complex multi-institutional attendance patterns, underscores another theme of *The Toolbox Revisited*: Student uses of time in undergraduate careers are now more important than their uses of place. In other words, *when* students do something academic has a more significant relationship to degree completion than *where* they do it. For example:

- For the High School Class of 1982 (the subjects of the original *Tool Box)*, timing of entry to postsecondary education never rose to a level of statistical significance in the analysis, whereas variables for the type of institution first entered played inconsistent but positive roles in explaining degree completion. A decade later, with a higher proportion of high school students continuing to college, the situation was reversed (table 13). What this means is that recruitment efforts have to insure that students enter postsecondary education immediately following high school graduation. The longer students wait, the less likely they will finish a degree.

- The only characteristic of the first institution of attendance to be admitted to statistical analysis was selectivity, but it never rose above the threshold of significance. Quite frankly, one isn't worried about degree completion for the 5 percent of traditional-age undergraduates who enter highly selective colleges. One is more concerned with the rest of the river—particularly the 78 percent who start in either nonselective four-year colleges or open-door community colleges.
- The original *Tool Box* study declined to confront part-time status and its effects. If one is using transcripts as evidence, there are a number of problems in determining which students are part-time and when. *The Toolbox Revisited* found a way around these problems to mark whether a student's enrollment intensity *ever* fell into part-time status, i.e., less than 12 credits per semester or its equivalent. Part-time attendance by whatever means, as Carroll (1989) labeled it, proved "hazardous" to degree completion health (table 24; table 29).
- In longitudinal studies extending for as long a period of postsecondary time as does the NELS:88/2000 (8.5 calendar years), a student is allowed stop-out periods totaling one semester or its equivalent (e.g., two quarters), exclusive of summer terms, and still be considered "continuously enrolled." Continuous enrollment is a factor of attendance patterns, and another marker of the student's use of time. It proves to be overpowering: with 16 other variables in play, continuous enrollment increases the probability of degree completion by 43 percent (table 27). The original *Tool Box* offered the same message, arguing for assiduous monitoring of student stop-out periods. Put another way: Keep the student continuously enrolled, even part-time (less damaging than excessive stop-out periods).

Purposeful migration versus "swirling"

The complexity of student postsecondary enrollment patterns, already a notable phenomenon for the population under study in the original *Tool Box*, accelerated in the subsequent cohort. The construction of the NELS:88/2000 postsecondary transcript files took advantage of what we learned from more sophisticated institutional and state system tracking studies of the 1990s; hence, some new attendance pattern variables were available and others (those describing different kinds of multi-institutional attendance) refined.

What we found for the students of the 1992-2000 period was this:

- Formal transfer from a community college to a four-year college and formal transfer from one four-year college to another were positively associated with degree completion, but wandering from one school to another was not.

In fact, the nomadic multi-institutional attendance behavior increasingly known as 'swirling,' held a significant and negative relationship to degree completion (table 24, table 39). These statements are a very simple untangling of complex realities.

The basic question asked of the transcript data—did a student attend only one school or more than one?—begins a process of inquiry to determine *how* the student attended second and third institutions. Given very taut definitions of what transfer means, we are advised to ensure that multi-institutional attendance is purposeful and productive. For that, we require much better student tracking systems than we currently possess, and regular contact with students in motion.

Student academic performance

More than the original *Tool Box*, *The Toolbox Revisited* recognizes that the path of student academic performance, marked by grades, is a reflection of quality of effort, and pays off. It starts in high school: Academic curriculum participation is still the strongest of the precollegiate momentum indicators, but between the 1980s and 1990s, class rank/GPA moved markedly ahead of senior year test score in its contribution to students' overall "Academic Resources" index, a composite indicator of high school curriculum intensity, class rank/GPA, and senior year scores on a 90-minute exam best described as a mini, enhanced SAT (see p. 16 and Glossary).

This story continues on the postsecondary side of the matriculation line:

- Earning grades that place one in the top 40 percent of first-year GPA for the whole cohort is a strong—and positive—contributor to academic momentum, and remains in the account of degree completion throughout the histories of both the class of 1982 and the class of 1992 (table 15).

- The theme of quality-of-student-effort, reflected in grades, is strengthened when the canvas covers the student's entire undergraduate career. In the original *Tool Box*, the variable describing the *trend* in students' GPA had only two reference points: first calendar year and final GPA. For *The Toolbox Revisited*, there are three such points: first calendar year GPA, cumulative GPA for the first two calendar years, and GPA as of the last date of attendance, whether or not a degree was earned. A rising trend in grades fits with attainment (table 25), contributing positively and significantly (table 26).

A story twice told should be a story to which we listen

Both the original *Tool Box* and *The Toolbox Revisited* revealed that one of the most degree-crippling features of undergraduate histories is an excessive volume of courses from which the student withdrew *without penalty* and those the student repeated. We set this up as a ratio, and marked those who withdrew from or repeated 20 percent or more of their course attempts. Doing so cuts the probability of completing a degree in half (table 27)!

The withdrawals counted here are not "drop" grades that apply during standard drop-and-add periods at the beginning of terms. They are the result of institutional policies that allow withdrawals without penalty after the drop-and-add period. No-credit repeats are standard fare

in remedial courses, but when they reach destructive levels the question arises as to how many times an institution allows a student to repeat a course. Think of it this way: Every non-penalty withdrawal and no-credit repeat means that a seat in a course is not available to someone else. Add those seats up, and admission to an institution may not be available to someone else. Excessively lax withdrawal and repeat policy, then, ultimately blocks general access. And in terms of degree completion, such policies do students no favors.

What Does Not Count in The Account of Completion?

- Students' education "anticipations" (the consistency and level of their vision of how far they will get in school) were not significant at any step of the logistic account for the High School Class of 1992. This is a change from the position of the "anticipations" variable in the original *Tool Box*, where it ducked in and out of significance. The new message is more clear: Among students who attend a four-year college at some time, expectations are distinctly secondary to one's uses of academic time and to one's academic performance.

- Whereas grants and student work-study were modestly significant contributors to degree momentum at *early* stages of students' postsecondary careers in the history of the High School Class of 1982, the data on finance mechanisms for the High School Class of 1992 are poor, and the results inconclusive. Analysts are directed instead to the Beginning Postsecondary Students longitudinal studies, which contain detailed financial aid data (but skeletal information on high school histories and postsecondary course work).

- Of student demographic characteristics, only one—socioeconomic status—was significantly associated with degree completion, though in a modest manner. Gender and race/ethnicity were never significant in the logistic narrative, even though some *indirect* effects of these key demographic characteristics would probably be found in other statistical models. When each race/ethnicity group was treated as an independent variable, the basic story did not change.

- Both a dichotomous variable marking any remedial work in the first calendar year of attendance, and an elaborate variable describing types and extent of remediation over the course of a student's entire undergraduate career were employed in the analysis, but to no avail. The same procedure was used in the original *Tool Box*, where the variables were admitted to the statistical model but did not reach the threshold of significance. Sufficient numbers of students who took remedial classes successfully moved through them so that remediation did not make a strategic difference in degree completion.

- Half of the students in the sample for *The Toolbox Revisited* who earned bachelor's degrees changed their major along the way. It was natural to ask whether change-of-major had any influence on degree attainment. It did not,

principally because, with few exceptions, community college transfer students come in to the four-year institution from a general studies program and automatically are classified as "change-of-major" the minute they enter a specific program at the four-year school.

Students as active, responsible participants

The Toolbox Revisited does not treat students as passive creatures whose fate is wholly molded by schools and colleges. It demonstrates that, within the population of traditional-age students who attend a four-year college at any time (obviously including community college transfers), we *can* improve graduation rates and close some of the gaps in completion by race/ethnicity and socioeconomic status. But it also argues that there is a limit to what we can realistically do unless students respond to highly targeted advice and prodding.

The analysis of *The Toolbox Revisited* identifies features of academic history that are most tractable in terms of second party intervention. But there is also something we might dub "first party intervention." Once the modest echoes of socioeconomic status are accounted for, each step of academic history offers *students* a set of decisions that require the commitment of time and effort likely to yield the return of earning a degree. Provided there is opportunity, the choices made by students, beginning with high school curriculum and quality of effort in high school, allow subsequent leverage. Entering a postsecondary institution directly from high school, earning 20 or more credits in the first calendar year of enrollment, and performing well enough in that first calendar year to fall in the top 40 percent of a GPA distribution build on previous academic investments, and are all signs of commitment.

Subsequent choices that may not be reflected in a bounded period of time, such as excessive course withdrawals, prove to be poor decisions with negative returns, breaking accumulated momentum. Other configurations of choice, including summer-term credit generation, meeting the challenge of college-level mathematics, effort required to yield a rising GPA, and most of all, remaining continuously enrolled, all reflect continuing leverage of attainment. This is what academic momentum is all about. While these choices do not take place in a social and psychological vacuum, this is a story about the intersection of student choice with the structures of opportunity offered by institutions whose first order of business is the distribution of knowledge. It is not a story about growing up, although that happens along the way.

Degree Completion: How High Can We Go? How Much Can the Gaps Be Closed?

In Part V of *The Toolbox Revisited*, three different national longitudinal studies conducted during the 1990s are set side-by-side, so as to demonstrate a remarkable degree of agreement on the rate of bachelor's degree completion for students who started out in four-year colleges (granted, that is only part of the broader universe addressed in this essay). Looking at the concordance of these three sources (table 30), it is fair to say that:

- A third of traditional-age students who started in a four-year college earned a bachelor's degree from the same school in the "traditional" four-year period.

- Between 54 and 58 percent earned the degree from the same school in which they began within six years of entry.
- When the option of earning a degree from a different four-year college than the one in which these students commenced study, the six-year completion rates are in the 62–67 percent range.
- Only the NELS:88/2000 extends the time period for earning a degree beyond six years; at 8.5 years, its degree completion rate for students who started in a four-year college approaches 70 percent.

However, it is unfortunate to note that despite increased participation of minority students to postsecondary education over the past quarter century, the gap in bachelor's degree completion between whites and Asians, on the one hand, and Latinos and African-Americans, on the other, remains wide.

What features of academic history might close the gaps, and by how much?

The data-driven exercise in Part V of *The Toolbox Revisited* can be characterized as "reasoned speculation." From the NELS:88/2000, we start with a degree completion gap between whites and Asians vis-a-vis African-Americans of 15 percent; and with reference to Latinos, 22 percent. We go back through our analysis and ask what factors:

(a) consistently contributed to bachelor's degree completion at all stages of the model in which they were "in play," and

(b) were most subject to change by external parties with little-to-modest—but creative—effort that might improve the portrait of degree completion.

Five factors stand out, four of which affect small populations in which minority students are over-represented. Small populations can add up. These factors are:

1. **First-year credit generation**, i.e., the goal of making sure that postsecondary students end their first calendar year of enrollment with 20 or more additive credits.

2. The problem of **excessive no-penalty withdrawals and no-credit repeats**, which affect 10 percent of the cohort. Institutional policy and advising can cut the incidence of withdrawals and repeats in half.

3. **Use of summer terms**. Strategic enrollment management can move more sections of high demand courses into summer terms, offer credit-bearing internships in summer terms, and engage in other creative initiatives that will also smooth out the utilization of institutional resources over what has become an "academic calendar year."

4. **No delay of entry.** This is a matter of recruitment strategy among high school students whose commitment to postsecondary education is less than fervid. The later they show up, the more their postsecondary fate is in jeopardy.

5. **The high school curriculum component of "Academic Resources."** This is not a case of "little-to-modest" effort or a small population. It is a megawork in progress, much of which depends on students' reading skills on entering high school. If students cannot read close to grade level, the biology textbook, the math problems, the history documents, the novel—all will be beyond them. And if high schools are not offering a full academic curriculum, there is little hope.

But with those five factors in mind, and assuming full student response and success, *potential* degree completion rates were hypothesized based on the records of NELS:88/2000 high school graduates by race/ethnicity (table 32) and socioeconomic status quintile (table 34). Virtually every one of these factors contributed to closing degree completion gaps, but none more than high school academic curriculum participation—which, to repeat, is criterion-referenced, hence, open to everyone to rank at or near the top. For African-American students, the combination of moving into the top 40 percent of the high school academic curriculum intensity index plus earning more than four credits during postsecondary summer terms would lower the degree completion gap vis-a-vis white and Asian students from 15 percent to 6 percent. For students from the lowest socioeconomic status quintile, moving into the top 40 percent of the academic curriculum intensity index and entering postsecondary education directly from high school would improve degree completion from 36 to 59 percent. For Latino students, the same steps would improve degree completion from 45 to 69 percent. Does that mean that future degree completion rates will look like those in tables 32 and 34 if everyone meets the criteria on all five counts? No; not everybody will make it. But the tables suggest just where the improvements could be dramatic—and for whom.

Messages to Students and Commentators

Student responsibility (the intersection of choice with opportunity) is a major theme of *The Toolbox Revisited* in a way that was only implicit in the original *Tool Box*. The essay concludes with some recommendations for students, who are partners in their own education fate, who shouldn't wait around for someone else to do something for them, and who are rarely addressed in studies of attainment.

The concluding messages also reflect on the dissonant data of public discourse on high school graduation rates, college attrition rates, and college graduation rates, examples of consequent "scare stories" that do not help us identify and address real problems, and a plea for creativity and cooperation in developing better student tracking systems. These messages also urge a considerable change in the language we use in describing what happens to students from a negative rhetoric that assumes passivity to one that respects students as active players, seeking and discovering paths to their education goals.

A Guide for Reading Tables and Terms

Interchangeable terms

This essay frequently compares the histories of two grade-cohort longitudinal studies carried out by the National Center for Education Statistics (NCES). Each of these studies can be referenced in a number of ways, and all of these references are used.

The following labels for the longitudinal study that began with a national sample of 10th-graders in 1980, the High School and Beyond/Sophomore cohort, are interchangeable:

HS&B/So
High School Class of 1982
class of 1982 (where inter-cohort comparisons of 12th-graders are at issue)

"High School & Beyond/Sophomore cohort" will also be spelled out when the entire longitudinal study, including all its data set components, is the subject.

The following labels for the longitudinal study that began with a national sample of eighth-graders in 1988, the National Education Longitudinal Study of 1988, are interchangeable:

NELS:88/2000
High School Class of 1992
class of 1992 (where inter-cohort comparisons of 12th-graders are at issue)

On reading tables in this study, part 1: Descriptive cross-tabulations

All tables in this study are constructed to meet the statistical standards for table presentation of the National Center for Education Statistics (NCES 2002a). They are stand-alone tables, so that if they are reproduced outside the context of the essay, they tell a complete, self-contained story. To ensure a complete story, the descriptive cross-tabulations in this document include the standard errors of the estimates. The reason for this election—instead of placing tables of standard errors in an appendix—is to enable the reader to judge, on the spot, whether the difference between any two estimates is statistically significant. While the text draws the reader's attention to statistically significant (and insignificant) estimates important to the narrative, it does not comment on all statistically significant estimates. In general, the formula invoked for statistical significance is the simple student's *t* test:

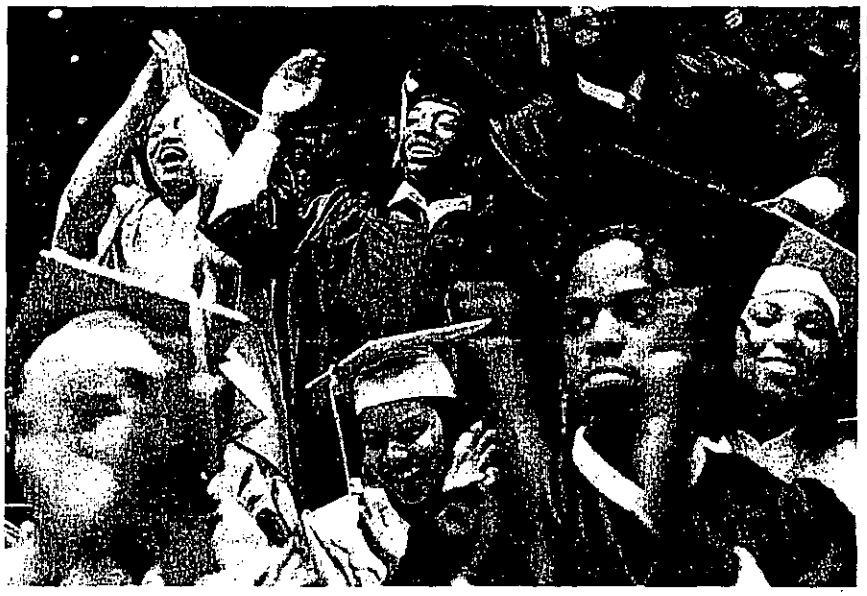
$$t = (P_1 - P_2) \div \sqrt{(se_1^2 + se_2^2)}$$

where P_1 and P_2 are the percentage estimates to be compared and se_1 and se_2 are the corresponding standard errors. If $t > 1.96$, one has a statistically significant difference at $p < .05$ (which means that the probability that this observation would occur by chance is less than 1 in 20), a standard marker. In the case of multiple comparisons, the critical value for *t* rises.[2]

[2]For technical issues concerning standard errors and multiple comparisons, see Appendix D.

A wake-up call to educators

Crossing the Finish Line: Completing College at America's Public Universities
by William G. Bowen, Matthew M. Chingos and Michael S. McPherson
Princeton University Press: 2009. 413 pp. $27.95, £19.95



A. WONG/GETTY

US high-school grades are a better predictor of university graduation rates than admissions-test scores.

In the United States, earning a bachelor's degree is recognized as the most important factor for reducing economic inequality and increasing social mobility. But since the mid-1970s, university graduation rates have stagnated and disparities in educational outcomes have risen both among ethnic minorities and among those with low socioeconomic status. In *Crossing the Finish Line*, authors William Bowen, Matthew Chingos and Michael McPherson analyse these troubling trends and propose solutions to help colleges support their students more effectively.

Using regression analysis, the authors tracked and compared degree-completion rates for different groups based on various criteria. They found that students with low socioeconomic status and those from ethnic minorities — particularly black men and Hispanic students — were least likely to graduate. The authors also tested the predictive limitations of college admissions-test scores, the effectiveness of need-based financial aid and the ease of transferring between institutions. Although focused on the US educational system, these data contain warnings that other countries should heed.

By following the incoming class of roughly 125,000 freshmen entering their first course at 68 US universities in 1999, the authors show that degree completion has slowed to unacceptably low levels. Just 65% of full-time students graduated in four years from the most selective 'flagship' universities, and only half graduated within six years from the least selective public universities. The authors argue that for those students who complete their education, delaying degree attainment from the standard four years to five or six years increases their financial burden and limits their future educational and career opportunities.

"Degree completion has slowed to unacceptably low levels."

Admissions mechanisms, such as the sorting of applicants by universities and colleges and the reliance on standardized tests, dictate which types of institutions students attend. However, student scores on the SAT Reasoning Test (formerly the Scholastic Assessment Test) or the American College Test (ACT) are known to be heavily biased by gender, race and socioeconomic status, such that high test scores and wealth go hand-in-hand, often conferring an advantage on white male students. Interestingly, the authors' analyses revealed that scores from the SAT and the ACT do not predict graduation rates. Instead, high-school grade-point average is the most powerful predictor of both four-year and six-year graduation rates, regardless of the quality of the high school attended. Another surprise was that the scores from tests in individual subjects were able to predict graduation rates: both Advanced Placement tests and SAT Subject Tests (additional exams required by selective universities) were strongly predictive.

The authors found that academically overqualified students who attend less-demanding schools — known as undermatching — have a significantly higher probability of never completing their degrees than comparably qualified students who attend more-selective universities. This is especially prevalent among black men, they note. Many minority students and those of low socioeconomic status undermatch: 59% of students in the bottom quartile of family income do so, compared with 27% of those in the top quartile. In addition, 64% of students whose parents have no college education undermatch, compared with 41% and 31% of those whose parents have college or graduate degrees, respectively.

Difficulty in transferring between colleges also disproportionately affects students from minorities and of low socioeconomic status. For example, students who sought to save money by completing the first two years of their degree at a local community college before transferring to a more expensive public university for the remaining two years had an especially low graduation rate owing to limited transfer opportunities. However, those who did manage to gain later admission into a four-year-institution did well — better, in fact, than first-time freshmen with stronger pre-college credentials who went directly to a four-year university.

The authors' offer several solutions to these worrying trends. They include: early identification of high-performing students from disadvantaged backgrounds and then tracking them to prevent undermatching; greater investment in need-based financial aid to help qualified students of low socioeconomic status to enter a four-year institution directly; and encouraging four-year universities to accept more transfer students.

Crossing the Finish Line serves as a wake-up call to educators and administrators, and provides valuable data that will help universities to invest their resources in nurturing the talents of all their students. It also provides a disturbing glimpse of the far-reaching effects of limited expectations and diminished educational opportunities. ■

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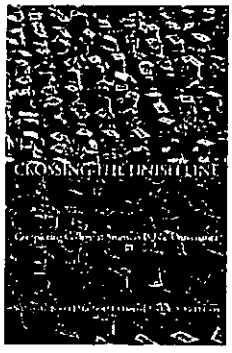


Crossing the Finish Line: Completing College at America's Public Universities

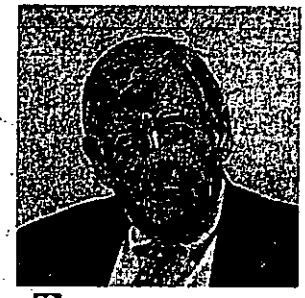
William G. Bowen, Matthew M. Chingos & Michael S. McPherson

Cloth | 2009 | $27.95 / £19.95
392 pp. | 6 x 9 | 97 line illus. 9 tables.

e-Book | 2009 | $27.95 | ISBN: 978-1-4008-3146-3

Shopping Cart | Reviews | Table of Contents
Chapter 1 [PDF]

"Appendix Material to Accompany "*Crossing the Finish Line*"



Watch video interview with William G. Bowen

Long revered for their dedication to equal opportunity and affordability, public universities play a crucial role in building our country's human capital. And yet--a sobering fact--less than 60 percent of the students entering four-year colleges in America today are graduating. Why is this happening and what can be done? *Crossing the Finish Line*, the most important book on higher education to appear since *The Shape of the River*, provides the most detailed exploration ever of the crisis of college completion at America's public universities. This groundbreaking book sheds light on such serious issues as dropout rates linked to race, gender, and socioeconomic status.

Probing graduation rates at twenty-one flagship public universities and four statewide systems of public higher education, the authors focus on the progress of students in the entering class of 1999--from entry to graduation, transfer, or withdrawal. They examine the effects of parental education, family income, race and gender, high school grades, test scores, financial aid, and characteristics of universities attended (especially their selectivity). The conclusions are compelling: minority students and students from poor families have markedly lower graduation rates--and take longer to earn degrees--even when other variables are taken into account. Noting the strong performance of transfer students and the effects of financial constraints on student retention, the authors call for improved transfer and financial aid policies, and suggest ways of improving the sorting processes that match students to institutions.

An outstanding combination of evidence and analysis, *Crossing the Finish Line* should be read by everyone who cares about the nation's higher education system.

William G. Bowen is president emeritus of the Andrew W. Mellon Foundation and Princeton University. **Matthew M. Chingos** is a PhD student in the Department of Government at Harvard University and research associate at the Andrew W. Mellon Foundation. **Michael S. McPherson** is president of the Spencer Foundation and former president of Macalester College.

Reviews:

"Identifying the causes of the college dropout crisis matters enormously, and [*Crossing the Finish Line*] tries to do precisely that. . . . For all the book's alarming statistics, its message is ultimately uplifting--or at least invigorating. . . . *Crossing the Finish Line* makes it clear that we can do better."--David Leonhardt, *New York Times*

"The most comprehensive look yet possible at the determinants of graduation rates--and what might be done to improve them. Bowen and McPherson are economists and bring economists' sensibilities and methods to their subject. Much of the book uses regression analysis to assess the impact of various factors on college completion (e.g., socioeconomic status, financial aid, and institutional selectivity) after adjusting for other factors such as students' high-school grades and test scores. Individual chapters deftly summarize what is known about each topic and then often extend that knowledge substantially. . . . The book provides new and often surprising insights on other major determinants of college completion. The chapters on financial aid, in particular, are masterful. . . . *Crossing the Finish Line* exemplifies the best that social science research has to offer: rigorous

Record: 1

Title: Helping Students Finish the 4-Year Run.

Authors: Bowen, William G.[1]
Chingos, Matthew M.[2]
McPherson, Michael S.[3]

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Reviews & Products: CROSSING the Finish Line: Completing College at America's Public Universities (Book)

Abstract: In this article the authors discuss aspects of helping students to complete college. They discuss the factors behind the country's educational attainment plateau and how to reduce the disparities in four-year degree completion rates by socioeconomic status, race, and ethnicity. Also investigated is the research findings on this topic from the authors' book "Crossing the Finish Line: Completing College at America's Public Universities."

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Helping Students Finish the 4-Year Run

OVER THE LAST 35 years, the United States has failed to build human capital at anything like its historic irate, and the Obama administration is wise to give a high priority to improving graduation rates. Our new book, Crossing the Finish Line: Completing College at America's Public Universities (Princeton University Press), examines the factors behind this plateau in educational attainment and the substantial (and closely related) disparities in bachelor's-degree completion rates by socioeconomic status, race, and ethnicity. Reducing these disparities is essential if the United States is to raise the overall level of educational attainment and regain its leadership in higher education worldwide.

We focus on America's public universities because they enroll such a high percentage of the collegegoing population--about two-thirds of all full-time students seeking B.A.'s and more than three-fourths of all students in four-year programs. This is also the sector that has the strongest historical commitment to promoting social mobility. We present data for all members of the 1999 entering cohorts at 21 flagship universities and at all 47 four-year public universities in four states: Maryland, North Carolina, Ohio, and Virginia. Here are six major findings:

1. Disparities in outcomes (especially graduation rates and the time it takes to earn a degree) are strongly related to socioeconomic status, race, and ethnicity. The disparities are substantial, pervasive, and persistent (see Chart 1). Moreover, related differences in college preparation account for a relatively small part of the gaps.

2. Lengthy time-to-degree is a major problem. At the flagship campuses of public-university systems, just under half of entering freshmen go on to graduate in four years. Throughout the four state systems that we studied, less than 40 percent graduate in four years, and the number who take five and six years exceeds the number of four-year graduates. There is now debate over the desirability of promoting three-year programs; yet raising the percentage of students who graduate in four years would save far more resources and have a much greater impact on the "efficiency" of the educational system.
3. Withdrawals from flagship universities are far less concentrated in the first two years of study than many people assume. Nearly half of all students who withdraw do so after the second semester, so it will not do to focus only on getting students off to a good start--important as that is. Once again, there are substantial gaps among students from different socioeconomic groups, although the overall pattern is similar (see Chart 2).
4. Money matters. We find big gaps by family income in completion rates and in the time it takes to earn degrees--even after we control for related differences in factors like parental education. For example, at the flagships 83 percent of students from the top half of the income distribution graduate within six years, but only 68 percent from the bottom half do so: a difference of 15 percentage points. The difference in four-year graduation rates is 19 points. We also find that differences across states in the net prices paid by students have significant effects on the odds that a low-income student will graduate: the higher the net price, the lower the completion rate (other things equal). On the other hand, there is no correlation between net price and completion rates for high-income students, a finding that raises real questions about the wisdom of merit-aid programs and policies aimed at keeping tuition low across the board.
5. But money is by no means the entire story, perhaps not even the largest part. Student's choices of where to apply to college are enormously important. A surprisingly large number of students--especially those from poor families and those who are African-American or Hispanic-"undermatch." That is, they go to less demanding four-year institutions than they are qualified to attend, to two-year colleges, or to no college at all. For example, 59 percent of students in the bottom quartile of family income undermatch; 27 percent in the top quartile do so. In addition, 64 percent of students whose parents have no college education undermatch, compared with 41 percent of those whose parents have college degrees and 31 percent whose parents have graduate degrees (see Chart 3). Undermatching has serious consequences because there is a strong association between institutional selectivity and B.A.-completion rates: Students with essentially the same qualifications who attend more-selective universities have a considerably higher probability of graduating than do comparable students who attend less selective universities. Our data also confirm the results of other studies that show that students whose objective is to earn a B.A. are much less likely to do so if they start at a two-year college (again, other things equal).
6. "Sorting" of applicants by universities, especially overreliance on standardized tests, is consequential and problematic. We are not opposed to testing per se. Standardized tests can be helpful when used in the right ways and in the right settings. They are especially helpful when used with high-school grades to predict college grades at the most selective universities. It is clear, however, that high-school grades are far better predictors of graduation rates, especially at less selective universities. This finding holds even when we do not take account of differences in the quality of the high school that a student attended. Results of achievement tests, especially scores on Advanced Placement tests, are also good predictors. Both grades and achievement-test scores measure not only cognitive achievement but also coping and time-management skills--which, we surmise, affect completion rates.

Thus, in our view, institutions and national policy makers need to make stronger efforts to help students complete their college programs in a timely way. Starting college is obviously important, but so is crossing the finish line.

1. Graduation Rates by Socioeconomic Status (SES), 1999 Entering Students

	Graduation rate (percent)		
	Graduated in 5 or 6 years	Graduated in 4 years	
Flagships			
Low SES	30	38	68
Middle SES	28	45	73
High SES	26	57	83

State Systems

Low SES	23	32	55
Middle SES	24	39	63
High SES	22	52	74

Figure 3-4 from Crossing the Finish Line: Completing College at America's Public Universities (Princeton University Press)

GRAPH: 2. Cumulative Withdrawals per Semester at Flagship Universities, by Socioeconomic Status (SES)

3. Undermatch Rates for North Carolina Students and Institutions, by Family Income and Parental Education

	Undermatch rate (percent)
Family income	
Bottom quartile	58
Second quartile	54
Third quartile	42
Top quartile	27
Parental education	
No college	64
Some college	51
College degree	41
Graduate degree	31

Note: Undermatching is the rate at which students go to less-demanding institutions than they are qualified to attend.

Figure 5-5 from Crossing the Finish Line

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By William G. Bowen; Matthew M. Chingos and Michael S. McPherson

William G. Bowen is president emeritus of the Andrew W. Mellon Foundation and Princeton University. Matthew M. Chingos is a Ph.D. student in government at Harvard University and a research associate at the Mellon Foundation. Michael S. McPherson is president of the Spencer Foundation and a former president of Macalester College.

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TOPS REPORT

BOARD of REGENTS

MAY, 2009

Appendix A – ACT 1202 of 2001
Appendix B – Student Retention/Persistence Reports (BRPRG06AYR, 2003-2007 FTF Cohort)
Appendix C – Completer Reports (CMPL6CFYR, CMPL6CTRY: 2000-2002 FTF Cohort, Bacc & ≤Assoc)

TOPS: Taylor Opportunity Program for Students

The Taylor Opportunity Program for Students (TOPS), Louisiana's comprehensive, merit-based student aid program, was initiated with the incoming freshman class of Fall 1998. Although the founding legislation does not directly document the goals of the program, four generally accepted purposes of TOPS are:

- To promote academic success by requiring completion of a rigorous high school core curriculum;
- To provide financial incentives as a reward for good academic performance;
- To keep Louisiana's best and brightest in the state to pursue postsecondary educational opportunities; and
- To promote access to and success in postsecondary education.

TOPS includes three levels of awards for students enrolling at Louisiana's colleges and universities: Opportunity, Performance, and Honors. The criteria for eligibility include completion of a defined high school core curriculum, with a minimum grade point average on the core and a minimum ACT composite score. Table 1 lists current criteria and awards.

Table 1: TOPS Eligibility Criteria & Value, 2009

AWARD	Core	Core GPA	ACT	Award Specifics	Duration
Opportunity	17.5 Units	2.50	20	Tuition	4 Years
Performance	17.5 Units	3.00	23	Tuition + $400/year	4 Years
Honors	17.5 Units	3.00	27	Tuition + $800/year	4 Years

* 4 Years, or 8 semesters.

To maintain eligibility, TOPS recipients must be continuously enrolled as full-time students, earn at least 24 hours of credit each academic year (Fall and Spring), and maintain academic progress as demonstrated by the cumulative grade point average. Table 2 lists the minimum renewal requirements for each award.

Table 2: Renewal Requirements

AWARD	Hours Earned per Academic Year (Fall & Spring)	Cumulative GPA each Academic Year (2.0 each semester/term)	Award Reinstated (Upon Recovery of Required GPA)
Opportunity	24	2.30 – first year 2.50 – subsequent years	Yes
Performance	24	3.00	Yes, as *Opportunity*
Honors	24	3.00	Yes, as *Opportunity*

Administration of TOPS is statutorily assigned to the Louisiana Office of Student Financial Assistance (LOSFA). Initial student eligibility is determined using a combination of:

the Free Application for Federal Student Aid (FAFSA) or TOPS On-line Application; the high school transcript from the Department of Education's Student Transcript System (STS); and official ACT scores. Continuing eligibility is determined based on data received from the institution in which the student enrolls.

ACT 1202 of 2001

ACT 1202 of the 2001 Regular Legislative Session charged the Board of Regents with developing a uniform TOPS reporting system for the purposes of policy analysis and program evaluation and to provide accurate data and statistics relative to the program's impact on the state and on students. (Text is included as Appendix A.) ACT 1202 requires a TOPS report, to include:

- Relationship between the high school courses taken and the student's score on the American College Test (ACT).
- Number of high school graduates who are eligible for TOPS and subsequently enroll in college;
- Persistence rates of TOPS students;
- Retention rates of TOPS students, including numbers of and reasons for students losing award eligibility; and
- Graduation data, including rates.

To satisfy the reporting requirements of ACT 1202, Regents' staff developed interfaces between the major systems needed to identify and track TOPS students as they move through the enrollment cycle.

TOPS REPORT

The data in this report include current and historical data on TOPS and non-TOPS students to allow for comparison. It is presented in an order that follows the students' progression through the enrollment process: from preparation, to persistence, to graduation.

It should be noted that most of the data in this report do not include private institutions, because they do not currently participate in Regents' reporting systems. Nor does that data include the Louisiana Technical College (LTC) enrollment, because the LTC did not participate in Regents' reporting systems prior to 2003.

Preparation

TOPS eligibility requirements encourage students to take high school courses that will prepare them for success after high school, particularly in postsecondary education. The TOPS core curriculum is the key component for eligibility for an award. With the 2001 Master Plan, the Board of Regents adopted the TOPS core as the *Regents' Core*, the most important element of the minimum standards established for admission to the state's public four-year colleges or universities. With this change, students have had a double incentive to complete the college-preparatory curriculum, and it has had a very positive effect on student behavior.

Whether a high school graduate actually attends college with TOPS, the match of the TOPS core and the Regents' core for admission has resulted in a growing number of students completing a college preparatory curriculum, which also makes them better prepared for career advancement. As shown in Table 3, even as the number of high school graduates has decreased (as anticipated by demographic projections), the actual number and percentage of high school graduates completing the TOPS core curriculum has generally been increasing. The percentage completing the core declined with the 2008 graduating class due to increased requirements (i.e., the addition of a 4th unit in advanced math or science).

Table 3. HS Graduates and TOPS Core

	2003	2004	2006	2007	2008
HS Graduates	45,057	44,350	40,403	40,763	41,435
With TOPS Core	25,544	26,105	26,356	27,122	25,256
% with Core	57%	59%	65%	67%	61%
Eligible for TOPS	17,713	18,526	18,394	18,503	*Not available*

Note: Not including LTC. TOPS Eligibility: LOSFA data

* *TOPS Core changed in 2008: additional Math or Science course required*

Students who complete a rigorous curriculum score significantly better on the ACT than those who do not. As a result of the growing number of students who complete the TOPS/Regents' core, the average ACT composite score in Louisiana has improved steadily. The state average ACT for the 2003 graduating class was 19.6; by 2008 the average had increased to 20.3 composite.

Participation

The majority of TOPS freshmen enroll with an Opportunity Award at a public, four-year institution. Table 4 illustrates the distribution of TOPS awards received by the 2007 entering class (freshmen) and where recipients enrolled.

Table 4. 2007 Entering TOPS Class

TOPS AWARD	
Honors Award	13%
Performance Award	18%
Opportunity Award	69%
INSTITUTION TYPE	
Public 2-year	5%
Public 4-year	95%

For the past three years, over half of the Louisiana residents in the entering fall cohorts of first time, full-time freshmen (FTF) at public postsecondary institutions began college with a TOPS award. The FTF cohort includes students enrolled in postsecondary education for the first time, regardless of age or date of high school graduation.

Table 5. Entering FTF Cohorts

Entering Fall	FTF Cohort	Number from Louisiana	%	Number with TOPS	% (from LA w/ TOPS)
1998	27,202	25,074	92%	10,610	42%
1999	25,681	23,804	93%	10,376	44%
2000	26,495	24,384	92%	11,137	46%
2001	26,758	24,398	91%	11,607	48%
2002	27,307	24,972	91%	11,913	48%
2003	29,828	26,685	89%	12,270	46%
2004	30,195	26,978	89%	12,630	47%
2005	24,354	21,567	89%	11,669	54%
2006	26,569	24,194	91%	12,731	53%
2007	27,050	24,338	90%	12,372	51%

Note: FTF not including LTC.

As shown in Table 5, from 1998 to 2007, the number of first-time freshmen enrolling with TOPS has increased by 17% (1,762 students). In that same time frame, the TOPS requirements changed, with an increase of the minimum ACT score (from 19 to 20), change in required high school GPA from the *overall* to a *core* GPA, and increase in the number of core courses from 16.5 to 17.5. Even with these increases in eligibility requirements, and recovering from the 2005 setback due to hurricane-driven displacements, TOPS has made a difference: more, better-prepared Louisiana students are enrolling in college with TOPS.

Persistence

Persistence in postsecondary education is usually measured by the rate at which first time full-time students are retained to their second year. The statewide retention (persistence) rate to the second year for the entering class in fall 1997 (prior to TOPS) returning in fall 1998 was 71.3%. The statewide retention rate for the class entering in fall

2007 and returning in fall 2008 was 75%; among TOPS recipients the state retention rate was 88%, while among non-TOPS students it was 65%.

The Student Retention/Persistence reports in Appendix B identify, by entering fall term and institution, the FTF cohort and second- through sixth-year retention rates for those who began college with TOPS and without a TOPS award (non-TOPS). Table 6 compares the overall retention rate to the second, third, and fourth year (if available) of TOPS students (*whether or not they retained the award*) and non-TOPS students. The data indicate that, in spite of hurricanes like Katrina/Rita that interrupted so many students' planned enrollments in 2005-2006, students who start school with a TOPS award reenroll in subsequent years at a higher rate than non-TOPS students.

Table 6. Retention/Persistence

Fall Semester Entering Class	% Re-enrolled in Subsequent Years					
	2nd Year		3rd Year		4th Year	
	TOPS	Non-TOPS	TOPS	Non-TOPS	TOPS	Non-TOPS
1999	88%	62%	82%	50%	77%	44%
2001	87%	65%	82%	54%	76%	47%
2003	89%	66%	77% *	43% *	77%	42%
2006	87%	64%	81%	51%	-	-

Note: Not including LTC ** 2005 Academic Year: Kartrina/Rita*

Retention of TOPS Award

Students who receive a TOPS award must maintain minimum academic criteria to retain their award (Table 2). Those who fail to maintain the minimum GPA have their award suspended; if they raise their cumulative GPA to the required level within two years, the award is reinstated. The award is cancelled when students fail to maintain full-time enrollment, earn the required 24 hours of credit, or raise their GPA to the required minimum.

Table 7 shows the percentage of students with TOPS whose award was suspended or cancelled over the course of an academic year. Though approximately 13% of TOPS students lose the award each year, Regents' data indicates that, of the public postsecondary students who lost TOPS over the four-year period from 2004-2007, 77 percent subsequently re-enrolled in a public postsecondary institution (without TOPS) to continue their education.

Table 7. Lost TOPS

Academic Year	TOTAL TOPS Awards	SUSPENDED: GPA	CANCELLED: Hours Earned	CANCELLED: Other Reason
2004	37,221	16.6%	10.4%	2.9%
2005	37,344	20.8%	6.5%	2.8%
2006	38,568	19.9%	11.8%	3.7%
2007	37,205	18.6%	10.5%	3.5%

* Public, only: New & Continuing Students. *Not including TOPS Tech.*

Graduation

Graduation is usually measured at the rate in which first time entering students earn their academic degrees within 150% of the time required, i.e., within three-years for associate degrees, and six-years for baccalaureate degrees. This 150% protocol for measuring degrees was adopted by the federal government and has become the standard followed by the regions and states. Table 8 displays the percent of TOPS and non-TOPS students who have earned a bachelor's degree within the six academic years, starting with the Fall/1998 entering class.

Table 8: Completers (Baccalaureates)

Entering FALL	% GRADUATING Within 6 Years		
	Total	TOPS	Non-TOPS
1998	35%	58%	19%
1999	37%	59%	21%
2000	37%	58%	20%
2001	37%	57%	20%

Note: Not including LTC

Students who begin college with TOPS consistently graduate at nearly three times the rate of non-TOPS students. The Completers reports in Appendix C list, by institution, the number of TOPS and non-TOPS students in an entering cohort who earned a Baccalaureate degree within six years or an Associate degree (or certificate or diploma) within three years.

To further study program success, Regents and LOSFA identified students in the *TOPS Cohort*—who entered a public college/university in 2000 and 2001 with TOPS awards—who had completed the TOPS program, i.e., who *kept* TOPS (without either suspension or cancellation) *for the full eight semesters*, and who had graduated with a bachelor's degree by 2007-08. This quantified the students on TOPS who had earned a baccalaureate within six (for the 2001 cohort) or seven (for the 2000 cohort) years.

Table 9: TOPS Completers

Freshman Year	TOPS Cohort (*Public*)	Award Status (Full 8-Semester Program)		By 2007-08	
				Earned Bach Degree	No Bach Degree
2000	11,137	Kept TOPS	5753	5362	391
		Lost TOPS	5384	1892	3492
2001	11,605	Kept TOPS	5,981	5446	535
		Lost TOPS	5,624	1666	3,958

The data in Table 9 show that, for both of the freshman cohorts, almost two-thirds of the students who started college with TOPS awards in 2000 or 2001 have graduated, whether or

not they managed to keep the award for all eight semesters, and 93% of those who kept TOPS all four years have graduated with a bachelor's degree.

Whether or not students retain the TOPS award, those who begin college on TOPS complete a degree at a faster rate, as a group, than those who do not.

SUMMARY

The purposes of the reporting requirements of ACT 1202 are to provide accurate data and statistics relative to the impact of TOPS on the state and students as well as for policy analysis and program evaluation. The TOPS reporting model developed by Regents serves the state by providing accurate data for policy analysis and the basis for future decisions regarding the TOPS program in Louisiana.

A review of the data presented in this report indicates that the TOPS program is meeting the generally accepted purposes for which it was developed:

- Students who take the core curriculum score significantly better on the ACT;
- More students in the recent graduating class took the core and more have been determined eligible for TOPS by LOSFA;
- The number of first time freshmen with TOPS enrolling in public postsecondary education has increased;
- A larger number of students with higher ACT scores are remaining in Louisiana to attend college;
- Students receiving a TOPS award persist in college at a higher rate than non-TOPS students; and
- More students with TOPS graduate from college in a shorter period of time than non-TOPS students.

Act 1202

ENROLLED

Regular Session, 2001
HOUSE BILL NO. 2012
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 17:3048.3 and 3048.4, relative to the Tuition Opportunity Program for Students; to provide for the establishment and implementation of a uniform information reporting system; to provide for applicability; to provide relative to compliance with reporting system requirements by colleges and universities, including requiring compliance as a condition of eligibility to receive certain payments by the state; to require that the reporting system include certain components; to provide for certain notifications to parents and others about program availability; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3048.3 and 3048.4 are hereby enacted to read as follows:

§3048.3. Program information reporting system; implementation; requirements; applicability; participation by eligible institutions and others

A.(1) The Board of Regents shall formulate, develop, establish, and implement a uniform Tuition Opportunity Program for Students information reporting system for the purposes of policy analysis and program evaluation and for providing accurate data and statistics to the legislature, the governor and appropriate executive branch agencies, and the public relative to the program's impact on the state and on students.

(2) In formulating and developing the information reporting system, the Board of Regents shall consult with and seek written recommendations from the Louisiana Student Financial Assistance Commission, each college or university eligible for participation in the Tuition Opportunity Program for Students, each of the public postsecondary education management boards, the Louisiana Association of Independent Colleges and Universities, legislators, and knowledgeable others as determined appropriate by the Board of Regents.

(3) It is the intention of the legislature that the reporting system provided by this Section and the requirements thereof shall be applicable to all Tuition Opportunity Program for Students applicants, all award recipients regardless of eligible college or university attended, and all such eligible colleges and universities. Effective for the 2002- 2003 award year and thereafter, compliance with the requirements of the Tuition Opportunity Program for Students information reporting system shall be a condition for an eligible college or university to remain eligible to receive payments from the state on behalf of an award recipient. Compliance determinations shall be made annually by the Board of Regents.

B. The Tuition Opportunity Program for Students information reporting system shall include but not be limited to the following:

(1) A report prepared as of the end of the Fall semester and again as of the end of the Spring semester or equivalent periods of time during each academic year relative to the rate of retention of program awards by students as they progress from semester to semester or other equivalent periods of time as may be applicable once enrolled at an eligible college or university. The data shall be reported by institution attended, by the two digit classification of instructional program, and by program award category and shall include the percent of students losing program eligibility due to not earning the minimum number of credit hours, the percent of students losing program eligibility due to not having the required cumulative grade point average, and the percent of students losing program eligibility for failing to make steady academic progress.

(2) The persistence rates at colleges and universities of freshmen, sophomore, junior, and senior students receiving a program award reported by award category and by award year.

(3) The graduation rates or rates of completion of the chosen postsecondary education program if otherwise applicable for students receiving a program award, reported by award category and award

year, including for those graduating with an academic degree at the baccalaureate level the rate for persons graduating within four years, within five years, and within six years, respectively.

(4) The mean length of time required for a student receiving a program award to graduate with an academic degree at the baccalaureate level or to complete the chosen postsecondary education program if otherwise applicable with such information being reported by award category and by award year.

(5) An annual report on the number of applicants as well as the percent of high school graduates by high school and by parish who apply for a program award, by award category, and the percent of those students who subsequently enroll in a college or university.

(6) Statistical studies on the relationship between the courses taken and grades earned by a high school student and the student's score on the American College Test or the Scholastic Aptitude Test. Relative to public high schools, such statistical studies shall use student course and grade data that is otherwise available from the schools and such studies shall be conducted at no additional cost to the governing authority of any public high school.

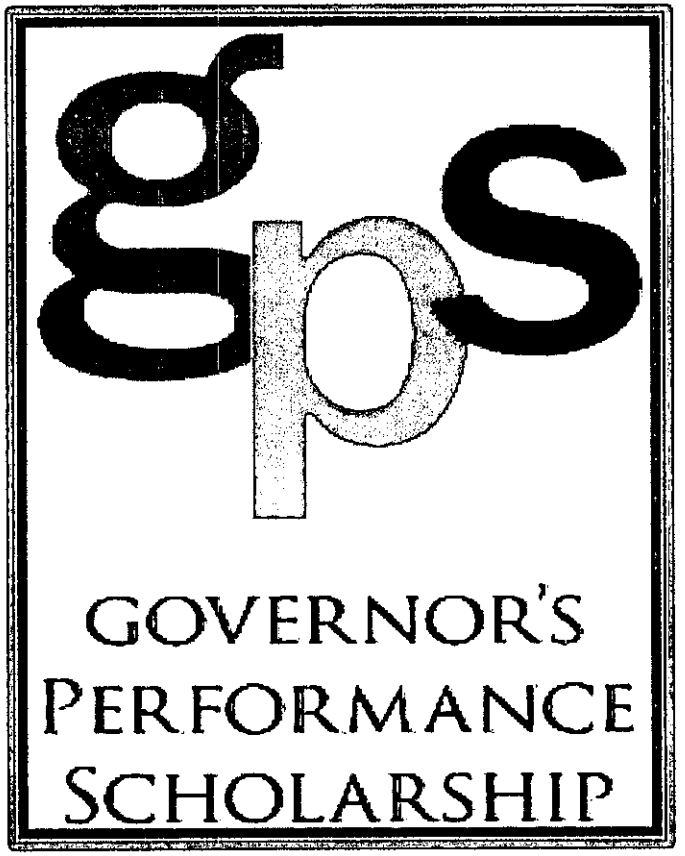
C. When necessary due to limitations in existing secondary data sources and systems, the Board of Regents, consistent with the general provisions of this Section, may modify any specific requirement of this Section. However, prior to making any such modifications the board shall report in writing to the House Committee on Education and the Senate Committee on Education on the proposed action and the board shall have received approval from each committee relative to the proposed action.

§3048.4. Notice to students and parents

The State Board of Elementary and Secondary Education shall require that the governing authority of every public secondary school include as a component of a student's Five Year Educational Plan as required by R.S. 17:183.2 comprehensive information relative to the Tuition Opportunity Program for Students and program eligibility requirements for each of the awards. Additionally, the parent or other person responsible for the student's school attendance at the ninth grade level shall be required to return to the school at the start of the student's ninth grade year a signed notice that the program information and eligibility requirements have been reviewed by the parent or other responsible person and by the student and that, for informational and data collection purposes only, expresses the intent of the parent or other responsible person as to whether or not the student will be pursuing the necessary program of studies to be eligible for a Tuition Opportunity Program for Students award.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES
PRESIDENT OF THE SENATE
GOVERNOR OF THE STATE OF LOUISIANA
APPROVED:



AN INVITE TO EXCELLENCE AND RIGOR

GOALS:

- *Increase High School (HS) graduation rate.*
- *More HS students taking rigorous curriculum.*
- *More course offerings in HS.*
- *More HS students prepared for postsecondary.*
- *More-affordable postsecondary.*
- *More use of in-state postsecondary.*
- *Contribute to a college going culture.*
- *Increase the rigor of courses statewide.*

BASIC INFORMATION

- *Open to graduates of Alaska high schools.*
- *Open to home school, public school and private school students.*
- *Use at Alaska postsecondary, private or public*

TYPES OF SCHOLARSHIPS

- *Three levels of academic scholarships*
- *One level of career and technical scholarship*

CRITERIA

- *Grades*
- *Assessments*
- *Curriculum*
- *Alternative Pathway*

CRITERIA: Grades

- *"A" average for highest level of academic scholarship*
- *"B" average for middle level of academic scholarship*
- *"C+" average for lower level of academic scholarship*
- *"C+" average for career and technical scholarship*

CRITERIA: Assessments

- *An established national college-entrance assessment for academic scholarships.*

- *An established national work-ready assessment for career and technical scholarships.*

CRITERIA: Curriculum

- *Four years of English*
- *Four years of Math*
- *Four years of Science*
- *Three years of Social Studies*
- *Options for rural students*

VALUE OF SCHOLARSHIPS

- *Platinum academic: Equal to 100% of tuition at UA in 2010, for 8 semesters.*
- *Gold academic: Equal to 75% of tuition at UA in 2010, for 8 semesters.*
- *Silver academic: Equal to 50% of tuition at UA in 2010, for 8 semesters.*
- *Career & Technical: Actual tuition up to $3,000 a year, for two years.*

FUNDING

- *Use the annual earnings from $400 million of general fund.*

What happens if a student starts out in a vocational program and decides to change later?

Louie Flora

From: bcampen@ptialaska.net
Sent: Saturday, January 30, 2010 6:30 PM
To: Rep. Paul Seaton
Subject: House Bill 297 - Gov's Performance Scholarship

Representative Paul Seaton, Chair
House Education Committee
Alaska State Legislature
Juneau, AK 99811

Dear Representative Seaton:

I would like to address HB 297, the Governor's Performance Scholarship. My intention had been to write a "hard copy" letter, but I found out that a House/Senate joint committee will discuss the bill next week, and so am sending this email letter instead.

At the bottom of this letter is a letter that I wrote to Governor Parnell in Oct. 2009 in which I expressed my concern about the eligibility requirements for the scholarship. As a long-time Alaska social studies teacher, I am disheartened that our governor and the Commissioner of the Dept. of Education and Early Development would propose a scholarship that holds three core curricular areas as more important than the fourth - social studies. To be eligible for the scholarship, a student must have earned 4 credits of math, science, and English. They only need 3 credits of social studies. There appears to be no rationale for it. In fact, as I state in my letter below, more than ¾ of all Alaska students are already required to take four credits of social studies, so I fail to see how the criteria for the GPS represents a "more challenging curriculum". Knowledge of history, geography, politics, economic, sociology - all embedded in the social studies - is essential for informed decision making and becoming a fully engaged citizen. Why would we expect less social studies knowledge of our students? Doing so sends a poor message about what is important and sets a poor precedent.

I ask that you push to increase the eligibility of social studies to 4 credits for the GPS. Social studies will then be identified as equal to math, English, and science, as it should be. Students will then see that legislators value social studies as the other core curricular areas. Shouldn't this be what they see coming from government leaders?

Thank you for you consideration of this request. I will be following this bill with great interest.

Sincerely,

Brenda D. Campen
P.O. Box 1562
Sitka, AK 99835
bcampen@ptialaska.net 907.747.3441

P.O. Box 1562
Sitka, AK 99835

10.22.09

The Honorable Sean Parnell
Alaska Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001

Dear Governor Parnell:

It is with great interest that I have followed news of your proposal for the Governor's Performance Scholarship. Most recently, details of the plan were covered in the 10.20.09 edition of the Daily Sitka Sentinel. I would like to share a few thoughts on this proposal, specifically the eligibility requirements for the scholarship.

I am the social studies department chair at Mt. Edgecumbe High School in Sitka. I have been with MEHS since it reopened as a state school in 1985. Previous to that I worked in Yukon-Koyukuk School District, Iditarod School District, and Chatham School District. I brought eight years of rural teaching experience to Mt.
Edgecumbe High School and have 33 years of teaching experience in Alaska. I have had several opportunities to move into the administrative level of education, but have remained a classroom teacher because that is what I love. There is no better job than sharing and learning history, geography, politics, and current events with high school students.

Your GPS proposal has merit, and I only wish to address one item about which I was surprised and concerned. The qualifications for eligibility are listed as four years of math, science, English…..and only three years of social studies. I must ask why, why only three years of social studies? The message this sends to students, teachers, and parents is that social studies is less essential than the other three core curricular areas.

I have spent my entire career working to affirm the legitimacy and the absolute necessity of the social studies. Social studies and science are really the heart of the core curriculum, with math and lang.arts/reading supporting the acquisition of knowledge and skills. Social studies and science are where students learn to apply their math and reading/writing skills. In the world today, with the complexities of issues facing all global citizens, why would there not be support for more social studies rather than less?

I can tell you that in my years of teaching in Alaska, I have seen a diminishment of students' basic geography and history knowledge as they enter high school. This has been most pronounced since the advent of No Child Left Behind. It is actually quite alarming. The social studies, not formally tested, has been marginalized to the point that students simply don't possess what one would expect as basic knowledge, and are coming to high school less prepared. Yet, when students are properly challenged and taught, social studies classes often become the most
interesting and valuable of all their classes.. Remember, not everyone will become an engineer, nurse, computer technician, or carpenter, but everyone is a citizen and will be in a position to vote and engage in civic activities. Why would we expect less preparation for student in social studies than for any other area of the high school core curriculum?

Are you aware that Anchorage School District, with over 50% of all Alaska students, requires four credits of social studies for graduation? Mt. Edgecumbe High School

has required four credits since 1985. Instead of "raising the bar" by expecting students to tackle a rigorous high school program, the current GPS proposal lowers the bar for social studies, and relegates it to a less important position. I can't believe that is your intention.

Please reconsider the proposal, support the social studies, and raise the eligibility for the GPS program to four credits of social studies as for all the other core curricular areas. More than 50% of the students in the state already achieve this for their local high school diploma. Should the governor expect anything less?

Thank you for considering this change.

Sincerely,

Brenda D. Campen
bcampen@ptialaska.net

Brenda D. Campen
2006 Alaska History Teacher of the Year
1997 Milken Educator Award
1993 National Council for the Social Studies Teacher of the Year
1993 Alaska Council for the Social Studies Teacher of the Year

2007FA Reports

	Report	Scholarships	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount
1	Estimate Report 8/1/07	Honors	75	$119,867	18	$28,800	19	$30,400	37	$59,200	52	$78,916	56	$44,200	42	$67,200	299	$428,583	625	$1,000,000	924	$1,428,583
2		Performance	187	$223,600	53	$63,600	30	$36,000	97	$115,333	120	$139,999	61	$73,152	84	$100,800	632	$752,484	500	$630,000	1,132	$1,382,484
3		Opportunity	146	$115,332	38	$30,400	19	$14,400	82	$65,600	68	$53,746	40	$31,268	69	$55,200	462	$365,946	250	$200,000	712	$565,946
4		Career	69	$54,067	20	$16,000	20	$16,000	16	$12,800	40	$30,482	14	$10,336	16	$12,800	195	$152,485	0	$0	195	$152,485
5		Need Award	15	$5,062	0	$0	3	$1,225	1	$105	13	$2,812	0	$0	5	$5,200	37	$14,404	215	$210,000	252	$224,404
6		**Estimated Sch.Shps.**	**477**	**$517,928**	**129**	**$138,800**	**88**	**$98,025**	**232**	**$253,038**	**280**	**$305,955**	**171**	**$158,956**	**211**	**$241,200**	**1,588**	**$1,713,902**	**1,375**	**$2,040,000**	**2,963**	**$3,753,902**
7	Mid Term (30 Day) Report 10/11/07	Honors	65	$102,933	16	$25,600	21	$33,600	35	$56,000	46	$66,874	31	$47,600	42	$67,200	256	$399,807	638	$1,020,800	894	$1,420,607
8		Performance	189	$220,400	55	$65,300	39	$46,500	112	$130,200	118	$135,984	85	$100,308	114	$134,876	712	$833,568	502	$601,900	1,214	$1,435,468
9		Opportunity	147	$110,195	32	$25,132	25	$18,601	93	$68,335	65	$50,318	64	$47,656	89	$67,976	515	$388,213	235	$187,466	750	$575,679
10		Career	65	$46,868	18	$13,000	26	$19,799	29	$18,135	33	$24,044	30	$21,232	16	$12,600	217	$155,678	0	$0	217	$155,678
11		Need Award	40	$14,810	1	$216	13	$5,568	5	$1,033	9	$1,694	4	$1,066	0	$0	72	$24,387	263	$254,521	335	$278,908
12		**Actual Sch.Shps.**	**466**	**$495,206**	**121**	**$129,248**	**111**	**$124,068**	**269**	**$273,703**	**262**	**$278,914**	**210**	**$217,862**	**261**	**$282,652**	**1,700**	**$1,801,653**	**1,375**	**$2,064,687**	**3,075**	**$3,866,340**
13	Supplemental Report 12/5/07	Honors															0	$0			0	$0
14		Performance															0	$0			0	$0
15		Opportunity			1	$800			1	$400	2	$1,600					4	$2,800			4	$2,800
16		Career	1	$667	1	$800	1	$600			1	$766					4	$2,833			4	$2,833
17		Need Award															0	$0			0	$0
18		**Additional Sch.Shps.**	**1**	**$667**	**2**	**$1,600**	**1**	**$600**	**1**	**$400**	**3**	**$2,366**	**0**	**$0**	**0**	**$0**	**8**	**$5,633**	**0**	**0**	**8**	**$5,633**
19	End of Term (Post Sem) Report 3/17/08	Honors	65	$102,933	16	$25,600	20	$32,000	35	$56,000	45	$65,274	33	$50,800	40	$64,000	254	$396,607	639	$1,017,600	893	$1,414,207
20		Performance	189	$220,500	55	$65,300	38	$45,300	111	$129,000	107	$122,166	88	$103,908	117	$138,176	705	$824,350	532	$625,500	1,237	$1,449,850
21		Opportunity	147	$110,195	33	$25,932	23	$16,934	93	$68,268	59	$45,688	68	$51,223	86	$65,443	509	$383,683	210	$165,499	719	$549,182
22		Career	66	$47,535	17	$11,534	27	$20,265	29	$18,135	29	$21,245	31	$22,096	15	$11,667	214	$152,477	0	$0	214	$152,477
23		Need Award	39	$14,363	5	$757	9	$4,086	7	$1,999	8	$1,594	5	$1,816	0	$0	73	$24,615	279	$266,591	352	$291,206
24		**Final Sch.Shps.**	**467**	**$495,526**	**121**	**$129,123**	**108**	**$118,585**	**268**	**$273,402**	**240**	**$255,967**	**220**	**$229,843**	**258**	**$279,286**	**1,682**	**$1,781,732**	**1,381**	**$2,075,190**	**3,063**	**$3,856,922**

2008SP Reports

	Report	Scholarships	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount
1	Estimate Report 8/1/07	Honors	67	$107,200	16	$25,600	20	$32,000	44	$70,400	45	$63,740	32	$47,200	42	$64,000	266	$410,140	625	975,000	891	$1,385,140
2		Performance	193	$230,000	55	$66,000	39	$46,800	130	$156,000	108	$122,786	92	$108,000	120	$138,777	737	$868,363	490	575,000	1,227	$1,443,363
3		Opportunity	151	$120,200	33	$26,400	27	$21,600	118	$91,200	60	$46,495	65	$50,400	90	$69,577	544	$425,872	230	175,000	774	$600,872
4		Career	65	$52,000	20	$16,000	24	$19,200	40	$32,000	30	$22,753	30	$23,200	18	$14,400	227	$179,553	0	0	227	$179,553
5		Need Award	39	$15,725	5	$759	12	$5,091	6	$1,371	9	$1,697	5	$1,800	7	$1,900	83	$28,343	245	240,000	328	$268,343
6		**Estimated Sch.Shps.**	**476**	**$525,125**	**124**	**$134,759**	**110**	**$124,691**	**332**	**$350,971**	**243**	**$257,471**	**219**	**$230,600**	**270**	**$288,654**	**1,774**	**$1,912,271**	**1,345**	**1,965,000**	**3,119**	**$3,877,271**
7	Mid Term (30 Day) Report 3/7/08	Honors	63	$98,267	15	$24,000	20	$32,000	34	$54,400	40	$56,247	35	$55,264	41	$65,600	248	$385,778	644	$1,024,267	892	$1,410,045
8		Performance	198	$230,550	46	$55,000	32	$37,900	109	$128,300	110	$126,624	89	$104,400	117	$137,377	701	$820,151	521	$612,466	1,222	$1,432,617
9		Opportunity	146	$108,735	32	$25,533	19	$15,200	97	$72,469	65	$49,582	63	$47,672	87	$67,177	509	$386,368	196	$156,501	705	$542,869
10		Career	58	$43,467	12	$9,133	23	$18,267	32	$22,268	34	$25,452	22	$17,336	18	$13,400	199	$149,323	0	$0	199	$149,323
11		Need Award	37	$15,279	3	$367	7	$3,264	6	$1,992	8	$1,597	6	$1,765	12	$2,016	79	$26,280	267	$257,656	346	$283,936
12		**Actual Sch.Shps.**	**465**	**$496,298**	**105**	**$114,033**	**94**	**$106,631**	**272**	**$279,429**	**249**	**$259,502**	**209**	**$226,437**	**263**	**$285,570**	**1,657**	**$1,767,900**	**1,361**	**$2,050,890**	**3,018**	**$3,818,790**
13	End of Term (Post Sem) Report 7/9/08	Honors	63	$98,267	15	$24,000	20	$32,000	33	$52,800	40	$56,247	34	$54,064	43	$68,800	248	$386,178	646	$1,027,600	894	$1,413,778
14		Performance	200	$232,950	47	$56,200	31	$37,200	104	$123,200	111	$127,098	91	$106,800	118	$138,577	702	$822,025	525	$616,666	1,227	$1,438,691
15		Opportunity	147	$109,535	32	$25,533	19	$15,133	94	$70,069	67	$51,432	63	$48,072	88	$67,977	510	$387,751	198	$158,101	708	$545,852
16		Career	58	$43,467	12	$9,133	23	$18,267	30	$21,268	34	$25,452	21	$16,536	17	$12,600	195	$146,723	0	$0	195	$146,723
17		Need Award	37	$15,279	3	$367	7	$3,264	5	$1,767	8	$1,597	5	$1,367	12	$2,016	77	$25,657	272	$258,566	349	$284,223
18		**Final Sch.Shps.**	**468**	**$499,498**	**106**	**$115,233**	**93**	**$105,864**	**261**	**$269,104**	**252**	**$261,826**	**209**	**$226,839**	**266**	**$289,970**	**1,655**	**$1,768,334**	**1,369**	**$2,060,933**	**3,024**	**$3,829,267**

2008FA Reports

	Report	Scholarships	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount
1	Estimate Report 8/11/08	Honors	95	$147,137	24	$38,400	17	$27,200	63	$94,072	39	$61,382	42	$59,456	66	$105,600	346	$533,247	1,140	$1,822,400	1,486	$2,355,647
2		Performance	256	$298,200	55	$64,800	49	$58,800	175	$192,645	105	$121,667	115	$121,388	134	$159,100	889	$1,016,600	1,000	$1,200,000	1,889	$2,216,600
3		Opportunity	188	$133,896	38	$30,400	52	$41,660	174	$126,733	73	$56,495	87	$57,753	94	$28,000	706	$474,937	512	$409,600	1,218	$884,537
4		Career	111	$80,867	26	$20,800	46	$36,800	55	$40,267	36	$25,811	40	$27,000	19	$13,798	333	$245,343	0	$0	333	$245,343
5		Need Award	38	$15,380	0	$0	11	$6,143	5	$1,236	6	$1,133	0	$0	5	$1,467	65	$25,359	354	$305,383	419	$330,742
6		**Estimated Sch.Shps.**	**650**	**$675,480**	**143**	**$154,400**	**164**	**$170,603**	**467**	**$454,953**	**253**	**$266,488**	**284**	**$265,597**	**313**	**$307,965**	**2,274**	**$2,295,486**	**2,652**	**$3,737,383**	**4,926**	**$6,032,869**
7	Mid Term (30 Day) Report 10/10/08	Honors	85	$132,237	18	$28,800	17	$27,200	40	$59,006	42	$64,592	36	$54,784	40	$64,000	278	$430,619	989	$1,575,210	1,267	$2,005,829
8		Performance	243	$281,200	49	$56,800	38	$45,000	150	$169,819	109	$127,062	123	$140,770	103	$120,600	815	$941,251	773	$927,200	1,588	$1,868,451
9		Opportunity	181	$130,611	35	$27,733	32	$25,133	134	$95,106	82	$63,592	89	$65,918	73	$55,862	626	$463,955	376	$305,200	1,002	$769,155
10		Career	80	$54,867	26	$17,266	42	$32,067	48	$34,069	32	$22,596	43	$30,322	19	$13,932	290	$205,119	0	$0	290	$205,119
11		Need Award	43	$20,586	0	$0	19	$8,357	6	$1,666	8	$2,766	7	$2,607	5	$1,467	88	$37,449	396	$359,996	484	$397,445
12		**Actual Sch.Shps.**	**589**	**$619,501**	**128**	**$130,599**	**129**	**$137,757**	**372**	**$359,666**	**265**	**$280,608**	**291**	**$294,401**	**235**	**$255,861**	**2,009**	**$2,078,393**	**2,138**	**$3,167,606**	**4,147**	**$5,245,999**
13	End of Term (Post Sem) 03/06/09	Honors	85	$132,237	19	$30,400	17	$27,200	42	$62,206	41	$62,992	37	$57,328	37	$59,200	278	$431,563	1,001	$1,599,610	1,279	$2,031,173
14		Performance	243	$281,200	50	$59,200	39	$45,800	149	$168,619	111	$128,362	127	$143,586	106	$125,000	825	$951,767	793	$948,800	1,618	$1,900,567
15		Opportunity	181	$130,712	39	$30,800	31	$24,333	132	$93,599	82	$63,592	90	$67,118	83	$63,598	638	$473,752	395	$315,537	1,033	$789,289
16		Career	79	$54,334	29	$21,134	45	$34,467	49	$34,869	35	$24,629	43	$30,522	21	$15,532	301	$215,487	0	$0	301	$215,487
17		Need Award	43	$20,087	2	$376	22	$9,356	9	$2,680	9	$3,072	7	$2,607	5	$1,467	97	$39,645	414	$373,530	511	$413,175
18		**Final Sch.Shps.**	**588**	**$618,570**	**137**	**$141,910**	**132**	**$141,156**	**372**	**$361,973**	**269**	**$282,647**	**297**	**$301,161**	**247**	**$264,797**	**2,042**	**$2,112,213**	**2,189**	**$3,237,477**	**4,231**	**$5,349,690**

2009SP Reports

	Report	Scholarships	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount	HC	Amount
1	[redacted] 12/10/08	Honors	75	$123,972	17	$27,200	17	$27,200	63	$37,420	44	$67,392	41	$53,888	44	$128,000	301	$465,072	960	1,566,544	1,261	$2,031,616
2		Performance	237	$282,900	51	$61,200	39	$46,800	179	$210,763	112	$129,773	130	$137,834	109	$241,300	857	$1,110,570	760	918,944	1,617	$2,029,514
3		Opportunity	178	$140,083	40	$32,000	32	$25,600	171	$136,342	87	$69,064	92	$65,324	79	$119,665	679	$588,078	381	285,743	1,060	$873,821
4		Career	86	$65,999	31	$24,800	45	$33,600	68	$54,400	39	$31,466	47	$24,469	20	$28,332	336	$263,066	0	0	336	$263,066
5		Need Award	44	$18,600	0	$0	22	$8,745	5	$1,150	10	$3,301	7	$2,603	5	$2,933	93	$37,332	390	333,976	483	$371,308
6		**Estimated Sch'Ships.**	**576**	**$631,554**	**139**	**$145,200**	**133**	**$141,945**	**481**	**$440,075**	**282**	**$300,996**	**310**	**$284,118**	**252**	**$520,230**	**2,173**	**$2,464,118**	**2,101**	**3,105,207**	**4,274**	**$5,569,325**
7	[redacted] 03/06/09	Honors	77	$120,238	17	$27,200	18	$28,800	42	$64,228	47	$70,355	34	$53,600	41	$65,330	276	429,751	1,006	1,608,800	1,282	$2,038,551
8		Performance	241	$284,877	40	$46,000	39	$45,100	150	$173,500	108	$126,200	113	$130,132	103	$120,900	794	926,709	800	$955,894	1,594	$1,882,603
9		Opportunity	185	$139,217	41	$31,467	32	$25,133	121	$91,201	73	$56,294	88	$66,245	73	$56,422	613	465,979	376	$298,589	989	$764,568
10		Career	82	$59,765	28	$21,067	43	$34,000	45	$32,735	37	$26,156	40	$29,997	17	$12,673	292	216,393	0	$0	292	$216,393
11		Need Award	40	$19,471	2	$375	25	$11,168	6	$1,647	9	$2,903	6	$1,424	4	$1,000	92	37,988	393	$350,810	485	$388,798
12		**Actual Sch'Ships.**	**585**	**$623,568**	**126**	**$126,109**	**132**	**$144,201**	**358**	**$363,311**	**265**	**$281,908**	**275**	**$281,398**	**234**	**$256,325**	**1,975**	**$2,076,820**	**2,182**	**$3,214,093**	**4,157**	**$5,290,913**
13	[redacted] (Post Stmt)	Honors																				
14		Performance																				
15		Opportunity																				
16		Career																				
17		Need Award																				
18		**Final Sch'Ships.**																				

2009FA Reports

	Report	Scholarship	Casper College		Central Wy. College		Eastern Wy. College		Laramie County CC		Northwest College		Sheridan College		Western Wy. CC		Community College Total		UW		Grand Total	
			HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount	HC*	Amount
1	Estimate Report (8/4/2009)	Honors	89	$141,067	24	$38,400	13	$20,800	50	$78,090	54	$84,800	60	$92,528	33	$52,800	323	$508,485	1,307	$2,091,200	1,630	$2,599,685
2		Performance	267	$302,250	58	$69,600	30	$36,000	162	$189,555	146	$171,386	153	$159,216	69	$82,800	885	$1,010,807	1,071	$1,285,200	1,956	$2,296,007
3		Opportunity	218	$159,801	53	$42,400	31	$24,800	163	$122,660	124	$97,800	102	$68,066	33	$26,400	724	$541,927	511	$408,800	1,235	$950,727
4		Provisional Opportunity	138	$98,599	35	$28,000	34	$26,800	95	$73,569	58	$45,299	82	$49,936	19	$15,200	461	$337,403	5	$4,000	466	$341,403
5		Need Award	45	$20,316	0	$0	17	$6,440	12	$3,576	1	$117	8	$2,063	6	$3,400	89	$35,912	499	$460,456	588	$496,368
6		**Estimated Sch.Shps.**	**712**	**$722,033**	**170**	**$178,400**	**108**	**$114,840**	**470**	**$467,450**	**382**	**$399,402**	**397**	**$371,809**	**154**	**$180,600**	**2,393**	**$2,434,534**	**2,894**	**$4,249,656**	**5,287**	**$6,684,190**
7	Mid Term (30 day) Report (10/22/2009)	Honors	84	$133,467	21	$33,067	8	$12,533	54	$83,690	46	$71,126	54	$83,859	49	$78,400	316	$496,142	1,295	$2,072,288	1,611	$2,568,430
8		Performance	253	$294,100	55	$65,200	38	$45,566	154	$174,976	120	$138,936	134	$155,804	114	$133,400	868	$1,007,982	1,056	$1,264,412	1,924	$2,272,394
9		Opportunity	216	$160,593	53	$40,067	36	$28,934	163	$117,393	111	$85,109	112	$81,323	80	$60,754	771	$574,173	533	$425,749	1,304	$999,922
10		Provisional Opportunity	121	$83,467	38	$28,334	45	$34,936	89	$57,845	59	$43,533	71	$50,206	44	$31,722	467	$330,043	5	$3,336	472	$333,379
11		Need Award	88	$41,034	0	$0	19	$10,812	15	$4,701	6	$2,609	21	$5,314	0	$0	149	$64,470	538	$483,175	687	$547,645
12		**Mid-Term Sch.Shps.**	**674**	**$712,661**	**167**	**$166,668**	**127**	**$132,781**	**460**	**$438,605**	**336**	**$341,313**	**371**	**$376,506**	**287**	**$304,276**	**2,422**	**$2,472,810**	**2,889**	**$4,248,960**	**5,311**	**$6,721,770**
13	End of Term Report	Honors																				
14		Performance																				
15		Opportunity																				
16		Provisional Opportunity																				
17		Need Award																				
18		**Final Sch.Shps.**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**	**0**	**$0**

* HC = Head Count of scholarship $ recipients

HB 310

Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

Sponsor Statement HB 310

School Debt Bond Reimbursement

HB 310 extends Municipal School Debt Bond Reimbursement until November 30, 2013 (it is currently scheduled to sunset on November 30th, 2010). Under the program the State reimburses municipalities for up to 70% of their payments (principal and interest) made during a fiscal year for the cost of new facilities and major renovation of existing facilities. A municipality qualifies for 70% reimbursement if their project is within the state space guidelines as laid out in 4ACC.31.020. The percentage the State reimburses a municipality is reduced to 60% if the project exceeds those space guidelines.

If a municipality decided to build a new school, expand or rehabilitate an existing one, they apply to the Department of Education and Early Development. The Department determines if their application meets the 60/40 or 70/30 reimbursement schedule. There is no time frame in which the municipality has to use the bonding authorization once it is received. If approved, the municipality goes out to bond on the project and builds, expands, or rehabilitees a school. Payments on the bond work similar to a personal mortgage. Once paperwork is filled out the state directly reimburses the municipality for either 60% or 70% of those payments on a bi-annual basis for the life of the bond. Payments are subject to appropriation by the legislature annually and appear in the language section of the operating budget. This year the State portion of the school debt bond reimbursement payments amount to approximately $106 million.

Staff Contact, Katie Koester 465-2028
HB 310/A
1/28/2010

State Capitol, Room 102, Juneau, AK 99801 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

Sec. 14.07.020. Duties of the department.

(a) The department shall

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

4 AAC »31.020«. Guides for planning educational facilities

(a) The following are the basic guides for educational facility planning:

(1) for a school capital project application submitted to the department

(A) before January 1, 1996, *The Guide for Planning Educational Facilities*, as published by the Council of Educational Facilities Planners, International, 1982 Edition (Revised); and

(B) on or after January 1, 1996, *The Guide for Planning Educational Facilities*, as published by the Council of Educational Facilities Planners, International, 1991 Edition (Revised);

(2) repealed 4/17/98;

(3) repealed 4/17/98;

(4) *Guidelines for School Equipment Purchases*, as published by the Alaska Department of Education and Early Development, 1997 edition;

(5) deleted 8/31/90;

(6) repealed 4/17/98;

(7) *Swimming Pool Guidelines*, as published by the Alaska Department of Education and Early Development, 1997 edition; and

(8) *Site Selection Criteria and Evaluation Guideline*, as published by the Alaska Department of Education and Early Development, 1997 edition.

(b) In the event of a conflict between publications incorporated by reference in (a) of this section, the publication prepared by the Department of Education and Early Development controls.

(c) Notwithstanding (a)(1) of this section, for the purpose of determining funding for a school capital project under AS 14.11, the square feet allowable must be determined under this subsection based on the grade levels offered in the school. The base square feet allowable per average daily membership (ADM) and supplemental square feet allowable per ADM are calculated, and additional square footage is approvable, as follows:

(1) the base square feet allowable per ADM for an elementary school is 114 square feet;

(2) the supplemental square feet allowable per ADM for an elementary school is 130 X 10*(-ADM/f/250)*;

(3) the base square feet allowable per ADM for a secondary school is 165 square feet;

(4) the supplemental square feet allowable per ADM for a secondary school is 300 X 10*(-ADM/f/300)*;

(5) the base square feet allowable per ADM for a combined elementary and secondary school is 114 square feet per elementary ADM and 165 square feet per secondary ADM;

(6) :QL the supplemental square feet allowable per ADM for

a combined elementary and secondary school is 213 X

10*(-combined ADM/f/483)*;

(7) a district may request the commissioner to approve a variance for additional space for a school; the request for

each variance must be in writing; all requested variances, taken together may not exceed 20 percent of the gross square feet allowable for the school; the commissioner will approve the request, subject to (g) of this section, and will apply the variance to both planned and completed schools, if the commissioner finds

(A) that a unique educational program not envisioned by the educational facility planning guides set out in (a) of this section is required to meet the needs of the population to be served by the school; and

(B) at least one of the following:

(i) that the district has demonstrated that additional space is required to adequately house the unique educational program and that the effect of accommodating the additional space without a variance prohibits the remainder of the population served by the school from having sufficient space for standard educational programs;

(ii) that the added space is necessary to meet the needs of the educational program and is in the best interests of the state;

(8) the commissioner, at the request of the district, may approve a variance for additional space of not more than 15 square feet per projected ADM for new projects that propose the rehabilitation of or addition to an existing facility and not more than 20 square feet per current capacity for existing schools that have, at some previous point, experienced a rehabilitation of or addition to an existing facility; the commissioner will approve a request under this paragraph only if the district's request is supported by an explanation of the reasons for the request that demonstrates

(A) the specific cause of each impact;

(B) the square feet affected by the cause of impact; and

(C) the reason for this condition merits an exception;

(9) the base square feet allowable per ADM for a mixed grade school is 114 square feet per elementary ADM and 165 square feet per secondary ADM, except that for a mixed grade school that includes grade six in conjunction with two or more secondary grades located in a separate school facility, the base square feet allowable per ADM is 165 square feet per grade six ADM;

(10) the supplemental square feet allowable per ADM for a mixed grade school is 250 X 10*(-combined ADM/f/250)*.

(d) The department shall reduce a project budget in proportion to the amount that the project's design exceeds the square feet allowable as determined under (c) of this section. This subsection applies to a project that has not received a grant under AS 14.11, a project that has received money from the department for planning, and a project that has not secured the approval of the commissioner under 4 AAC 31.040. This subsection does not apply to a project that has secured the approval of the commissioner under 4 AAC 31.040.

(e) For the purposes of this section, the space of a building is the sum of the areas of the floors of a building in gross square feet. The floors of a building include a basement, a mezzanine, an intermediate floored tier, and a penthouse of headroom height. Space is measured from the exterior face of an exterior wall or from the centerline of a wall that separates a building. For the purposes of calculating a building's gross square footage, the

(1) building's gross square footage does not include

(A) a utility distribution area with

(i) a ceiling height below seven feet; and

(ii) a floor assembly not sized to support an occupant load according to applicable state and municipal building

codes;

(B) a pipe chase;

(C) an exterior terrace or steps;

(D) a chimney; or

(E) a roof overhang; and

(2) following allowances above the gross square footage calculated in (c) of this section are permitted:

(A) covered exterior areas not conditioned with heating or cooling

(i) equal to the greater of 15 percent of a building's gross square footage or 3,000 gross square feet; and

(ii) to a maximum of 9,000 gross square feet;

(B) space to support water storage, water treatment, or sewer treatment to a maximum of five percent of a building's gross square footage.

(f) The provisions of

(1) subsections (c)(1) - (7), (d), and (e) as they read on and after October 10, 1995 and until April 17, 1998 do not apply to an application for a former school construction grant submitted under this chapter to the department before January 1, 1996;

(2) subsections (c) - (e) and (g) of this section as they read on and after April 17, 1998 do not apply to an application for a former school construction grant submitted under this chapter to the department before January 1, 1996.

(g) A request to approve a variance for additional space made and approved under (c)(7) of this section expires on the first day of October following the one-year anniversary of the commissioner's approval of it unless the district certifies to the department, no later than that date, the continued existence of the unique educational program described in (c)(7)(A) of this section for which the additional space was approved.

(h) Notwithstanding (c) of this section, the commissioner will deny or disallow a determination of allowable space under (c)(1) - (6), (9), and (10) of this section and will deny a request to approve a variance for additional space under (c)(7) and (8) of this section if the commissioner finds that the space determination or approval of the request is the result of a choice in educational delivery by the school district that could be eliminated by a redistribution of school age populations between attendance centers in the attendance area.

(i) Notwithstanding (a) - (h) of this section, the commissioner shall approve a variance from the limitations on allowable space in a school set out in this section for space that is jointly used by the school and another entity, if the request meets the requirements of this subsection and the department determines that the sharing entity is able to participate as specified in the agreement. The request must be made by a district, in writing, and meet the following:

(1) the space that is jointly used is subject to a formal binding agreement between the district and the entity sharing use; the agreement must cover allocation and method of sharing between the district and the entity of the following:

(A) the operating costs for the jointly used space for the life of the facility;

(B) future capital costs for the life of the facility;

(C) the initial capital costs for a new or remodeled facility only;

(2) the variance requested is limited to the amount of square footage that the entity sharing space accepts responsibility for in the agreement described in (1) of this subsection;

(3) a copy of the agreement described in (1) of this subsection is submitted with the request for variance.

(j) A variance approved under (i) of this section is no longer valid if the agreement upon which the variance was based is amended or terminated. If the agreement is amended or terminated, the district shall immediately notify the department and submit any new request for a variance in accordance with (i) of this section.

(k) Notwithstanding (a) - (h) of this section, the commissioner will approve a variance from the limitations on allowable space in a school set out in this section for space that is provided in oversized core areas, if the request meets the requirements of this subsection. The request must be made by a district, in writing, and meet the following:

(1) the district requesting the variance has an established standard for educational delivery that

(A) defines a specific school program;

(B) establishes a standard student population to be served by the program; and

(C) has an educational specification approved under 4 AAC 31.010 for that program;

(2) the oversized core areas for a future project are sized proportionate to that size required in the project's educational specifications to accommodate a student population projected in accordance with 4 AAC 31.021(c)(3), and projected for an additional five years at the growth rate accepted for the initial projection, not to exceed 130 percent of the initial projection;

(3) the individual core areas of an existing facility, when combined, exceed the square footage of that core area stated in the educational specification to a maximum of 10 percent of the gross square footage of the facility.

History: Eff. 3/1/78, Register 65; am 6/9/83, Register 86; am 12/2/83, Register 88; am 8/31/90, Register 115; am 10/7/95, Register 136; am 4/17/98, Register 146; am 2/18/99, Register 149; am 7/13/2000, Register 155; am 8/23/2001, Register 159; am 12/20/2002, Register 164

Authority: AS 14.07.020

AS 14.07.060

AS 14.11.011

AS 14.11.020

AS 14.11.100

AS 14.11.132

Editor's note: The guides and charts mentioned in 4 AAC »31.020 « may be obtained from the Department of Education and Early Development, 801 W. Tenth St., Suite 200, Juneau, Alaska 99801-1894.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.

State of Alaska

Department of Education and Early Development

Capital Improvement Projects

HB13/HB373 Debt Reimbursement Program - Effective 10/1/2006 - 11/30/2010

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
Anchorage										
		Bartlett High School Synthetic Field Surface Installation	1/26/2009	$2,380,000	$0	$2,380,000	70%	☑	☐	2009 projects did not pass voter approval on 4/7/09
		Bleacher Replacement, 2 Schools	1/26/2009	$725,000	$0	$725,000	70%	☑	☐	
		Eagle River High School, Connect to Public Water/Sewer Service	1/26/2009	$2,500,000	$0	$2,500,000	70%	☑	☐	
		Electrical Projects, 9 Sites	1/26/2009	$3,520,000	$0	$3,520,000	70%	☑	☐	
		Girdwood School Upgrade and Addition Design	1/26/2009	$680,000	$0	$680,000	60%	☑	☐	
		Mechanical Upgrades, 2 Schools	1/26/2009	$3,320,000	$0	$3,320,000	70%	☑	☐	
		Parking and Site Circulation Upgrades, 2 Schools	1/26/2009	$6,550,000	$0	$6,550,000	70%	☑	☐	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
		Roof Replacement, 2 Schools	1/26/2009	$2,155,000	$0	$2,155,000	70%	☑	☐	
		Security System Upgrades, 5 Schools	1/26/2009	$1,165,000	$0	$1,165,000	70%	☑	☐	
		Service High School Addition and Renewal	1/26/2009	$66,700,000	$0	66,700,000	60%	☑	☐	
		Aquarian Charter School Sprinkler System	1/26/2009	$1,165,000	$0	$1,165,000	70%	☑	☐	
	DR-07-110	Clark Middle School Replacement	2/6/2007	$65,000,000	$65,000,000	65,000,000	60%	☑	☑	2007 Anchorage projects voter approved April 3, 2007
	DR-07-111	Districtwide Code/Hazardous Materials/ADA Projects	2/6/2007	$1,265,000	$1,265,000	$1,265,000	70%	☑	☑	
	DR-07-112	Districtwide Roof Replacement and Repairs	2/6/2007	$1,950,000	$1,950,000	$1,950,000	70%	☑	☑	
	DR-07-113	Districtwide Security System Upgrades	2/6/2007	$890,000	$890,000	$890,000	70%	☑	☑	
	DR-07-114	Emergency Communication Systems-2 High Schools	2/6/2007	$650,000	$650,000	$650,000	70%	☑	☑	
	DR-07-115	Districtwide Building Renewal Projects	2/6/2007	$4,110,000	$4,110,000	$4,110,000	70%	☑	☑	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
	DR-07-116	Districtwide Electrical Projects	2/6/2007	$2,190,000	$2,190,000	$2,190,000	70%	☑	☑	
	DR-07-117	Districtwide Mechanical Projects	2/6/2007	$5,845,000	$5,845,000	$5,845,000	70%	☑	☑	
	DR-07-118	Traffic Safety Upgrades, 3 Elementary Schools	2/6/2007	$3,100,000	$3,100,000	$3,100,000	70%	☑	☑	
	DR-08-103	Chester Valley Addition and Renewal	1/17/2008	$16,500,000	$16,500,000	16,500,000	60%	☑	☑	2008 Anchorage projects voter approved April 1, 2008
	DR-08-104	Sand Lake Addition and Renewal	1/17/2008	$17,500,000	$17,500,000	17,500,000	60%	☑	☑	
	DR-08-105	Girdwood K-8 School Design	1/17/2008	$300,000	$300,000	$300,000	60%	☑	☑	
	DR-08-106	Code Hazmat, 2 Schools	1/17/2008	$465,000	$465,000	$465,000	70%	☑	☑	
	DR-08-107	Roof Replacement, 2 Schools	1/17/2008	$950,000	$950,000	$950,000	70%	☑	☑	
	DR-08-108	Traffic Safety Upgrades, 2 Schools	1/17/2008	$600,000	$600,000	$600,000	70%	☑	☑	
	DR-08-109	Electrical Upgrades, 8 Schools	1/17/2008	$1,475,000	$1,475,000	$1,475,000	70%	☑	☑	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
	DR-08-110	Mechanical Upgrades, 5 Schools	1/17/2008	$1,950,000	$1,950,000	$1,950,000	70%	☑	☑	
	DR-08-111	Building Renewal, 7 Schools	1/17/2008	$1,240,000	$1,240,000	$1,240,000	70%	☑	☑	
	DR-08-112	Track Improvements, 3 Schools	1/17/2008	$2,250,000	$2,250,000	$2,250,000	70%	☑	☑	
	DR-08-113	Emergency Communications Systems, 3 Schools	1/17/2008	$480,000	$480,000	$480,000	70%	☑	☑	
Anchorage Totals:				**$219,570,000**	**$128,710,000**	**$219,570,000**				
Cordova										
	DR-09-101	Mt. Eccles Elementary School Renovation	9/9/2008	$10,699,415	$10,670,111	10,699,415	70%	☑	☑	
	DR-09-102	Mt. Eccles Elementary School Addition	9/9/2008	$5,944,889	$5,944,889	$5,944,889	60%	☑	☑	
Cordova Totals:				**$16,644,304**	**$16,615,000**	**$16,644,304**				
Dillingham City										
	DR-08-101	Dillingham Elementary/Middle/High School Addition/Upgrade	8/28/2007	$1,257,551	$1,257,551	$1,257,551	70%	☑	☑	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
	DR-08-101	Dillingham Elementary/Middle/High School Upgrade	8/28/2007	$14,433,697	$13,843,697	13,843,697	70%	☑	☑	One project agreement
Dillingham City Totals:				**$15,691,248**	**$15,101,248**	**$15,101,248**				
Fairbanks										
	DR-07-104	Barnette Elementary Renovation, Phase 2	11/17/2006	$6,591,000	$6,591,000	$6,591,000	70%	☑	☑	
	DR-07-105	Ryan Middle School Renovation, Phase 1	11/17/2006	$1,800,000	$1,800,000	$1,800,000	70%	☑	☑	
Fairbanks Totals:				**$8,391,000**	**$8,391,000**	**$8,391,000**				
Juneau City Borough										
	DR-03-125	New Juneau High School, Amendment #2	3/30/2007	$17,100,000	$17,100,000	17,100,000	70%	☑	☑	Amendment #2
	DR-06-111	Glacier Valley Elementary Renovation	9/14/2007	$7,100,000	$7,100,000	$7,100,000	70%	☑	☑	Amends DR-06-111 (DR-00-009)
	DR-08-100	Harborview Elementary Renovation	9/14/2007	$15,300,000	$15,300,000	15,300,000	70%	☑	☑	
	DR-08-102	Thunder Mountain High School Pool	6/26/2007	$19,800,000	$19,800,000	$8,650,853	60%	☑	☑	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
	DR-09-103	Dzantik'i Heeni Middle School Covered Play Area	7/24/2008	$1,680,000	$1,680,000	$1,680,000	70%	☑	☑	
	DR-10-101	Gastineau Elementary School Renovation	11/24/2009	$11,800,000	$11,800,000	11,800,000	70%	☑	☑	
Juneau City Borough Totals:				**$72,780,000**	**$72,780,000**	**$61,630,853**				
Ketchikan										
		Mike Smithers Pool Replacement	5/29/2009	$24,576,591	$0	$5,865,000	60%	☑	☑	
		Schoenbar Middle School Repair/Remediation	8/18/2006	$8,706,000	$0	$8,706,000	70%	☑	☐	Did not receive voter approval.
Ketchikan Totals:				**$33,282,591**	**$0**	**$14,571,000**				
Kodiak Island										
	DR-05-110	New Kodiak MS/HS Pool	1/22/2007	$8,000,000	$8,000,000	$8,000,000	60%	☑	☑	Amends previous amount for a total project of $14,210,000
Kodiak Island Totals:				**$8,000,000**	**$8,000,000**	**$8,000,000**				
Mat-Su Borough										

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
	DR-08-115	Districtwide Safety & Security Upgrade	6/10/2008	$19,520,957	$14,236,720	14,236,720	70%	☑	☑	
	DR-08-116	Cottonwood Creek Site Circulation & Parking/Safety Improvements	6/10/2008	$1,500,000	$1,500,000	$1,500,000	70%	☑	☑	
	DR-08-116	Wasilla HS Fire Hydrant Installation	6/10/2008	$500,000	$500,000	$500,000	70%	☑	☑	
	DR-08-116	Wasilla HS Site Circulation & Parking/Safety Improvements	6/10/2008	$1,000,000	$1,000,000	$1,000,000	70%	☑	☑	
	DR-08-117	Palmer HS Original Building Roof Replacement	6/10/2008	$1,791,163	$1,791,163	$1,791,163	70%	☑	☑	
Mat-Su Borough Totals:				**$24,312,120**	**$19,027,883**	**$19,027,883**				
Unalaska City										
	DR-08-114	Unalaska Jr./Sr. High School Roof Replacement	8/24/2007	$2,400,000	$2,900,000	$3,198,515	70%	☑	☑	
	DR-08-114	Unalaska Jr./Sr. High School Carpet/Flooring Replacement	8/24/2007	$600,000	$600,000	$766,704	70%	☑	☑	
	DR-08-114	Unalaska Jr./Sr. High School Kitchen/Energy/Technology Upgrades	8/24/2007	$1,000,000	$1,000,000	$1,182,714	70%	☑	☑	

District	Project Number	Project Title	Dept Approval	Req Amt	Voter Amt	EED Apprved Amt	Rate	EED Apprved	Voter Apprved	Comments
Unalaska City Totals:			$4,000,000		$4,500,000	$5,147,933				
Grand Totals:			$402,671,263		$273,125,131	$368,084,221				

Total of Projects Both Voter and EED Approved: $268,518,221

(This is a total of the EED Approved Amount.)

State of Alaska
Department of Education and Early Development
Capital Improvement Projects (FY2011)
School Construction Grant Fund

Reconsideration List

Dec 18	Nov 5	School District	Project Name	Amount Requested	Eligible Amount	Prior Funding	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
1	1	Lower Yukon	Alakanuk K-12 School Replacement	$47,394,170	$47,394,170	$0	$47,394,170	$947,883	$46,446,287	$46,446,287
2	2	Lower Kuskokwim	Kipnuk K-12 School Renovation / Addition	$56,344,082	$50,841,480	$0	$50,841,480	$1,016,830	$49,824,650	$96,270,937
3	3	Lower Kuskokwim	Kwigillingok K-12 School Renovation / Addition	$39,128,740	$32,750,467	$0	$32,750,467	$655,009	$32,095,458	$128,366,395
4	4	Lower Kuskokwim	Napaskiak K-12 School Replacement	$40,921,255	$33,586,431	$0	$33,586,431	$671,729	$32,914,702	$161,281,097
5	5	Lower Yukon	Emmonak K-12 School Renovation/Addition	$28,898,799	$39,990,445	$0	$39,990,445	$799,809	$39,190,636	$200,471,733
6	6	Lower Kuskokwim	Kuinerramiut Elitnaurviat K-12 School Renovation/Addition, Quinhagak	$31,160,414	$31,160,414	$0	$31,160,414	$623,208	$30,537,206	$231,008,939
7	7	Northwest Arctic	Kivalina K-12 Renovation/Addition	$15,414,491	$15,414,491	$0	$15,414,491	$4,624,347	$10,790,144	$241,799,083
8	8	Lower Kuskokwim	Kwethluk K-12 School Replacement	$60,489,918	$45,445,163	$0	$45,445,163	$908,903	$44,536,260	$286,335,343
9	9	Southwest Region	Koliganek K-12 School Replacement	$26,311,134	$22,902,662	$0	$22,902,662	$458,053	$22,444,609	$308,779,952
10	10	Lower Kuskokwim	Nightmute K-12 School Renovation / Addition	$33,913,215	$23,770,075	$0	$23,770,075	$475,401	$23,294,674	$332,074,626
11	11	Kuspuk	Auntie Mary Nicoli Elementary School Replacement, Aniak	$12,363,060	$12,363,060	$0	$12,363,060	$247,261	$12,115,799	$344,190,425
12	12	Northwest Arctic	Districtwide Clock Upgrade	$178,760	$178,760	$0	$178,760	$53,628	$125,132	$344,315,557
13	13	Craig City	Craig Schools Alternative Wood Heat Project, Recovery Of Funds	$179,080	$179,080	$0	$179,080	$8,954	$170,126	$344,485,683
14	14	Lake & Peninsula	Port Alsworth Classroom Addition	$6,752,414	$6,838,249	$0	$6,838,249	$683,825	$6,154,424	$350,640,107
15	15	Galena	Galena Regional Learning Center Iditarod Classroom Conversion	$14,340,516	$13,916,787	$0	$13,916,787	$695,839	$13,220,948	$363,861,055
16	16	Kuspuk	Johnie John Sr. K-12 Replacement School, Crooked Creek	$13,314,890	$13,314,890	$0	$13,314,890	$266,298	$13,048,592	$376,909,647
17	17	Northwest Arctic	Buckland Heating System Improvements	$220,200	$220,200	$0	$220,200	$66,060	$154,140	$377,063,787
18	18	Anchorage	Mears Middle School & Huffman Elementary Paving and Site Circulation	$7,505,000	$7,505,000	$0	$7,505,000	$2,251,500	$5,253,500	$382,317,287
19	19	Saint Marys	Playground Equipment Replacement	$291,107	$291,107	$0	$291,107	$14,555	$276,552	$382,593,839
20	20	Mat-Su Borough	Iditarod Elementary School Interior Renovation	$8,128,531	$8,128,531	$0	$8,128,531	$2,438,559	$5,689,972	$388,283,811
21	21	Southeast Island	Kassan K-12 Covered Physical Education Area	$474,004	$474,004	$0	$474,004	$9,480	$464,524	$388,748,335
22	22	Kenai Peninsula	Districtwide Asphalt Repairs	$1,561,600	$1,561,600	$0	$1,561,600	$546,560	$1,015,040	$389,763,375
23	23	Annette Island	Metlakatla Schools Track and Field Construction	$4,584,988	$4,584,988	$0	$4,584,988	$91,700	$4,493,288	$394,256,663

State of Alaska
Department of Education and Early Development
Capital Improvement Projects (FY2011)
School Construction Grant Fund

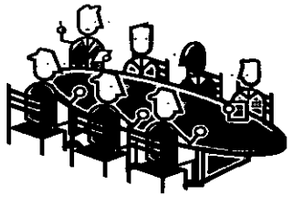
Reconsideration List

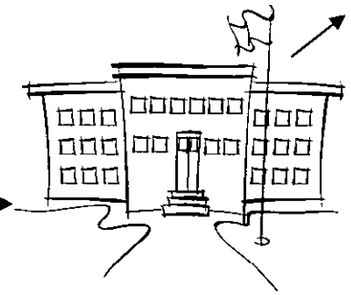
Dec 18	Nov 5	School District	Project Name	Amount Requested	Eligible Amount	Prior Funding	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
24	24	Valdez City	Districtwide Technology Upgrades	$3,072,367	$2,386,635	$0	$2,386,635	$835,322	$1,551,313	$395,807,976
25	25	Mat-Su Borough	Mat-Su Day School New Construction	$10,798,001	$10,798,001	$0	$10,798,001	$3,239,400	$7,558,601	$403,366,577
26	26	Juneau City Borough	Floyd Dryden Middle School Covered Play Area & Dzantik'i Heeni Middle School Trail Addition	$1,960,000	$1,960,000	$0	$1,960,000	$686,000	$1,274,000	$404,640,577
27	27	Petersburg City	Districtwide Boiler Upgrades	$2,180,335	$2,180,335	$0	$2,180,335	$654,100	$1,526,235	$406,166,812
28	28	Mat-Su Borough	Talkeetna Elementary School Playground Equipment Replacement	$121,121	$78,584	$0	$78,584	$23,575	$55,009	$406,221,821
29	29	Mat-Su Borough	Meadow Lakes Elementary School Playground Equipment Replacement	$121,121	$78,584	$0	$78,584	$23,575	$55,009	$406,276,830
30	30	Mat-Su Borough	Colony High School Chalk Boards Replacement	$149,601	$141,564	$0	$141,564	$42,469	$99,095	$406,375,925
31	31	Juneau City Borough	Juneau School District Site / Safety / Security Improvements	$1,700,000	$1,700,000	$0	$1,700,000	$595,000	$1,105,000	$407,480,925
32	32	Mat-Su Borough	Track And Field Renovation, 3 Schools	$2,766,635	$2,766,635	$0	$2,766,635	$829,990	$1,936,645	$409,417,570
33	33	Petersburg City	Districtwide Covered Sidewalks	$1,157,466	$972,618	$0	$972,618	$291,785	$680,833	$410,098,403
34	34	Juneau City Borough	Districtwide Food Service Upgrades	$1,450,000	$1,450,000	$0	$1,450,000	$507,500	$942,500	$411,040,903
35	35	Lower Yukon	Pilot Station K-12 School Access Road Remediation	$614,537	$614,537	$0	$614,537	$12,291	$602,246	$411,643,149
			TOTALS:	**$475,961,552**	**$437,939,547**		**$0 $437,939,547**	**$26,296,398**	**$411,643,149**	

HB 310 School Debt Bond Reimbursement

Voters approve bond

State pays **70%** of bond payment for life of bond for muni that meets space requirement (subject to appropriation)





70% state/30 Municipality for new, school, expansion, rehabilitation and meets space guidelines

60% state/40 Municipality for new School or expansion but exceeds state space guidelines

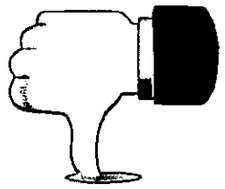
DEED determines if project qualifies for 60% or 70% reimbursement

4AAC.31.020 regulations on space and construction requirements

Municipality puts bond on ballot for project

Muni bonds for money needed for project (does not need to bond immediately after approval)

Municipality builds new school/rehabilitation/expansion



Voters disapprove bond

Until next time!

State pays **60%** of bond payment for life of bonds for munis that do not meet space guidelines (subject to appropriation)

Prepared by office of Rep. Seaton 1-28-2010

HB

317

Louie Flora

From: Comeau_Carol [Comeau_Carol@asdk12.org]
Sent: Monday, February 01, 2010 7:58 AM
To: Louie Flora
Cc: Stokesbary_Janet
Subject: FW: HB 317
Attachments: HB317.pdf; HB317Analysis.xls

Importance: High

Louie,
We will not be able to call in this morning due to a special audit subcommittee meeting with an outside consultant. Can you pass this message and the information along to Rep. Seaton and the House Education Committee. As you can see, my Chief Financial Officer, Janet Stokesbary, feels that HB 317 will garner less revenue that adding $200 to the funding. I will be prepared to discuss this further when I come to Juneau Monday and Tuesday with the AASB fly-in group.
Thanks,
Carol

Carol Comeau, Superintendent
Anchorage School District
5530 E. Northern Lights Blvd.
Anchorage, AK 99504
Phone: 907-742-4312 Fax: 907-742-4318
comeau_carol@asdk12.org
"There can be no keener revelation of a society's soul than the way in which it treats its children."
Nelson Mandela

From: Stokesbary_Janet
Sent: Friday, January 29, 2010 4:48 PM
To: Comeau_Carol
Cc: Olson_Robin
Subject: HB 317
Importance: High

Carol,

Attached is a copy of a spreadsheet I prepared to show how much more Foundation revenue we would receive based on HB 317. The bill has mainly three components:

- Provides for Pupil Transportation per student funding to increase based on CPI increases. It changes the verbiage from "changes" to "increase" which I interpret to be if the CPI is negative, the per student funding amount would stay the same and not decrease.
- Special needs factor increases from 1.20 to 1.215 beginning in July 1, 2011
- BSA increases $125 each year for FY2011-12, FY2012-13, and FY2013-14
- Using the current projected ADM for FY2010-12, ASD would receive approximately **$32.5 M** above the current formula for the three-year period (FY2011-12 $13.8 M, FY2013-12 $9.3 M, FY2013-14 $9.3 M), subject to changes in assessed valuation and amount of Federal Impact Aid revenue. See top half of attached spreadsheet.

In Representative Berta Gardner's e-mail to you on January 25, she indicated that she thought the funding provided in HB 317 was better than increasing the BSA by $200. The lower half of attached spreadsheet shows the increased revenue if the BSA were to increase $200 with no increase to the percentage for special needs students. The $200 increase to the

BSA would generate approximately $44.3 M above the current formula over the three-year period. This increase is more than in HB 317.

Call me if you have any questions.

Thanks, Janet

ANCHORAGE SCHOOL DISTRICT
COMPARISON OF HOUSE BILL 317 TO $200 ANNUAL INCREASE IN BASE STUDENT ALLOCATION
FISCAL YEARS 2011-12 TO FY 2013-14

Analysis of House Bill 317 (Based on Enrollment Projections for FY 2010-11) [1]

	FY 2010-11 Current	FY 2011-12 Proposed	FY 2012-13 Proposed	FY 2013-14 Proposed
ADM excluding correspondence students	48,486.00	48,486.00	48,486.00	48,486.00
ADM after school size factor	53,099.02	53,099.02	53,099.02	53,099.02
Special Needs Factor [2]	1.200	**1.215**	**1.215**	**1.215**
ADM after Special Needs Factor	63,718.82	64,515.31	64,515.31	64,515.31
Intensive Students 725 @ 13 Times	9,425.00	9,425.00	9,425.00	9,425.00
Correspondence Students 909 @ 80%	727.20	727.20	727.20	727.20
Total Adjusted ADM	73,871.02	74,667.51	74,667.51	74,667.51
Base Student Allocation (BSA) [3]	$ 5,680	**$ 5,805**	**$ 5,930**	**$ 6,055**
Basic Need	$ 419,587,394	$ 433,444,896	$ 442,778,334	$ 452,111,773
Quality Schools Grant (Adjusted ADM Times $16) [4]	1,181,936	1,194,680	1,194,680	1,194,680
Total Basic Need and Quality Schools Funding [5]	$ 420,769,330	$ 434,639,576	$ 443,973,014	$ 453,306,453
Increase over Current Formula		**$ 13,870,246**	**$ 23,203,684**	**$ 32,537,123**
Increase over Prior Year		**$ 13,870,246**	**$ 9,333,438**	**$ 9,333,439**

[1] Analysis does not reflect Section 1 of HB 317 which provides for CPI increases to per student funding for pupil transportion.
[2] Section 2 provides for increase for special needs funding from 1.20 to 1.215 effective July 1, 2011
[3] Sections 3 thru 5 provide for increase to the BSA of $125 each year for FY 2011-12 thru FY 2013-14
[4] Amount of Quality Schools Grant increases since the Adjusted ADM increases due to the increase in special needs factor.
[5] Amounts indicated do not reflect actual funding received by ASD because deductions for Required Local Contribution and a portion of Federal Impact Aid reduces the amount of actual Foundation Aid received.

Analysis of $200 Increase to BSA (Based on Enrollment Projections for FY 2010-11)

	FY 2010-11 Current	FY 2011-12 Proposed	FY 2012-13 Proposed	FY 2013-14 Proposed
ADM excluding correspondence students	48,486.00	48,486.00	48,486.00	48,486.00
ADM after school size factor	53,099.02	53,099.02	53,099.02	53,099.02
Special Needs Factor	1.200	1.200	1.200	1.200
ADM after Special Needs Factor	63,718.82	63,718.82	63,718.82	63,718.82
Intensive Students 725 @ 13 Times	9,425.00	9,425.00	9,425.00	9,425.00
Correspondence Students 909 @ 80%	727.20	727.20	727.20	727.20
Total Adjusted ADM	73,871.02	73,871.02	73,871.02	73,871.02
Base Student Allocation (BSA) [1]	$ 5,680	**$ 5,880**	**$ 6,080**	**$ 6,280**
Basic Need	$ 419,587,394	$ 434,361,598	$ 449,135,802	$ 463,910,006
Quality Schools Grant (Adjusted ADM Times $16)	1,181,936	1,181,936	1,181,936	1,181,936
Total Basic Need and Quality Schools Funding [2]	$ 420,769,330	$ 435,543,534	$ 450,317,738	$ 465,091,942
Increase over Current Formula		**$ 14,774,204**	**$ 29,548,408**	**$ 44,322,612**
Increase over Prior Year		**$ 14,774,204**	**$ 14,774,204**	**$ 14,774,204**

[1] Scenario based on $200 annual increase to BSA in FY 2011-12 thru FY 2013-14
[2] Amounts indicated do not reflect actual funding received by ASD because deductions for Required Local Contribution and a portion of Federal Impact Aid reduces the amount of actual Foundation Aid received.

CONCLUSION: Based on assumption used in analysis, $200 annual increase to the BSA for FY 2011-12 thru FY 2013-14 generates greater funding than HB 317

Mary Francis

Position Statement 09-1

Increase to Base Student Allocation

The Alaska Council of School Administrators requests that the Legislature establish and fund a base student allocation beyond the amount currently in law.

- Increased energy costs, increases in health care costs, general labor expenses and other costs continue to result in funding pressures in school districts.
- Many districts project FY 11 staff and program cuts; the negative effects on student education would be mitigated by this additional funding.
- Provide adequate and equitable funding to all districts.

Adopted by the Alaska Council of School Administrators
October and December 2009

Mary Francis

Position Statement 09-15

Career and Technical Education

The Alaska Council of School Administrators supports the reestablishment of categorical Career and Technical Education funding to ensure our K-12 schools have the tools to prepare a workforce trained in 21st century work skills and to provide a viable mechanism to increase graduation rates by reengaging disenfranchised students in their high school education.

- Increased funding in Career and Technical Education professional development opportunities is critical to ensure CTE teachers can meet the wide array of learning needs of our students while also demonstrating content mastery through methods appropriate to their areas of expertise, utilizing industry-based credentials.

- All students need a strong array of reading, comprehension, reasoning, problem-solving and personal skills to be ready to enter the world of meaningful postsecondary education and training or to enter the high-skilled workplace.

- A strong and well-articulated Career and Technical Education model is critical to supporting high K-12 educational standards and Alaska's economic stability and growth.

Adopted by the Alaska Council of School Administrators (AASA, AAESP and AASSP) October 2009

Louie Flora

From: Al Weinberg [alweinberg@hydaburg.k12.ak.us]
Sent: Saturday, January 30, 2010 1:11 PM
To: Louie Flora
Subject: RE: House Education Committee schedule

Hydaburg City School District supports HB317.

Al Weinberg, Superintendent
HYDABURG CITY SCHOOL DISTRICT

From: Louie Flora [mailto:Louie_Flora@legis.state.ak.us]
Sent: Thursday, January 28, 2010 4:54 PM
To: lhsclaf+houseeducationcommittee@legis.state.ak.us; lhsclaf+educationlist@legis.state.ak.us; lhsclaf+liolist@legis.state.ak.us
Subject: House Education Committee schedule

Attached and posted below is the schedule for House Education Committee next week.

Louie Flora
House Education Committee Aide,
Representative Paul Seaton, Chair
(907) 465-3923

Monday, February 1st Room 106 at 8:00 a.m.

*+ HB 317 EDUC. FUNDING: BASIC/SPEC NEEDS/TRANSPORT
=+ HB 235 PROF STUDENT EXCHANGE LOAN FORGIVENESS
=+HB 206 HIGH SCHOOL ASSESSM'T/POSTSECONDARY CLASS

<bills previously heard/scheduled>

Wednesday, February 3rd Room 124 at 8:00 a.m.
(Joint With Senate Education)

+ Overview – Governor's Performance Scholarship
*+HB 297 POSTSECONDARY SCHOLARSHIPS

Friday, February 5th Room 106 at 8:00 a.m.

<bills previously heard/scheduled>

+ <teleconferenced>

The Department of Education and Early Development – School Finance.
Response to House Education Committee Questions of 2/1/2010/

Invite

- #1 Does Alaska Military Youth Academy (AMYA) receive more or less funding than other residential programs?

The AMYA program is not of the same type as some other residential programs, for example the program serves all drop outs and runs two sessions of students (spring and fall) each year. State aid per ADM compares approximately: $18,249 (Galena); $20,703 (Lower Kuskokwim); $18,139 (Nenana); $19,441 (Mt Edgecumbe); and $27,756 plus $2,361-post residential mentoring for a separate pool of students (AMYA).

- #2 How does AMYA schedule the residential portion?

There are two 22 week residential sessions each year. Funding is provided once based on the October residential count. For example, the FY2010 count funded 209 ADM, this represents 209 students in the first session and a different 209 students in the second session. Residential is "24/7" students do not leave the campus.

- #3 Are pupil transportation contracts tied to the CPI?

Some contracts (Anchorage, Mat su, and Kodiak) adjust up and down with the CPI. Other districts have in house programs or contracts that do not adjust up and down with CPI.

- #4 How did total categorical funding for Voc Ed under the old formula compare to adding 1.5% to the current 20% special needs block grant?

1998, prior categorical funding for Voc Ed was 1.08% of total basic need.

Based on 2012 projections, adding .015% to the special needs factor for a total of 1.215% equates to 1.07% of basic need intended towards Career and Technical.

Adding a second .015% to the special needs factor for a total of 1.23% equates to 2.14% of basic need intended towards Career and Technical.

EED 2/11/2010
Summary Data FY2010 Residential Program Comparative Revenues
FY2010 Projected Data

	Galena		
	Residential ADM	Revenues	Residential per ADM
Foundation State Aid	163.7	2,044,982	12,492
State GF Residential Boarding Home	159	915,360	5,757
(Dec 1 residential count paid for 159 students)			
Total Support per residential ADM, not including Capital			**$ 18,249**

	Lower Kuskokwim		
	Residential ADM	Revenues	Residential per ADM
Foundation State Aid	29.5	471,130	15,971
State GF Residential Boarding Home	10	47,322	4,732
(Dec 1 residential count paid for 10 students)			
Total Support per residential ADM, not including Capital			**$ 20,703**

	Nenana		
	Residential ADM	Revenues	Residential per ADM
Foundation State Aid	84	1,086,771	12,938
State GF Residential Boarding Home	84	436,917	5,201
Total Support per residential ADM, not including Capital			**$ 18,139**

	Mt Edgecumbe		
	Residential ADM	Revenues	Residential per ADM
Foundation State Aid	395.85	3,023,382	7,638
State GF Residential Boarding Home	395.85	3,971,800	10,034
State receipted Federal Impact Aid	395.85	700,647	1,770
Total Support per residential ADM, not including Capital			**$ 19,441**

Alaska Military Youth Academy			
ADM: Residential 209, post residential mentoring/education 266			
	Residential ADM	Revenues	Residential per ADM
Foundation State Aid - residential w education program	209	8,163,540	39,060
Federal Grant Reduction	209	(2,362,500)	(11,304)
Total Support per residential ADM, not including Capital			**27,756**
Non residential component, after program mentoring			
Foundation State Aid - non residential	266	890,568	3,348
Federal Grant Reduction	266	(262,500)	(987)
Total Support per non residential/mentoring ADM			**2,361**

Note:
Does not include formula grants such as NCLB, Special Education, etc.. Does not include separate capital project funding.

Subject: Pupil Transportation - CPI increase impact

After a few telephone discussions about the contract language in different district contracts, I found out the following.

Anchorage, MatSu, and Kodiak all have language in their current contracts that have adjustments to their contract prices based on the ANC CPI index whether it goes up or down. Additional language in each also states that the increase will be 4% or the CPI whichever is less, with a cap of 6%.

Kenai has language in their contract that has no increases over the life of the contract. They have taken on the burden of paying for all fuel in the contract instead of building in an increase.

All of the above contracts expire on June 30, 2011 and will be up for renewal/bid.

Subject: AMYA....info

As requested.

I spoke with James Jones, Deputy Director at the military youth academy, (907)384-6105.
The academy runs 2 sessions of 22week or 5 ½ months, in a year.
The dates of those programs are: Oct 1 to Feb. 28 and April 1 to August 31.

The student attend the residential program for those 22 weeks and do not leave campus at all. It is 7 days a week 24 hours a day. Following the program the cadet leaves or graduates from the residential program/academy and then becomes a non-residential that works with a mentor that they check in with once a week and also once a month with academy, too.

EED
School Finance

VOCATIONAL EDUCATION/ CAREER & TECHNICAL INCREASES TO THE 1.20 SPECIAL NEEDS FACTOR

FY1998 Categorical Funding		1.215 BSA at $5680		1.230 BSA at $5680	
8,575,990 / 795,018,978	1.08%	14,707,549 / 1,376,845,060	1.07%	29,888,952 / 1,398,953,329	2.14%

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB317**
() Publish Date:

Identifier (file name): HB317-EED-AMYA-2-5-10
Dept. Affected: Education & Early Development
Title "An Act increasing the special needs funding and base student Allocation for public schools, and extending the adjustment for student...."
RDU K-12 Support
Component AK Challenge Youth Academy
Sponsor House Education Committee
Requester House Education Committee
Component Number 2837

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	0.0	0.0	187.7	187.7	0.0	0.0	0.0
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**187.7**	**187.7**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	187.7	187.7	0.0	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**187.7**	**187.7**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

HB 317 beginning in FY 2012 the following increases will affect the Alaska Challenge Youth Academy:
FY2012 BSA increase of $125 to $5,805.
FY2013 BSA increases of $125 to $5,930.

Prepared by: Eddy Jeans, Director
Phone 465-8679
Division School Finance
Date/Time 2/5/10 12:00 AM
Approved by: Larry LeDoux, Commissioner
Date 2/5/2010

(Revised 10/13/2009 OMB)

Department of Education & Early Development
Prepared 1/27/2010

Prepared by School Finance

ALASKA MILITARY YOUTH ACADEMY

FY2011 Projection	
189 x $5680 x 7 =	7,514,640
297 x $5680 x 60% =	1,012,176
less $2,700,000	(2,700,000)
TOTAL $	**5,826,816**

FY12 Projection	
189 x $5805 x 7 =	7,680,015
297 x $5805 x 60% =	1,034,451
less $2,700,000	(2,700,000)
TOTAL $	**6,014,466**

FY12 Change over FY11	**$**	**187,650**

NOTES:

HB317 increases BSA from $5680 to $5805 in FY12

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Department of Education & Early Development
Prepared 1/27/2010

Prepared by School Finance

ALASKA MILITARY YOUTH ACADEMY

FY2012 Projection	
189 x $5805 x 7 =	7,680,015
297 x $5805 x 60% =	1,034,451
less $2,700,000	(2,700,000)
TOTAL $	**6,014,466**

FY13 Projection	
189 x $5930 x 7 =	7,845,390
297 x $5930 x 60% =	1,056,726
less $2,700,000	(2,700,000)
TOTAL $	**6,202,116**

FY12 Change over FY11	**$**	**187,650**

NOTES:

HB317 increases BSA from $5805 to $5930 in FY13

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FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB317**
() Publish Date:

Identifier (file name): HB317-EED-ESS-2-8-10
Title "An Act increasing the special needs funding and base student Allocation for public schools, and extending the adjustment for student...."
Sponsor House Education Committee
Requester House Education Committee

Dept. Affected: Education & Early Development
RDU K-12 Support
Component Foundation Program
Component Number 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	0.0	0.0	44,984.5	46,048.0	0.0	0.0	0.0
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**44,984.5**	**46,048.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	44,984.5	46,048.0	0.0	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**44,984.5**	**46,048.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

HB 317 beginning in FY 2012 the following increases will affect the foundation formula:
FY2012 special needs funding factor of 1.20 to 1.215; BSA increase of $125 to $5,805.
FY2013 speical needs funding factor of 1.215 to 1.230; BSA increases of $125 to $5,930.

In addition the Pupil Transportation language has been altered to use only increases to the CPI-U for all urban consumers for the Anchorage metropolitan area rather than changes. If there is a reduction in the CPI-U then the pupil transportation grants will be unaffected.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 2/5/10 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 2/5/2010

(Revised 10/13/2009 OMB)

Department of Education and Early Development
Prepared 2/5/2010
HB317

Prepared by School Finance

School Districts	FY2012 - SPED add on from 1.20 to 1.215	BSA Increased by $125 to $5805	Total Increase
ALASKA GATEWAY	78,434	149,842	**228,276**
ALEUTIAN REGION	17,942	33,549	**51,491**
ALEUTIANS EAST BOROUGH	81,965	147,355	**229,320**
ANCHORAGE	4,536,807	9,333,439	**13,870,246**
ANNETTE ISLAND	45,283	85,420	**130,703**
BERING STRAIT	443,434	814,281	**1,257,715**
BRISTOL BAY BOROUGH	32,467	60,961	**93,428**
CHATHAM	37,024	71,302	**108,326**
CHUGACH	10,205	29,832	**40,037**
COPPER RIVER	86,181	167,151	**253,332**
CORDOVA CITY	53,372	102,944	**156,316**
CRAIG CITY	45,626	127,419	**173,045**
DELTA/GREELY	112,895	233,650	**346,545**
DENALI BOROUGH	45,910	104,881	**150,791**
DILLINGHAM CITY	72,567	137,263	**209,830**
FAIRBANKS NORTH STAR BOROUGH	1,486,828	3,258,327	**4,745,155**
GALENA CITY	45,283	420,530	**465,813**
HAINES BOROUGH	43,575	91,794	**135,369**
HOONAH CITY	22,499	44,843	**67,342**
HYDABURG CITY	13,498	25,605	**39,103**
IDITAROD AREA	59,921	116,523	**176,444**
JUNEAU BOROUGH	538,955	1,149,286	**1,688,241**
KAKE CITY	16,975	35,082	**52,057**
KASHUNAMIUT	60,605	114,175	**174,780**
KENAI PENINSULA BOROUGH	1,017,761	2,048,173	**3,065,934**
KETCHIKAN GATEWAY BOROUGH	263,270	510,320	**773,590**
KLAWOCK CITY	23,125	46,023	**69,148**
KODIAK ISLAND BOROUGH	334,184	645,286	**979,470**
KUSPUK	93,984	170,306	**264,290**
LAKE AND PENINSULA BOROUGH	122,579	222,763	**345,342**
LOWER KUSKOKWIM	829,736	1,565,831	**2,395,567**
LOWER YUKON	457,047	836,830	**1,293,877**
MATANUSKA-SUSITNA BOROUGH	1,596,132	3,438,192	**5,034,324**
NENANA CITY	35,998	145,235	**181,233**
NOME CITY	112,041	209,939	**321,980**
NORTH SLOPE BOROUGH	332,532	605,738	**938,270**
NORTHWEST ARCTIC BOROUGH	409,713	767,229	**1,176,942**
PELICAN CITY	2,979	5,254	**8,233**
PETERSBURG CITY	75,699	154,032	**229,731**
PRIBILOF	24,664	43,904	**68,568**
SAINT MARY'S	37,708	71,875	**109,583**
SITKA BOROUGH	157,722	335,881	**493,603**
SKAGWAY CITY	14,126	28,318	**42,444**
SOUTHEAST ISLAND	52,174	98,173	**150,347**
SOUTHWEST REGION	154,019	288,323	**442,342**
TANANA	12,701	24,167	**36,868**
UNALASKA CITY	67,897	122,313	**190,210**
VALDEZ CITY	85,497	166,644	**252,141**
WRANGELL PUBLIC	44,998	96,338	**141,336**
YAKUTAT	21,303	37,929	**59,232**
YUKON FLATS	93,529	174,288	**267,817**
YUKON/KOYUKUK	87,946	276,157	**364,103**
YUPIIT	108,850	198,283	**307,133**
Mt. Edgecumbe	49,384	87,704	**137,088**
TOTAL	**14,707,549**	**30,276,902**	**44,984,451**

G:\DistSup\$11Foundation\FiscalNotes\HB317\[HB317_SF_$125BSA_FY12&13_SPED1.215&1.23_2-5-10UPDATE.xlsx]FY12 Proj. Funding Increase

Department of Education and Early Development
Prepared 2/5/2010
HB317

Prepared by School Finance

School Districts	FY2012 - SPED add on from 1.215 to 1.230	FY2013 - BSA Increased by $125 to $5930	Total Increase
ALASKA GATEWAY	82,076	154,917	**236,993**
ALEUTIAN REGION	18,569	34,333	**52,902**
ALEUTIANS EAST BOROUGH	86,849	154,609	**241,458**
ANCHORAGE	4,636,310	9,432,999	**14,069,309**
ANNETTE ISLAND	47,732	88,928	**136,660**
BERING STRAIT	466,961	848,296	**1,315,257**
BRISTOL BAY BOROUGH	33,762	62,760	**96,522**
CHATHAM	39,234	74,616	**113,850**
CHUGACH	10,636	30,381	**41,017**
COPPER RIVER	89,178	170,951	**260,129**
CORDOVA CITY	55,299	105,535	**160,834**
CRAIG CITY	47,500	130,013	**177,513**
DELTA/GREELY	116,827	238,780	**355,607**
DENALI BOROUGH	46,918	105,888	**152,806**
DILLINGHAM CITY	74,684	139,833	**214,517**
FAIRBANKS NORTH STAR BOROUGH	1,523,705	3,298,479	**4,822,184**
GALENA CITY	46,394	421,701	**468,095**
HAINES BOROUGH	45,462	94,353	**139,815**
HOONAH CITY	23,750	46,619	**70,369**
HYDABURG CITY	14,261	26,735	**40,996**
IDITAROD AREA	62,809	120,654	**183,463**
JUNEAU BOROUGH	558,584	1,174,857	**1,733,441**
KAKE CITY	18,045	36,655	**54,700**
KASHUNAMIUT	62,983	117,421	**180,404**
KENAI PENINSULA BOROUGH	1,058,083	2,102,329	**3,160,412**
KETCHIKAN GATEWAY BOROUGH	274,227	525,175	**799,402**
KLAWOCK CITY	24,332	47,649	**71,981**
KODIAK ISLAND BOROUGH	347,689	663,544	**1,011,233**
KUSPUK	98,083	175,957	**274,040**
LAKE AND PENINSULA BOROUGH	128,702	231,476	**360,178**
LOWER KUSKOKWIM	858,249	1,602,213	**2,460,462**
LOWER YUKON	480,523	870,503	**1,351,026**
MATANUSKA-SUSITNA BOROUGH	1,640,416	3,489,417	**5,129,833**
NENANA CITY	36,964	146,366	**183,330**
NOME CITY	115,605	214,362	**329,967**
NORTH SLOPE BOROUGH	346,640	624,963	**971,603**
NORTHWEST ARCTIC BOROUGH	426,854	790,650	**1,217,504**
PELICAN CITY	3,044	5,396	**8,440**
PETERSBURG CITY	79,224	158,944	**238,168**
PRIBILOF	25,729	45,358	**71,087**
SAINT MARY'S	39,350	74,151	**113,501**
SITKA BOROUGH	164,210	344,665	**508,875**
SKAGWAY CITY	14,437	28,692	**43,129**
SOUTHEAST ISLAND	54,659	101,650	**156,309**
SOUTHWEST REGION	160,369	297,063	**457,432**
TANANA	13,214	24,928	**38,142**
UNALASKA CITY	70,491	125,784	**196,275**
VALDEZ CITY	87,897	169,446	**257,343**
WRANGELL PUBLIC	46,742	98,672	**145,414**
YAKUTAT	22,527	39,662	**62,189**
YUKON FLATS	98,142	180,912	**279,054**
YUKON/KOYUKUK	91,855	281,612	**373,467**
YUPIIT	113,218	204,258	**317,476**
Mt. Edgecumbe	51,400	90,451	**141,851**
TOTAL	**15,181,403**	**30,866,561**	**46,047,964**

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Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

Letter of intent: HB 317

Introduced By: SEATON

Date: February 10, 2010

It is the intent of the legislature that the increases in block funding for education in AS.14.17.420(a)(1) as amended by HB 317 are meant to enhance a district's ability to offer career technical/vocational education as an addition to other funds a district applies to career technical/vocational education. The increase is not to be interpreted as the *only* funds a district can designate for career technical/vocational education.

State Capitol, Room 102, Juneau, AK 99801 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

26-LS1378\S
Mischel
2/5/10

CS FOR HOUSE BILL NO. 317(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act increasing the special needs funding and base student allocation for public schools, and extending the adjustment for student transportation funding; and providing for an effective date."

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

*** Section 1.** AS 14.09.010(c) is amended to read:

(c) Beginning July 1, 2009, funding provided to a school district under (a) of this section shall be adjusted annually on October 1 according to **increases** [CHANGES] in the Consumer Price Index for all urban consumers for the Anchorage metropolitan area compiled by the United States Department of Labor, Bureau of Labor Statistics. The index for 1982 to 1984 is the reference base index for an adjustment made under this subsection.

*** Sec. 2.** AS 14.17.420(a), as amended by sec. 6, ch. 9, SLA 2008, is amended to read:

(a) As a component of public school funding, a district is eligible for special needs funding and may be eligible for intensive services funding as follows:

(1) special needs funding is available to a district to assist the district in providing special education, gifted and talented education, vocational education, and bilingual education services to its students; a special needs funding factor of **1.215** [1.20] shall be applied as set out in AS 14.17.410(b)(1);

(2) in addition to the special needs funding for which a district is eligible under (1) of this subsection, a district is eligible for intensive services funding for each special education student who needs and receives intensive services and is enrolled on the last day of the count period; for each such student, intensive services funding is equal to the intensive student count multiplied by 13.

*** Sec. 3.** AS 14.17.420(a), as amended by sec. 6, ch. 9, SLA 2008, and by sec. 2 of this Act, is amended to read:

(a) As a component of public school funding, a district is eligible for special needs funding and may be eligible for intensive services funding as follows:

(1) special needs funding is available to a district to assist the district in providing special education, gifted and talented education, vocational education, and bilingual education services to its students; a special needs funding factor of **1.23** [1.215] shall be applied as set out in AS 14.17.410(b)(1);

(2) in addition to the special needs funding for which a district is eligible under (1) of this subsection, a district is eligible for intensive services funding for each special education student who needs and receives intensive services and is enrolled on the last day of the count period; for each such student, intensive services funding is equal to the intensive student count multiplied by 13.

*** Sec. 4.** AS 14.17.470, as amended by sec. 10, ch. 9, SLA 2008, is amended to read:

Sec. 14.17.470. Base student allocation. The base student allocation is **$5,805** [$5,680].

*** Sec. 5.** AS 14.17.470, as amended by sec. 10, ch. 9, SLA 2008, and by sec. 4 of this Act, is amended to read:

Sec. 14.17.470. Base student allocation. The base student allocation is **$5,930** [$5,805].

*** Sec. 6.** Section 11, ch. 9, SLA 2008, is amended to read:

Sec. 11. AS 14.09.010(c), added by sec. 2**, ch. 9, SLA 2008** [OF THIS ACT],

is repealed June 30, **2013** [2011].

*** Sec. 7.** Sections 2 and 4 of this Act take effect July 1, 2011.

*** Sec. 8.** Sections 3 and 5 of this Act take effect July 1, 2012.

HB 317
Adopted

26-LS1378\E.2
Mischel
2/4/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: HB 317

Page 2, following line 9:

Insert a new bill section to read:

"* **Sec. 3.** AS 14.17.420(a), as amended by sec. 6, ch. 9, SLA 2008, and by sec. 2 of this Act, is amended to read:

(a) As a component of public school funding, a district is eligible for special needs funding and may be eligible for intensive services funding as follows:

(1) special needs funding is available to a district to assist the district in providing special education, gifted and talented education, vocational education, and bilingual education services to its students; a special needs funding factor of **1.23** [1.215] shall be applied as set out in AS 14.17.410(b)(1);

(2) in addition to the special needs funding for which a district is eligible under (1) of this subsection, a district is eligible for intensive services funding for each special education student who needs and receives intensive services and is enrolled on the last day of the count period; for each such student, intensive services funding is equal to the intensive student count multiplied by 13."

Renumber the following bill sections accordingly.

Page 2, line 13:

Delete "sec. 2"

Insert "sec. 4"

Page 2, line 16:

Delete "secs. 2 and 3"

Insert "secs. 4 and 5"

Page 2, line 22:

Delete "Sections 2 and 3"

Insert "Sections 2 and 4"

Page 2, line 23:

Delete "Section 4"

Insert "Sections 3 and 5"

Page 2, line 24:

Delete "Section 5"

Insert "Section 6"

Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

HB 317

Forward Funding of Education and
Increasing Funding for Vocational Education

Sponsor Statement

HB 317 forward funds education by setting in statue a $125 increase in the Base Student Allocation (BSA) for the next three years. The bill also increases block funding to School Districts by 1.5% and extends Consumer Price Index (CPI) adjustments to the formula for funding pupil transportation.

In 2008 the legislature instituted recommendations of the Joint Legislative Education Funding Task Force which included a 3 year increase in the BSA of $100 each year. HB 317 extends this concept for an additional 3 years by setting in statute an increase in the BSA of $125 each year. It also extends the Anchorage CPI adjustment to pupil transportation established in 2008 by the Education Funding Task Force and amends it from "changes" to "increases" to guard against any potential decrease in the CPI. The total increase in state funding to school districts for FY2012 is approximately $60 million which is consistent with the past three years of increases in education funding.

Letting School Districts know the amount of their budget in advance allows them to plan their budgets and avoids the destructive teacher layoff/re-hire cycle that has happened in the past.

The intent of the increase to special education, gifted and talented, vocational education and bilingual education services block funding is to allow school districts to direct more funds to career technical or vocational education. Alaska needs to prepare and engage our students who are interested in skilled labor for the developing needs of our state.

HB 317 confirms to Alaskans, educators and parents the legislature's commitment to fund education by forward funding education for the next three years. It also recognizes the responsibility of the State and school districts to develop vocational education resources in Alaska's schools.

Staff Contact, Katie Koester (907)-465-2028
HB 317/E
1/29/2010

State Capitol, Room 102, Juneau, AK 99801 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

Department of Education and Early Development
Updated 1/22/2010
At the request of Rep. Seaton for discussion purposes only.

Prepared by School Finance

School Districts	FY2012 - 1/4 increase of remaining 50% ISER	1.5% Career & Tech add-on	$125 Increase to BSA	Total Increase
ALASKA GATEWAY	157,381	94,155	150,186	**401,722**
ALEUTIAN REGION	21,075	21,531	33,627	**76,233**
ALEUTIANS EAST BOROUGH	237,579	98,371	147,715	**483,665**
ANCHORAGE	0	5,444,123	9,353,350	**14,797,473**
ANNETTE ISLAND	112,325	54,396	85,620	**252,341**
BERING STRAIT	1,089,473	532,177	816,229	**2,437,879**
BRISTOL BAY BOROUGH	50,295	38,960	61,104	**150,359**
CHATHAM	114,148	44,429	71,465	**230,042**
CHUGACH	25,063	12,259	29,877	**67,199**
COPPER RIVER	98,883	103,383	167,529	**369,795**
CORDOVA CITY	62,314	64,024	103,177	**229,515**
CRAIG CITY	81,681	54,739	127,619	**264,039**
DELTA/GREELY	127,989	135,452	234,145	**497,586**
DENALI BOROUGH	8,544	55,081	105,082	**168,707**
DILLINGHAM CITY	54,511	87,034	137,580	**279,125**
FAIRBANKS NORTH STAR BOROUGH	428,567	1,784,215	3,264,854	**5,477,636**
GALENA CITY	14,410	54,339	420,729	**489,478**
HAINES BOROUGH	73,307	52,289	91,985	**217,581**
HOONAH CITY	63,397	26,998	44,942	**135,337**
HYDABURG CITY	44,941	16,176	25,664	**86,781**
IDITAROD AREA	129,242	71,882	116,785	**317,909**
JUNEAU BOROUGH	682,153	646,723	1,151,651	**2,480,527**
KAKE CITY	61,232	20,392	35,157	**116,781**
KASHUNAMIUT	93,300	72,681	114,440	**280,421**
KENAI PENINSULA BOROUGH	1,475,778	1,221,280	2,052,639	**4,749,697**
KETCHIKAN GATEWAY BOROUGH	395,018	315,901	511,475	**1,222,394**
KLAWOCK CITY	54,567	27,796	46,125	**128,488**
KODIAK ISLAND BOROUGH	550,574	400,998	646,752	**1,598,324**
KUSPUK	182,841	112,781	170,719	**466,341**
LAKE AND PENINSULA BOROUGH	282,522	147,071	223,300	**652,893**
LOWER KUSKOKWIM	888,634	995,604	1,569,471	**3,453,709**
LOWER YUKON	1,120,517	548,468	838,836	**2,507,821**
MATANUSKA-SUSITNA BOROUGH	930,101	1,915,393	3,445,198	**6,290,692**
NENANA CITY	20,163	43,175	145,393	**208,731**
NOME CITY	112,098	134,426	210,430	**456,954**
NORTH SLOPE BOROUGH	552,967	399,061	607,198	**1,559,226**
NORTHWEST ARCTIC BOROUGH	655,097	491,622	769,026	**1,915,745**
PELICAN CITY	6,493	3,561	5,267	**15,321**
PETERSBURG CITY	160,286	90,794	154,364	**405,444**
PRIBILOF	42,607	29,620	44,013	**116,240**
SAINT MARY'S	67,498	45,227	72,040	**184,765**
SITKA BOROUGH	277,453	189,277	336,574	**803,304**
SKAGWAY CITY	4,727	16,916	28,379	**50,022**
SOUTHEAST ISLAND	91,021	62,656	98,402	**252,079**
SOUTHWEST REGION	248,630	184,778	288,998	**722,406**
TANANA	23,639	15,208	24,221	**63,068**
UNALASKA CITY	93,073	81,453	122,610	**297,136**
VALDEZ CITY	62,771	102,643	167,020	**332,434**
WRANGELL PUBLIC	65,504	53,997	96,535	**216,036**
YAKUTAT	62,143	25,632	38,024	**125,799**
YUKON FLATS	214,170	112,155	174,696	**501,021**
YUKON/KOYUKUK	175,095	105,489	276,543	**557,127**
YUPIIT	170,994	130,551	198,760	**500,305**
Mt. Edgecumbe	82,192	59,182	87,919	**229,293**
TOTAL	**12,900,983**	**17,648,524**	**30,341,439**	**60,890,946**

G:\DistSup\$11Foundation\FiscalNotes\[FY2012_BSAincrease-1.5CareerTech-IntensiveIncrease_1-22-2010.xls]FY12 Proposal 3% Career & Tech

Katie Koester

From: Rep. Paul Seaton
Sent: Friday, January 29, 2010 3:16 PM
To: Katie Koester
Subject: FW: HB 317

-----Original Message-----
From: Friedman_Jeff [mailto:Friedman_Jeff@asdk12.org]
Sent: Thursday, January 28, 2010 3:57 PM
To: Rep. Paul Seaton
Cc: Rep. Cathy Munoz; Rep. Bryce Edgmon; Representative_we_keller@legis.state.ak.us; represenative_peggy_wilson@legis.state.ak.us; Rep. Bob Buch; Rep. Berta Gardner; Comeau_Carol; Steele_Tim; Olson_Robin
Subject: HB 317

Chair Seaton and Committee Members:

I am writing to express my personal support of HB 317. This bill will increase the block grant funding for vocational education, gifted and talented, special education, and bilingual services by 1.5 percentage points. The current block grant is insufficient to cover all of our current costs, so this small increase is definitely needed.

HB 317 will also provide advance, programed increases to the Base Student Allocation. For the last three years, we have been able to count on known increases when planning our budget. This has been a huge success from my point of view.

Jeff Friedman
Anchorage School Board
1534 D Street
Anchorage, AK 99501
907-742-4699 (Home)

Department of Education and Early Development
*Updated 2/5/2010
FY2012

Prepared by School Finance

School Districts	HB273 1/4 increase of remaining 50% ISER	HB317 FY2012 - SPED add on from 1.20 to 1.215	HB317 BSA Increased by $125 to $5805	FY2012 Total Increase
ALASKA GATEWAY	157,381	78,434	149,842	**385,657**
ALEUTIAN REGION	21,075	17,942	33,549	**72,566**
ALEUTIANS EAST BOROUGH	237,579	81,965	147,355	**466,899**
ANCHORAGE	0	4,536,807	9,333,439	**13,870,246**
ANNETTE ISLAND	112,325	45,283	85,420	**243,028**
BERING STRAIT	1,089,473	443,434	814,281	**2,347,188**
BRISTOL BAY BOROUGH	50,295	32,467	60,961	**143,723**
CHATHAM	114,148	37,024	71,302	**222,474**
CHUGACH	25,063	10,205	29,832	**65,100**
COPPER RIVER	98,883	86,181	167,151	**352,215**
CORDOVA CITY	62,314	53,372	102,944	**218,630**
CRAIG CITY	81,681	45,626	127,419	**254,726**
DELTA/GREELY	127,989	112,895	233,650	**474,534**
DENALI BOROUGH	8,544	45,910	104,881	**159,335**
DILLINGHAM CITY	54,511	72,567	137,263	**264,341**
FAIRBANKS NORTH STAR BOROUGH	428,567	1,486,828	3,258,327	**5,173,722**
GALENA CITY	14,410	45,283	420,530	**480,223**
HAINES BOROUGH	73,307	43,575	91,794	**208,676**
HOONAH CITY	63,397	22,499	44,843	**130,739**
HYDABURG CITY	44,941	13,498	25,605	**84,044**
IDITAROD AREA	129,242	59,921	116,523	**305,686**
JUNEAU BOROUGH	682,153	538,955	1,149,286	**2,370,394**
KAKE CITY	61,232	16,975	35,082	**113,289**
KASHUNAMIUT	93,300	60,605	114,175	**268,080**
KENAI PENINSULA BOROUGH	1,475,778	1,017,761	2,048,173	**4,541,712**
KETCHIKAN GATEWAY BOROUGH	395,018	263,270	510,320	**1,168,608**
KLAWOCK CITY	54,567	23,125	46,023	**123,715**
KODIAK ISLAND BOROUGH	550,574	334,184	645,286	**1,530,044**
KUSPUK	182,841	93,984	170,306	**447,131**
LAKE AND PENINSULA BOROUGH	282,522	122,579	222,763	**627,864**
LOWER KUSKOKWIM	888,634	829,736	1,565,831	**3,284,201**
LOWER YUKON	1,120,517	457,047	836,830	**2,414,394**
MATANUSKA-SUSITNA BOROUGH	930,101	1,596,132	3,438,192	**5,964,425**
NENANA CITY	20,163	35,998	145,235	**201,396**
NOME CITY	112,098	112,041	209,939	**434,078**
NORTH SLOPE BOROUGH	552,967	332,532	605,738	**1,491,237**
NORTHWEST ARCTIC BOROUGH	655,097	409,713	767,229	**1,832,039**
PELICAN CITY	6,493	2,979	5,254	**14,726**
PETERSBURG CITY	160,286	75,699	154,032	**390,017**
PRIBILOF	42,607	24,664	43,904	**111,175**
SAINT MARY'S	67,498	37,708	71,875	**177,081**
SITKA BOROUGH	277,453	157,722	335,881	**771,056**
SKAGWAY CITY	4,727	14,126	28,318	**47,171**
SOUTHEAST ISLAND	91,021	52,174	98,173	**241,368**
SOUTHWEST REGION	248,630	154,019	288,323	**690,972**
TANANA	23,639	12,701	24,167	**60,507**
UNALASKA CITY	93,073	67,897	122,313	**283,283**
VALDEZ CITY	62,771	85,497	166,644	**314,912**
WRANGELL PUBLIC	65,504	44,998	96,338	**206,840**
YAKUTAT	62,143	21,303	37,929	**121,375**
YUKON FLATS	214,170	93,529	174,288	**481,987**
YUKON/KOYUKUK	175,095	87,946	276,157	**539,198**
YUPIIT	170,994	108,850	198,283	**478,127**
Mt. Edgecumbe	82,192	49,384	87,704	**219,280**
TOTAL	**12,900,983**	**14,707,549**	**30,276,902**	**57,885,434**

G:\DistSup\$11Foundation\FiscalNotes\HB317\[FY12-FY13HB317&HB273_2-5-10.xlsx]FY12 Proj. Funding Increases

Department of Education and Early Development
Updated 2/5/2010
FY2013

Prepared by School Finance

School Districts	HB273 1/4 increase of remaining 50% ISER - final	HB317 FY2013 - SPED add on from 1.215 to 1.230	HB317 FY2013 - BSA Increased by $125 to $5930	FY2013 Total Increase
ALASKA GATEWAY	154,580	82,076	154,917	**391,573**
ALEUTIAN REGION	17,960	18,569	34,333	**70,862**
ALEUTIANS EAST BOROUGH	251,374	86,849	154,609	**492,832**
ANCHORAGE	0	4,636,310	9,432,999	**14,069,309**
ANNETTE ISLAND	115,804	47,732	88,928	**252,464**
BERING STRAIT	1,118,968	466,961	848,296	**2,434,225**
BRISTOL BAY BOROUGH	50,088	33,762	62,760	**146,610**
CHATHAM	115,279	39,234	74,616	**229,129**
CHUGACH	15,002	10,636	30,381	**56,019**
COPPER RIVER	87,932	89,178	170,951	**348,061**
CORDOVA CITY	65,482	55,299	105,535	**226,316**
CRAIG CITY	73,470	47,500	130,013	**250,983**
DELTA/GREELY	122,277	116,827	238,780	**477,884**
DENALI BOROUGH	0	46,918	105,888	**152,806**
DILLINGHAM CITY	45,072	74,684	139,833	**259,589**
FAIRBANKS NORTH STAR BOROUGH	346,653	1,523,705	3,298,479	**5,168,837**
GALENA CITY	8,163	46,394	421,701	**476,258**
HAINES BOROUGH	73,820	45,462	94,353	**213,635**
HOONAH CITY	59,068	23,750	46,619	**129,437**
HYDABURG CITY	38,426	14,261	26,735	**79,422**
IDITAROD AREA	129,798	62,809	120,654	**313,261**
JUNEAU BOROUGH	633,246	558,584	1,174,857	**2,366,687**
KAKE CITY	55,277	18,045	36,655	**109,977**
KASHUNAMIUT	88,340	62,983	117,421	**268,744**
KENAI PENINSULA BOROUGH	1,466,380	1,058,083	2,102,329	**4,626,792**
KETCHIKAN GATEWAY BOROUGH	418,258	274,227	525,175	**1,217,660**
KLAWOCK CITY	51,487	24,332	47,649	**123,468**
KODIAK ISLAND BOROUGH	503,390	347,689	663,544	**1,514,623**
KUSPUK	165,309	98,083	175,957	**439,349**
LAKE AND PENINSULA BOROUGH	277,555	128,702	231,476	**637,733**
LOWER KUSKOKWIM	837,448	858,249	1,602,213	**3,297,910**
LOWER YUKON	1,089,406	480,523	870,503	**2,440,432**
MATANUSKA-SUSITNA BOROUGH	746,368	1,640,416	3,489,417	**5,876,201**
NENANA CITY	15,744	36,964	146,366	**199,074**
NOME CITY	90,556	115,605	214,362	**420,523**
NORTH SLOPE BOROUGH	549,630	346,640	624,963	**1,521,233**
NORTHWEST ARCTIC BOROUGH	664,968	426,854	790,650	**1,882,472**
PELICAN CITY	3,539	3,044	5,396	**11,979**
PETERSBURG CITY	149,740	79,224	158,944	**387,908**
PRIBILOF	42,042	25,729	45,358	**113,129**
SAINT MARY'S	66,765	39,350	74,151	**180,266**
SITKA BOROUGH	245,252	164,210	344,665	**754,127**
SKAGWAY CITY	3,032	14,437	28,692	**46,161**
SOUTHEAST ISLAND	107,465	54,659	101,650	**263,774**
SOUTHWEST REGION	247,117	160,369	297,063	**704,549**
TANANA	22,274	13,214	24,928	**60,416**
UNALASKA CITY	91,313	70,491	125,784	**287,588**
VALDEZ CITY	42,684	87,897	169,446	**300,027**
WRANGELL PUBLIC	62,100	46,742	98,672	**207,514**
YAKUTAT	58,252	22,527	39,662	**120,441**
YUKON FLATS	210,673	98,142	180,912	**489,727**
YUKON/KOYUKUK	162,452	91,855	281,612	**535,919**
YUPIIT	165,251	113,218	204,258	**482,727**
Mt. Edgecumbe	76,678	51,400	90,451	**218,529**
TOTAL	**12,299,207**	**15,181,403**	**30,866,561**	**58,347,171**

26-LS1378\E.2
Mischel
2/4/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: HB 317

Page 2, following line 9:

Insert a new bill section to read:

"* **Sec. 3.** AS 14.17.420(a), as amended by sec. 6, ch. 9, SLA 2008, and by sec. 2 of this Act, is amended to read:

(a) As a component of public school funding, a district is eligible for special needs funding and may be eligible for intensive services funding as follows:

(1) special needs funding is available to a district to assist the district in providing special education, gifted and talented education, vocational education, and bilingual education services to its students; a special needs funding factor of **1.23** [1.215] shall be applied as set out in AS 14.17.410(b)(1);

(2) in addition to the special needs funding for which a district is eligible under (1) of this subsection, a district is eligible for intensive services funding for each special education student who needs and receives intensive services and is enrolled on the last day of the count period; for each such student, intensive services funding is equal to the intensive student count multiplied by 13."

Renumber the following bill sections accordingly.

Page 2, line 13:

Delete "sec. 2"

Insert "sec. 4"

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Insert "Sections 2 and 4"

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Delete "Section 4"
Insert "Sections 3 and 5"

Page 2, line 24:
Delete "Section 5"
Insert "Section 6"

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB317
() Publish Date:

Identifier (file name): HB317-EED-AMYA-1-27-10
Title "An Act increasing the special needs funding and base student Allocation for public schools, and extending the adjustment for student...."
Sponsor House Education Committee
Requester House Education Committee

Dept. Affected: Education & Early Development
RDU K-12 Support
Component AK Challenge Youth Academy
Component Number 2837

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	0.0	0.0	187.7	187.7	187.7	0.0	0.0
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**187.7**	**187.7**	**187.7**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	187.7	187.7	187.7	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**187.7**	**187.7**	**187.7**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

HB 317 beginning in FY 2012 the following increases will affect the Alaska Challenge Youth Academy:
FY2012 BSA increase of $125 to $5,805.
FY2013 BSA increases of $125 to $5,930.
FY2014 BSA increases of $125 to $6,055.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 1/27/10 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 1/27/2010

(Revised 10/13/2009 OMB)

Department of Education & Early Development
Prepared 1/27/2010

Prepared by School Finance

ALASKA MILITARY YOUTH ACADEMY

FY2011 Projection

189 x $5680 x 7 =	7,514,640
297 x $5680 x 60% =	1,012,176
less $2,700,000	(2,700,000)
TOTAL $	**5,826,816**

FY12 Projection

189 x $5805 x 7 =	7,680,015
297 x $5805 x 60% =	1,034,451
less $2,700,000	(2,700,000)
TOTAL $	**6,014,466**

FY12 Change over FY11	**$**	**187,650**

NOTES:

HB317 increases BSA from $5680 to $5805 in FY12

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Department of Education & Early Development
Prepared 1/27/2010

Prepared by School Finance

ALASKA MILITARY YOUTH ACADEMY

FY2012 Projection

189 x $5805 x 7 =	7,680,015
297 x $5805 x 60% =	1,034,451
less $2,700,000	(2,700,000)
TOTAL $	**6,014,466**

FY13 Projection

189 x $5930 x 7 =	7,845,390
297 x $5930 x 60% =	1,056,726
less $2,700,000	(2,700,000)
TOTAL $	**6,202,116**

FY12 Change over FY11	**$**	**187,650**

NOTES:

HB317 increases BSA from $5805 to $5930 in FY13

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Department of Education & Early Development
Prepared 1/27/2010

Prepared by School Finance

ALASKA MILITARY YOUTH ACADEMY

FY2013 Projection

189 x $5930 x 7 =	7,845,390
297 x $5930 x 60% =	1,056,726
less $2,700,000	(2,700,000)
TOTAL $	**6,202,116**

FY14 Projection

189 x $6055 x 7 =	8,010,765
297 x $6055 x 60% =	1,079,001
less $2,700,000	(2,700,000)
TOTAL $	**6,389,766**

FY12 Change over FY11	**$**	**187,650**

NOTES:

HB317 increases BSA from $5930 to $6055 in FY14

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FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB317**
() Publish Date:

Identifier (file name): HB317-EED-ESS-1-27-10
Title "An Act increasing the special needs funding and base student Allocation for public schools, and extending the adjustment for student...."
Sponsor House Education Committee
Requester House Education Committee

Dept. Affected: Education & Early Development
RDU K-12 Support
Component Foundation Program
Component Number 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	0.0	0.0	44,984.5	30,540.6	30,540.6	0.0	0.0
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**44,984.5**	**30,540.6**	**30,540.6**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	44,984.5	30,540.6	30,540.6	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**44,984.5**	**30,540.6**	**30,540.6**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

HB 317 beginning in FY 2012 the following increases will affect the foundation formula:
FY2012 special needs funding factor of 1.20 to 1.215; BSA increase of $125 to $5,805.
FY2013 BSA increases of $125 to $5,930.
FY2014 BSA increases of $125 to $6,055.

In addition the Pupil Transportation language has been altered to use only increases to the CPI-U for all urban consumers for the Anchorage metropolitan area rather than changes. If there is a reduction in the CPI-U then the pupil transportation grants will be unaffected.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 1/27/10 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 1/27/2010

(Revised 10/13/2009 OMB)

Department of Education and Early Development
Prepared 1/27/2010
HB317

Prepared by School Finance

School Districts	FY2012 - SPED add on from 1.20 to 1.215	BSA Increased by $125 to $5805	Total Increase
ALASKA GATEWAY	78,434	149,842	**228,276**
ALEUTIAN REGION	17,942	33,549	**51,491**
ALEUTIANS EAST BOROUGH	81,965	147,355	**229,320**
ANCHORAGE	4,536,807	9,333,439	**13,870,246**
ANNETTE ISLAND	45,283	85,420	**130,703**
BERING STRAIT	443,434	814,281	**1,257,715**
BRISTOL BAY BOROUGH	32,467	60,961	**93,428**
CHATHAM	37,024	71,302	**108,326**
CHUGACH	10,205	29,832	**40,037**
COPPER RIVER	86,181	167,151	**253,332**
CORDOVA CITY	53,372	102,944	**156,316**
CRAIG CITY	45,626	127,419	**173,045**
DELTA/GREELY	112,895	233,650	**346,545**
DENALI BOROUGH	45,910	104,881	**150,791**
DILLINGHAM CITY	72,567	137,263	**209,830**
FAIRBANKS NORTH STAR BOROUGH	1,486,828	3,258,327	**4,745,155**
GALENA CITY	45,283	420,530	**465,813**
HAINES BOROUGH	43,575	91,794	**135,369**
HOONAH CITY	22,499	44,843	**67,342**
HYDABURG CITY	13,498	25,605	**39,103**
IDITAROD AREA	59,921	116,523	**176,444**
JUNEAU BOROUGH	538,955	1,149,286	**1,688,241**
KAKE CITY	16,975	35,082	**52,057**
KASHUNAMIUT	60,605	114,175	**174,780**
KENAI PENINSULA BOROUGH	1,017,761	2,048,173	**3,065,934**
KETCHIKAN GATEWAY BOROUGH	263,270	510,320	**773,590**
KLAWOCK CITY	23,125	46,023	**69,148**
KODIAK ISLAND BOROUGH	334,184	645,286	**979,470**
KUSPUK	93,984	170,306	**264,290**
LAKE AND PENINSULA BOROUGH	122,579	222,763	**345,342**
LOWER KUSKOKWIM	829,736	1,565,831	**2,395,567**
LOWER YUKON	457,047	836,830	**1,293,877**
MATANUSKA-SUSITNA BOROUGH	1,596,132	3,438,192	**5,034,324**
NENANA CITY	35,998	145,235	**181,233**
NOME CITY	112,041	209,939	**321,980**
NORTH SLOPE BOROUGH	332,532	605,738	**938,270**
NORTHWEST ARCTIC BOROUGH	409,713	767,229	**1,176,942**
PELICAN CITY	2,979	5,254	**8,233**
PETERSBURG CITY	75,699	154,032	**229,731**
PRIBILOF	24,664	43,904	**68,568**
SAINT MARY'S	37,708	71,875	**109,583**
SITKA BOROUGH	157,722	335,881	**493,603**
SKAGWAY CITY	14,126	28,318	**42,444**
SOUTHEAST ISLAND	52,174	98,173	**150,347**
SOUTHWEST REGION	154,019	288,323	**442,342**
TANANA	12,701	24,167	**36,868**
UNALASKA CITY	67,897	122,313	**190,210**
VALDEZ CITY	85,497	166,644	**252,141**
WRANGELL PUBLIC	44,998	96,338	**141,336**
YAKUTAT	21,303	37,929	**59,232**
YUKON FLATS	93,529	174,288	**267,817**
YUKON/KOYUKUK	87,946	276,157	**364,103**
YUPIIT	108,850	198,283	**307,133**
Mt. Edgecumbe	49,384	87,704	**137,088**
TOTAL	**14,707,549**	**30,276,902**	**44,984,451**

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School Districts	FY2013 - BSA Increased by $125 to $5930
ALASKA GATEWAY	153,155
ALEUTIAN REGION	33,934
ALEUTIANS EAST BOROUGH	152,744
ANCHORAGE	9,333,438
ANNETTE ISLAND	87,903
BERING STRAIT	838,269
BRISTOL BAY BOROUGH	62,035
CHATHAM	73,774
CHUGACH	30,153
COPPER RIVER	169,037
CORDOVA CITY	104,347
CRAIG CITY	128,994
DELTA/GREELY	236,271
DENALI BOROUGH	104,882
DILLINGHAM CITY	138,229
FAIRBANKS NORTH STAR BOROUGH	3,265,759
GALENA CITY	420,705
HAINES BOROUGH	93,376
HOONAH CITY	46,109
HYDABURG CITY	26,429
IDITAROD AREA	119,305
JUNEAU BOROUGH	1,162,862
KAKE CITY	36,267
KASHUNAMIUT	116,069
KENAI PENINSULA BOROUGH	2,079,608
KETCHIKAN GATEWAY BOROUGH	519,287
KLAWOCK CITY	47,126
KODIAK ISLAND BOROUGH	656,078
KUSPUK	173,850
LAKE AND PENINSULA BOROUGH	228,712
LOWER KUSKOKWIM	1,583,784
LOWER YUKON	860,184
MATANUSKA-SUSITNA BOROUGH	3,454,191
NENANA CITY	145,572
NOME CITY	211,880
NORTH SLOPE BOROUGH	617,520
NORTHWEST ARCTIC BOROUGH	781,484
PELICAN CITY	5,330
PETERSBURG CITY	157,242
PRIBILOF	44,805
SAINT MARY'S	73,307
SITKA BOROUGH	341,138
SKAGWAY CITY	28,383
SOUTHEAST ISLAND	100,476
SOUTHWEST REGION	293,620
TANANA	24,644
UNALASKA CITY	124,270
VALDEZ CITY	167,559
WRANGELL PUBLIC	97,669
YAKUTAT	39,178
YUKON FLATS	178,804
YUKON/KOYUKUK	279,640
YUPIIT	201,826
Mt. Edgecumbe	89,347
TOTAL	**30,540,560**

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School Districts	FY2014 - BSA Increased by $125 to $6055
ALASKA GATEWAY	153,155
ALEUTIAN REGION	33,934
ALEUTIANS EAST BOROUGH	152,743
ANCHORAGE	9,333,439
ANNETTE ISLAND	87,902
BERING STRAIT	838,268
BRISTOL BAY BOROUGH	62,035
CHATHAM	73,773
CHUGACH	30,153
COPPER RIVER	169,036
CORDOVA CITY	104,348
CRAIG CITY	128,993
DELTA/GREELY	236,271
DENALI BOROUGH	104,881
DILLINGHAM CITY	138,229
FAIRBANKS NORTH STAR BOROUGH	3,265,759
GALENA CITY	420,705
HAINES BOROUGH	93,377
HOONAH CITY	46,109
HYDABURG CITY	26,429
IDITAROD AREA	119,305
JUNEAU BOROUGH	1,162,861
KAKE CITY	36,268
KASHUNAMIUT	116,068
KENAI PENINSULA BOROUGH	2,079,607
KETCHIKAN GATEWAY BOROUGH	519,286
KLAWOCK CITY	47,127
KODIAK ISLAND BOROUGH	656,077
KUSPUK	173,850
LAKE AND PENINSULA BOROUGH	228,713
LOWER KUSKOKWIM	1,583,784
LOWER YUKON	860,184
MATANUSKA-SUSITNA BOROUGH	3,454,191
NENANA CITY	145,573
NOME CITY	211,880
NORTH SLOPE BOROUGH	617,520
NORTHWEST ARCTIC BOROUGH	781,484
PELICAN CITY	5,331
PETERSBURG CITY	157,243
PRIBILOF	44,805
SAINT MARY'S	73,306
SITKA BOROUGH	341,139
SKAGWAY CITY	28,382
SOUTHEAST ISLAND	100,477
SOUTHWEST REGION	293,620
TANANA	24,643
UNALASKA CITY	124,270
VALDEZ CITY	167,559
WRANGELL PUBLIC	97,668
YAKUTAT	39,177
YUKON FLATS	178,804
YUKON/KOYUKUK	279,640
YUPIIT	201,827
Mt. Edgecumbe	89,348
TOTAL	**30,540,556**

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HB 347

Alaska State Legislature

State Capitol, Suite 422
Juneau, AK 99801-1182
Phone: 465-4939
Fax: 465-2418
Toll Free: (800) 465-4939
Representative_Pete_Petersen@legis.state.ak.us

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Representative Pete Petersen

Serving Northeast Anchorage and Muldoon

Sponsor Statement

HB 347– Leave for Military Spouses

"An Act allowing certain teachers, public employees, and private sector employees to take leave without pay when their spouses are on leave from deployment in a combat zone."

House Bill 347 will require employers to grant leave without pay to spouses of military personnel who are deployed during a period of military conflict in a geographic area that is designated a combat zone by the President of the United States, and are on leave from military deployment.

This law will apply to school districts, state and local governments, and private sector employers with 20 or more employees. It will allow the employees to take up to ten days of unpaid leave to spend time with their spouses before they return to combat.

Current federal law allows some military spouses to take up to 12 weeks of job protected leave in similar situations, but it is limited to family members of the National Guard and Reserves. Spouses of service members in the Regular Armed Forces do not qualify for leave under the federal law.

Under this legislation, Alaska would join California, Illinois, Indiana, Maine, Minnesota, Nebraska, New York, Oregon and Washington in passing similar laws to protect the jobs of military spouses.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB 347
() Publish Date:

Identifier (file name): HB347-DOA-DOPLR-03-02-10
Title "An Act allowing certain teachers, public employees, and private sector employees to take leave without pay ..."
Sponsor Rep Petersen
Requester (H)EDC

Dept. Affected: Administration
RDU Central Administrative Services
Component Personnel
Component Number 56

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*
This bill will have no fiscal impact on the Division of Personnel and Labor Relations.

Prepared by: Nicki Neal, Director — Phone 465-4429
Division Personnel and Labor Relations — Date/Time 3/2/10 12:00 PM
Approved by: Kevin Brooks, Deputy Commissioner — Date 3/2/2010
Department of Administration

(Revised 11/6/2009 OMB)

HB 347
Sectional Summary

Section 1. Applies to teachers taking leave without pay under this Act. Establishes that leave taken under this Act is not an interruption of service for retirement or tenure purposes.

Section 2. Allows teachers to take 10 work days of unpaid leave when the teacher's spouse is a member of the armed forces on leave from deployment in a combat zone. Advance notice of a leave request is not required, and the request may not be denied.

This section allows the teacher to continue to receive medical benefits for the duration of leave taken, and protects the teacher from retaliation by the employer.

Section 3. Requires employers to post notice of this leave entitlement in the workplace. The state will provide copies of the notice free of charge upon request.

Section 4. Adds a new section to Title 23 which extends the leave entitlement described in section two of this summary to employees of private employers with 20 or more employees. Similarly, this section requires that an employer post notice of this entitlement, and provides a mechanism for enforcement.

Section 5. Amends the Alaska Family Leave Act to apply this spousal leave requirement to the executive, judicial, or legislative branch; state corporations or councils; and the University of Alaska.

Section 6. Clarifies that public officials who are otherwise exempt from the Alaska Family Leave act are eliglible for spousal combat leave under this act.

Please note: This sectional summary should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Subject: FW: SB 278 - Mandatory time off

From: autotechofseward@yahoo.com [mailto:autotechofseward@yahoo.com]
Sent: Thursday, March 04, 2010 10:36 AM
To: Rep. Paul Seaton
Subject: SB 278 - Mandatory time off

Please reply to autotechofseward@yahoo.com

This bill mandates a new employee benefit on employers without consideration for the economic or logistic costs to the employer and other employees. It interjects the state into an area of employee benefits that should be left to the employment arrangements between employers and employees. By mandating this policy on employers, you limit the ability of an employer to structure the benefit package to fit the unique needs of its employees.

While we appreciate the concern for spouses of those serving as a members of the armed forces of the United States, legislation allowing an employee to take leave without prior notice to the employer presents a special difficulty to both Alaskan employers and employees. Such requirements cause others to work extra time with no prior notice. Depending on the position of the individuals and number of employees involved, it could disrupt the entire business operation.

Sincerely,

Mr. Richard Perea
Owner
Autotech Automotive LLC
33394 Bear Lake Rd.
Seward AK 99664
Email: autotechofseward@yahoo.com

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division
(Revised February 2010)

Fact Sheet #28A: The Family and Medical Leave Act Military Family Leave Entitlements

Notice: On October 28, 2009, the President signed the National Defense Authorization Act for Fiscal Year 2010 (2010 NDAA), Public Law 111-84. Section 565 of the 2010 NDAA amends the military family leave entitlements of the Family and Medical Leave Act (FMLA). These amendments expand coverage for "qualifying exigency" leave to eligible employees with covered family members in the Regular Armed Forces and coverage for "military caregiver leave" to eligible employees who are the spouse, son, daughter, parent, or next of kin of certain veterans with a "serious injury or illness". On December 21, 2009, the President signed the Airline Flight Crew Technical Corrections Act, Public Law 111-119, which modifies the FMLA eligibility requirements for flight crew members. This Fact Sheet does not incorporate these amendments to the FMLA.

The National Defense Authorization Act for Fiscal Year 2008 (2008 NDAA), Public Law 110-181, amended the FMLA to allow eligible employees to take up to 12 workweeks of job-protected leave in the applicable 12-month period for any "qualifying exigency" arising out of the active duty or call to active duty status of a spouse, son, daughter, or parent. The 2008 NDAA also amended the FMLA to allow eligible employees to take up to 26 workweeks of job-protected leave in a "single 12-month period" to care for a covered servicemember with a serious injury or illness. These two types of FMLA leave are known as the military family leave entitlements.

EMPLOYER COVERAGE

The FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), **and** private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location where at least 50 employees are employed by the employer within 75 miles.

MILITARY FAMILY LEAVE ENTITLEMENTS

Military Caregiver Leave: A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness up to a total of **26 workweeks** of **unpaid** leave during a "single 12-month period" to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty that may render the servicemember

medically unfit to perform the duties of his or her office, grade, rank, or rating. The "single 12-month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.)

Qualifying Exigency Leave: A covered employer must grant an eligible employee up to a total of **12 workweeks** of **unpaid** leave during the normal 12-month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

- Issue arising from a covered military member's short notice deployment (i.e., deployment on seven or less days of notice) for a period of **seven** days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to **five** days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a **combined** total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered servicemember with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA leave may be taken intermittently whenever **medically necessary** to care for a covered servicemember with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation.

Under certain conditions, employees **or** employers may choose to "substitute" (run concurrently) accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

NOTICE REQUIREMENTS

Employee Notice

Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for planned medical treatment for a serious injury or illness of a covered servicemember. If leave is foreseeable but 30 days advance notice is not practicable, the employee must provide notice as soon as practicable – generally, either the same or next business day. An employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as practicable. When the need for military family leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer's usual and customary notice requirements.

An employee does not need to specifically assert his or her rights under the FMLA, or even mention the FMLA, when providing notice. The employee must provide "sufficient information" to make the employer aware of the need for FMLA leave and the anticipated timing and duration of the leave. Depending on the situation, such information may include, as applicable:

- that the requested leave is for a particular qualifying exigency related to the active duty or call to active duty status of a covered military member and the anticipated duration of the leave;
- that the leave is for a qualifying family member who is a covered servicemember with a serious injury or illness and the anticipated duration of the leave.

When an employee seeks leave due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee **must** specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under the FMLA. Additionally, employers must either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring. Employers may use the notice prepared by U.S. Department of Labor to meet this requirement.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, including a reason for non-eligibility if the employee is determined not to be eligible. Such eligibility notice may be oral or written and should, generally, be given within five business days of the request for FMLA leave. Subsequent eligibility notice in the same 12-month leave period may be required when an employee's eligibility status changes. Employers also must inform employees of their rights and responsibilities under the FMLA, including giving specific written information on what is required of the employee.

When the employer has enough information to determine that leave is being taken for an FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave. The employer must designate leave that qualifies as **both** leave to care for a covered servicemember with a serious injury or illness **and** leave to care for a qualifying family member with a serious health condition as leave to care for a covered servicemember in the first instance. The designation notice must be in writing and,

generally, must be given within five business days of the determination. An employer also must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA entitlement. Employers may use the optional forms WH-381 and WH-382 prepared by the U.S. Department of Labor to meet these notification requirements.

CERTIFICATION REQUIREMENTS

Employers may require that an employee's request for military family leave be supported by an appropriate certification. An employer may require that:

- leave for a qualifying exigency be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party;
- leave to care for a covered servicemember with a serious injury or illness be supported by a certification completed by an authorized health care provider **or** by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember's family.

Second and third opinions and recertification are not permitted for certification of a covered servicemember's serious injury or illness or of a qualifying exigency. An employer may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious injury or illness, or an ITO or ITA. Additionally, an employer may contact the individual or entity named in a certification of leave for a qualifying exigency for purposes of verifying the existence and nature of the meeting. Employers may use the optional forms WH-384 and WH-385 prepared by the U.S. Department of Labor for obtaining certifications for qualifying exigencies and military caregiver leave, respectively.

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

For additional information, visit our Wage and Hour Division Website: http://www.wagehour.dol.gov and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
Contact Us

Why We Need a Military Family Leave Act:

Written Testimony

March 3, 2010

Submitted by:
Stacy Bannerman, Army National Guard Blue Star Wife
Medford, OR 97504

Author of *When the War Came Home: The Inside Story of Reservists and the Families They Leave Behind* (2006).
Founder/Director of Sanctuary Weekends™ for Women Veterans
Campaign Creator & Director of:

- Oregon State Military Family Leave Act (H.B. 2744; effective June 2009)
- Proposal to establish a Oregon State Military Family Advisory Council
- Federal Military Family Leave Act of 2009 (HR. 3257; S 1441)
- Federal Military Family Mental Health Care Improvement Act of 2010 (seeking sponsors)

Recipient of the Patriotic Employer Award, National Guard Commission for the Employer Support of the Guard & Reserve, April 2009.

Thank you to the Committee for considering this important bill to support the families of the troops who are serving or will serve in the war on terror, and other combat deployments. In a few short months, another 30,000 troops will be deploying for Afghanistan - again. The majority of those troops are married with children; most of the spouses left behind work outside the home. Many of us have to choose between work and family when our loved one deploys. It's an impossible choice, and one that military families should never be asked to make when America is at war.

My husband is a Sergeant First Class with the Army National Guard, and his Brigade spent several months training at Ft. McCoy, Wisconsin, more than a thousand miles away from home and family, prior to shipping out for a second tour in Iraq. I had recently moved to southern Oregon to accept a new position in order to implement programs to help military families and veterans. I had been on the job for a few months, and didn't have any sick leave or vacation time available. It would be more than one year before I saw my husband again.

If we support the troops, and by extension, military families, then passing the Military Family Leave Act should be at the top of this nation's to-do list. Because when the soldier goes to war, so does the family. And when the veteran comes home, family support is the single most critical factor in successful reintegration. The demands of the war on terror and the demographics of the 21st Century military are very different from the past, and adapting to those realities must, by definition, include expanding support for military families.

For the first years of the Vietnam War, married men were exempt from the draft, and for the duration of the war, married men with children were given deferments so that they wouldn't be deployed as it would constitute too much of a hardship on the families. During Vietnam, the majority of troops were single soldiers serving one tour, and comparatively few citizen soldiers served in combat. Today, the bulk of the boots on the ground in Iraq and Afghanistan are married. They have served, or are serving, multiple tours; and most of them have children. Around 40 percent are citizen soldiers.

The men and women in uniform are serving longer and more frequent tours than ever asked of the military in this nation's history. And so are their families.

March 1, 2010

AMERICAN CIVIL LIBERTIES UNION OF ALASKA
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STUDENT ADVISORS

The Honorable Paul Seaton
Chair, House Education Committee
Alaska State House of Representatives
State Capitol, Room 102
Juneau, AK 99801

Re: House Bill 347
Inclusion of Domestic Partners: AkCLU v. Alaska

Chair Seaton:

Thank you for the opportunity to submit written testimony regarding House Bill 347.

The American Civil Liberties Union of Alaska ("ACLU) represents thousands of members and activists throughout the State of Alaska who seek to preserve and expand individual freedoms and civil liberties guaranteed under the United States and Alaska Constitutions.

From a constitutional rights perspective, we would request that the Committee make a minor amendment to this important legislation. HB 347 would sensibly and compassionately address the special needs of Alaska's military families.

Pursuant to the Alaska Supreme Court's ruling in *Alaska Civil Liberties Union, et al. v. State of Alaska, Municipality of Anchorage*, 122 P.3d 781 (Alaska 2005) ("*AkCLU v. State*"), the ACLU believes that those military families headed by same-sex domestic partners are also entitled to these benefits.

Equal Treatment of Domestic Partners

In *AkCLU v. State,* the Alaska Supreme Court found that the differential treatment of same-sex domestic partners and married couples by the state in conferring of benefits was unconstitutional. This ruling was premised on the fact that same-sex domestic partners are prohibited by law from marrying in Alaska. They are thus excluded from receiving benefits made available to spouses.

The Alaska Supreme Court established that same-sex domestic partners must be treated on equal footing with married couples in the provision of government benefits. The Court held that differential treatment violated the Equal Protection Clause of the Alaska State Constitution since individuals "in committed same-sex relationships are absolutely denied any opportunity to obtain [government] benefits, because [they] are barred by law from marrying their same-sex partners in Alaska or having any marriage performed elsewhere recognized in Alaska." *AkCLU v. State*, 122 P.3d at 788.

Please note that, in reaching this conclusion, the Court found that treating same-sex couples differently from heterosexual married couples with respect to employment benefits was unconstitutional ***and did not survive even the most minimal level of constitutional scrutiny***. *Id.* at 783, 786–87.

State's Conferral of Permissive Leave

Under HB 347, teachers, employees of non-governmental employers, and state employees are granted 10 days' leave without pay when the "employee's spouse is a member of . . . [the] armed forces," and is on leave from a combat zone during a military conflict.

Such permissive leave is a compassionate and thoughtful benefit which the state is conferring on our Alaska families where one member is serving in the military, and recognizes their special needs while honoring their service.

By amending the Bill to read, where applicable, an "employee's spouse or same-sex domestic partner," the Alaska State Legislature would avoid creating a constitutional conflict with the Alaska Supreme Court's ruling in *AkCLU v. State.* Moreover, the Legislature will appropriately recognize and honor ***all*** military families, including those headed by couples in committed same-sex partnerships.

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Thank you again for the opportunity to share our concerns.

Please feel free to contact the undersigned should you require any additional information.

Sincerely,

Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: Representative Munoz, Vice Chair
Representative Petersen, Sponsor
Representative Edgmon
Representative Keller
Representative P.Wilson
Representative Buch
Representative Gardner
Representative Tuck, Co-Sponsor
Representative Kawasaki, Co-Sponsor
Representative Gruenberg, Co-Sponsor
Representative Buch, Co-Sponsor

ALASKA VETERANS FOUNDATION

March 3, 2010

Rep Pete Petersen
Alaska State House
Juneau, AK
REF: HB347

Representative Petersen:

How do we support our troops? Do we do it with ceremonies, political speeches, naming roads after veterans? Or do we stand with them and their families – even in those moments in hell.

For years now we have heard so many across America whine about not being asked to make a sacrifice in this war. Somehow many in our nation don't feel they can have a part in defending our country unless they are in this war. We are often asked, "What can I do?"

When a young woman comes to her boss and says, "My husband has been wounded in Iraq, can I get ten days off, even without pay, to go be by his side." And the boss says no, your job is too important?

When a young man shows up for work and tells his boss, "You know my wife has been serving in Afghanistan for almost a year now, and she called last night and told me she has a couple weeks off but she can't come home. Can I get ten days to go see her, even without pay?" And the boss says, "I just can't spare you right now."

How do we support those few, those very few men and women willing to volunteer to stand guard for America?

This is a moment of truth for each of you. This is the moment you can say, I stand with these men and women and we as a state, as a free people, are willing to suffer losing an employee for 10 days without pay, as a part of our contribution to this effort. As part of our "sacrifice" in this cause.

The Alaska Veterans Foundation, with its conferred membership of almost 80,000 veterans across our state, asks you to stand with our troops and their families as they stand at that door to hell in defense of human freedom and our nation.

We just don't think 10 days leave without pay is too much to ask, if we really are supporting our troops, their missions, and the families who serve with them.

It is an honor,

Ric Davidge
Chairman

3705 Arctic Blvd #415, Anchorage, AK 99503 907 222 6945 fax 907 222 6933
Ricdavidge.ak@gci.net

ALASKA STATE COUNCIL

February 24, 2010

Rep. Pete Petersen
Alaska State House
Juneau, Alaska

Representative Petersen:

On behalf of the members of Vietnam Veterans of America now living in Alaska we want to express our support for **HB347**. Vietnam Veterans now make up the largest community in our state veteran's population.

The motto of VVA is: ***"Never again will one generation of veterans abandon another."*** While some find this objectionable, it is a statement of truth based on what our generation of warriors experienced when we served and then came home. It is also our mission, and we take it very seriously.

We support HB347 because it is the right thing to do for those few men and women living in Alaska who volunteer to stand guard for America. It is also the right thing to do for their spouses and families.

When we became aware that spouses were having trouble getting even ten days of unpaid leave to fly to be at the bed side of their loved one after being notified that they had been wounded, or to embrace the one they love while they have a few days off from war, we were shocked. But then we remembered what it was like when we were at war and when we got time off from the rice paddies.

The passage of this bill and its House companion is a statement by our state that we will stand with these families as they fight these wars together in the defense of our nation and our way of life.

The passage of HB347 is a state legislative priority for VVA Alaska as expressed by AK VET PAC.

We ask each of the members of our state legislature to take a stand for what is right, what is noble, and what is in our own best interest and support this needed legislation.

With respect,

Albert Baffone
Vice President

3705 Arctic Blvd #415, Anchorage, Alaska 99503
907 222 6945 907 222 6933 fax 907 229 5328 Chairman's Cell 907 748 1722 Ex Dir

Pension Services Int'l., Inc.
520 E. 34TH AVENUE, SUITE 303, ANCHORAGE, ALASKA 99503-4116
PHONE: 907-562-3938 • FAX: 907-562-1366

Facsimile

To: Members of House Education Committee

Via: e-mail to Denny DeWitt of NFIB

From: Al Tamagni, Sr.

Date: 03/09/2010

Re: **Updated information from US Department of Labor Family and Medical Leave Act National Defense Authorization Act of FY 2010 Amendments**

Pages: 6 , including this

We have reviewed the back up data used in the current proposed House Bill #347 regarding leave without pay for employees when their spouses are on leave from deployment in a combat zone.

In reviewing the data, we find that virtually all of the concerns raised in the bill had been addresses in the Family and Medical Leave Act National Defense Authorization Act for FY 2010, which was signed by President Obama on October 28, 2009, Public Law 111-84.

Apparently the Sponsors and Supporters were not aware of this change. This Law and ERISA supersede any state action on this subject.

It is our opinion that the bill need not proceed as the Federal Action has addressed the Concerns in the Public and Private Sectors.

I have attached the following: Exhibit "A"
Exhibit "B1-B4"

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Wage and Hour Division (WHD)

Family and Medical Leave Act National Defense Authorization Act for FY 2010 Amendments

(February 2010)

On October 28, 2009, the President signed into law the National Defense Authorization Act for Fiscal Year 2010 (2010 NDAA), Public La NDAA amends the Family and Medical Leave Act (FMLA). These amendments expand the military family leave provisions added to the Fl exigency and military caregiver leave for employees with family members who are covered military members.

The 2010 NDAA amendments to the FMLA provide that an eligible employee may take FMLA leave for any qualifying exigency arising ou son, daughter, or parent is on (or has been notified of an impending call to) "covered active duty" in the Armed Forces. "Covered active component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. "Covered a components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member wi under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (Prior qualifying exigency leave did not apply to employees with family members serving in a regular component of the Armed Forces and ther the National Guard and Reserves be deployed with the Armed Forces to a foreign country.)

The 2010 NDAA also expands the military caregiver leave provisions of the FMLA. Military caregiver leave entitles an eligible employee w or next of kin of a "covered servicemember" to take up to 26 workweeks of FMLA leave in a single 12-month period to care for a "cover or illness". Under the 2010 NDAA amendments, the definition of "covered servicemember" is expanded to include a **veteran** "who is un recuperation, or therapy for a serious injury or illness" if the veteran was a member of the Armed Forces "at any time during the period the veteran undergoes that medical treatment, recuperation, or therapy." (Prior to the 2010 NDAA amendments, military caregiver leave of the Armed Forces, including regular components and National Guard and Reserves.)

In addition, the 2010 NDAA amends the FMLA's definition of a "serious injury or illness". For a current member of the Armed Forces the only a serious injury or illness that was incurred by the member in line of duty on active duty but also a serious injury or illness that "ex member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces" that may render the member m member's office, grade, rank, or rating. For a veteran, a serious injury or illness is defined as "a qualifying injury or illness that was incur active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of d and that manifested itself before or after the member became a veteran." The 2010 NDAA directs the Secretary of Labor to define "quali

Read more about the FMLA at www.dol.gov/whd/fmla.

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Wage and Hour Division (WHD)

(Revised February 2010) (PDF)

Fact Sheet #28: The Family and Medical Leave Act of 1993

See The CFR

Notice: On October 28, 2009, the President signed the National Defense Authorization Act for Fiscal Year 2010 (2010 NDAA), Public Law 111-84. Section 565 of the 2010 NDAA amends the military family leave entitlements of the Family and Medical Leave Act (FMLA). These amendments expand coverage for "qualifying exigency" leave to eligible employees with covered family members in the Regular Armed Forces and coverage for "military caregiver leave" to eligible employees who are the spouse, son, daughter, parent, or next of kin of certain veterans with a "serious injury or illness". On December 21, 2009, the President signed the Airline Flight Crew Technical Corrections Act, Public Law 111-119, which modifies the FMLA eligibility requirements for flight crew members. This Fact Sheet does not incorporate these amendments to the FMLA.

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces the Family and Medical Leave Act (FMLA) for all private, state and local government employees, and some federal employees. Most federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management or the Congress.

The FMLA entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons, or for any "qualifying exigency" arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The FMLA also allows eligible employees to take up to 26 workweeks of job-protected leave in a "single 12-month period" to care for a covered servicemember with a serious injury or illness. *See* Fact Sheet #28A: The Family and Medical Leave Act Military Family Leave Entitlements.

EMPLOYER COVERAGE

The FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), **and** private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of **seven** years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the employer's intention to rehire the employee after the break in service. *See* "FMLA Special Rules for Returning Reservists."

LEAVE ENTITLEMENT

A covered employer must grant an eligible employee up to a total of **12 workweeks** of **unpaid** leave during any 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; **or**
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

A covered employer also must grant an eligible employee who is a spouse, son, daughter, parent, or next of

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kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of **26 workweeks** of **unpaid** leave during a "single 12-month period" to care for the servicemember. For specific information regarding military family leave, *see* "Fact Sheet #28A: The Family and Medical Leave Act Military Family Leave Entitlements."

Spouses employed by the same employer are limited in the **amount of** family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 workweeks (or 26 workweeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.

Under certain conditions, employees **or** employers may choose to "substitute" (run concurrently) accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

"**Serious health condition**" means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; **or**
- Continuing treatment by a health care provider, which includes:

  (1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that **also** includes:

  - treatment two or more times by or under the supervision of a health care provider (*i.e.*, in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); **or**
  - one treatment by a health care provider (*i.e.*, an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (*e.g.*, prescription medication, physical therapy); **or**

  (2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; **or**

  (3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; **or**

  (4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; **or**

  (5) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

MAINTENANCE OF HEALTH BENEFITS

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

JOB RESTORATION

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to **before** using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked, products sold, or perfect attendance, and the employee has not met the goal due to FMLA leave,

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payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.

An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

NOTICE AND CERTIFICATION

Employee Notice

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave for a FMLA-qualifying reason for the **first** time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee **must** specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under the FMLA. An employer that willfully violates this posting requirement may be subject to a civil money penalty of up to $110 for each separate offense. Additionally, employers must either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring. Employers may use the notice prepared by U.S. Department of Labor to meet this requirement.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under the FMLA. When the employer has enough information to determine that leave is being taken for a FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave. Employers may use the optional forms WH-381 and WH-382 prepared by the U.S. Department of Labor to meet these notification requirements.

Certification

Employers may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. An employer may require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. An employer may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. An employer may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, an employer may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave. Employers may use the optional forms WH-380-E and WH-380-F prepared by the U.S. Department of Labor for obtaining medical certifications of serious health conditions.

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

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OTHER PROVISIONS

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent leave or when leave is required near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an "eligible" employee's use of leave required by the FMLA.

For additional information, visit our Wage and Hour Division Website: http://www.wagehour.dol.gov and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone,

1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

NFIB

The Voice of Small Business®

ALASKA

February 17, 2010

The Honorable Pete Peterson
State Capitol Building
Juneau, Alaska 99801-1182

RE: House Bill 347

Dear Representative Peterson:

On behalf of the National Federation of Independent Business/Alaska, I wish to express our opposition to House Bill 374. The National Federation of Independent Business is the largest small-business advocacy group in Alaska.

House Bill 374 mandates a new employee benefit on employers without consideration for the economic or logistic costs to the employer. It interjects the state into an area of employee benefits that should be left to the employment arrangements between employers and employees. By mandating this policy on employers, you limit the ability of an employer to structure the benefit package to fit the unique needs of its employees.

While we appreciate the concern for spouses of those serving as a member of the armed forces of the United States, legislation allowing an employee to take leave without notice to the employer presents a special difficulty to Alaskan employers. Such requirements cause others to work extra time with no prior notice. Depending on the position of the individual, it could disrupt the entire business operation.

Along with our general opposition to unfunded government mandates on employers, we would strongly suggest that this is not the time to add cost and disruption to businesses in Alaska. This is a time to assure that employers are able to stay in business and employ Alaskans.

Sincerely yours,

Dennis L. DeWitt
Alaska State Director

Cc: NFIB/AK Leadership Council
House Education Committee

ALASKA VETERANS POLITICAL ACTION COMMITTEE

Alaska Veterans 2010 Priorities (2/12/10 update)

Outlined below are the state legislative priorities as we see them for the 2010 session. If you have other issues or think there should be different priorities, or in anyway disagree with what is outlined below, please notify: ricdavidge.ak@gci.net

1. Outreach Fully implement HB44 which created the first volunteer veterans register on the PFD application.

This requires the Dept of Mil & Vet Affairs to craft a contract/agreement between the state and "Congressionally Chartered Veteran Service Organizations" as required by the act. The components of these agreements are critical. We DO NOT want service organizations using this list to "recruit". That was a part of the agreement we made with legislators that got this bill passed. Only Congressional Chartered Veteran Service Organizations can participate. That's VVA, VFW, Am Leg, Am Vets, MOPH.

We suggest that the AK Dept of Mil & Vet Affairs enter into an agreement with all Veteran Service Organizations to cooperate in the effort to reach our veterans with information about their rights, benefits, services, etc.

We also suggest that the AK Dept of Mil & Vet Affairs enter into a MOA/MOU with the US Dept of Veterans Affairs, Alaska to cooperatively do at least one general mailing a year to every veteran on this list. This mailing should advise each veteran of the rights, benefits, and services they MAY qualify for and how to access them through the services of a nationally accredited Veteran Service Officer. Status: House/Senate Joint Cmte on Mil & Vet Affairs needs to hold a hearing and request status, what are the problems, etc. This "law" should be fully implemented – it is the law. Wasup?

2. Immediate inclusion of all nationally accredited Veteran Service Officers (VSO) in state funding for veterans services under the Dept of Mil & Vet Affairs.

It is time the state recognized the work that all accredited veterans organization Service Officers are doing for our military, our veterans, and for their families.

For years a small number of Veteran Service Organizations have received exclusive financial support from the state in the state's Dept of Mil and Vet Affairs. **This is wrong.** All nationally accredited Veteran Service Officers should be included in this program under the Director of Veteran Services within the AK Dept of Mil & Vet Affairs. Additionally, the programs of these VSO's and their supportive organizations **must** be reviewed regularly to ensure the state's funds are being responsibly used to benefit Alaska's veterans and the state's interests. The new DMVA Director of Veterans Affairs is trying to provide appropriate oversight and accountability for the use of these state funds. He needs strong legislative and administrative support for his efforts. We strongly support his efforts.

We recommend a serious overhaul of this program, long supported by the state. It is our intention to bring this before our state legislators this 2010 session and every session until this program is made more inclusive and far more productive and responsive to the interests of our veterans and the state. We will also push for more funding in the program as we can clearly demonstrate such an investment is in the economic best interest of the state as well as thousands of Alaskan veterans and their families. Status: we have requested a formal update from the Commission of Military and Veterans Affairs. We have notified the House/Senate Finance Cmtes that VVA VSO's need to be included in the program. VVA requested this action over three years ago following the election of Gov Palin.

3. Immediate passage of HJR 16 now in House Rules **Cmte calls for Congressional oversight hearings** into why federal agencies **in Alaska** refuse or fail to meet their mandated 3% set a side for Service Disabled Veteran Owned Small Businesses (SDVOSB) in Alaska. This resolution is in direct support of the efforts of our Congressional Delegation to get federal agencies in Alaska to meet these and other federal contracting/procurement/and hiring requirements. Passage of this resolution will bolster efforts by a number of states to get Congress to give this long standing infraction of federal law and policy to the detriment of disabled veterans who start business that qualify for federal procurement preferences. Update: Sponsor/Gatto sent request to House Rules to schedule for House floor action

4. **Immediate passage of HB225** (alternative to HB24) which passed the state House w/out a dissenting vote last session. This bill **authorizes a 5% preference on all state procurements/contracts for Alaskan Veteran Owned Businesses**. Senate action should remove the arbitrary cap on the size of projects/procurements for which this preference can apply. Status: In House Finance since 4/14/09 We have requested Sponsor ask for Cmte Hearing

5. Immediate passage of SB151 which makes **it a class A misdemeanor for any "charity" to solicit donations if they are not in full compliance with state and federal laws and regulations**. It also requires that all donations be used for the purpose they are solicited for. This is in direct response to the national and Alaskan problem of bogus charities, especially veteran "charities" that are not in compliance with the law or use their donations for "other purposes". The definition of "soliciting" needs to be expanded to not just be limited to phone solicitations but all and any solicitation by any organization or group for veterans or other groups.

We also believe it timely to begin a serious discussion on what is an appropriate split between those who actually do the solicitation and the organizations that receive the benefits of these efforts. We suggest a split of 60% for the organization and 40% for compensation of solicitors.

Finally, we believe it essential that our State Attorney General open formal investigations and/or audits into charities who are not in full state/federal compliance and about whom the Attorney General receives formal complaints. This is beginning to happen in more and more states as policy makers become aware of the amount of "fraud" and misrepresentation that is taking place by some so called charities. Status: In Sen Finance since 3/18/09 Time to move it to Sen Rules with amendments as outlined above.

6. We need more "partnerships" in rural and remote Alaska to provide healthcare services to our veterans and their families across Alaska. (A report on Rural and Remote Healthcare Needs of our Veterans, developed for the National Conference of State Council Presidents is available upon request). Status: The AK VA is making real progress here, but we would like to see more.

7. Ending Homelessness for AK Veterans The Alaska Veterans Foundation, Inc. and a growing number of national veteran's organizations lead by the Vietnam Veterans of America are joining together with community service organizations and private corporations to end homelessness for Alaska's veterans in the next 5 years. This must be an active and visible partnership between the state, local governments, and these mentioned groups.

Status:

- The Alaska Veterans Foundation, Inc. has put forward a request for funds to do the pre-development work essential to start Alaska's first Housing First concept **for veterans** using a harm reduction model with priority for the chronic homeless veterans in Anchorage. We will update you on this proposal to Congress requested by Members of our delegation. If you want a copy of the proposal please email: rdavidge@cyalaska.com

- Legislatively, one critical key in moving in the right direction is by actually funding the **Alaska Housing Trust** as agreed years ago. Contact **Chairman Mike Hawker of the House Appropriations Committee** Rep_Mike_Hawker@legis.state.ak.us

The demographics of homelessness for our veterans are changing, but the groups who serve the homeless are not moving quickly enough to meet these new challenges.

1. The number of women new veterans' w/children who are homeless is increasing dramatically.
2. The number of veterans with families is increasing and now is about 1/3 of the total in AK.
3. We need new housing products that include Housing First models. They work and save communities tens of thousands of dollars in local taxes annually.
4. The State of Alaska has been actively studying this horrific cultural issue, but yet the number of new "doors" has not dramatically increased. We need a new approach.
5. We have serious cultural issues/conflicts that MUST be addressed when dealing with this issue.
6. 90+% of all public funds directed towards the homeless are for "services". **This will not solve this problem.** We need "Housing First" models in every major community across our state.

We have the means, method, plan, and proven solutions capable of accomplishing this in 5 years.

8. HB284/SB215 Requires the AK Department of Health and Social Services to accept federal prescription drug benefits or provide comparable benefits for residents of AK Pioneers' Home, including residents eligible for discount or free benefits from the US Dept of VA or the Indian Health Svc . . . Introduced by Rep Dahlstrom, Gara, Herron, Wilson in the House and Senators Wielechowski, in the Senate these bills are an attempt for formally codify the agreement worked out last year by Members of the Legislature, Veterans Organizations, the VA, the Commissioner HSS/and the Pioneers Homes/AK Vet Home on handling medications for veterans in resident. Although the current agreement appears to be working well, it is our belief, and one shared by these sponsors, that this agreement needs to be formally codified into law. Update: SB215 http://www.legis.state.ak.us/basis/get_bill.asp?bill=SB%20215&session=26 Out of Sen HSS w/Do Pass 0 fiscal note, now referred to Sen Finance.

9. SB278/NEW BILL – Allowing teachers, public employees, and private sector employees to take leave without pay when their spouses are on leave from deployment in a combat zone. Introduced by Senator Wielechowski, this bill is in direct response to problems military spouses have had trying to take time off from work to visit their spouse while on leave/R&R from combat locations. The bill has also been expanded to include leave without pay when a spouse wishes to spend time with a wounded warrior, again in response to problems some have had.

We were asked to review this bill during its formation and strongly support Sen. Wielechowski's efforts. Although one would think the Federal Family Leave Act would cover spouses visiting their wounded warriors, there appears to be a need for state law making this clear. The bill limits the time to 10 working days. Status: Just introduced this week

Other Issues:

- Need coordinated effort by State DMVA and Veteran Service Organizations to get Native Corps to hire and support their own NVSOs. VVA has offered to help train and support these VSOs and coordinate with our regional and village corporations to accomplish this.
- We need younger VSOs. AVVA is now approved by the VA, so we will begin finding, training and supporting younger VSOs to work with our new veterans.
- Fix the PFD process to be more workable with overseas deployments for Active Duty, Reserves, and National Guard. Amend the 72 hr every two years, fix the 180 day requirement, and fix the 5 year presumption.
- Alaska State veteran personnel/hire laws and regulations need to be updated and extended similar to federal preferences.
- Veteran Courts – need more development, focus on intake points that ensure we ask: "are you a veteran?"
- New Vet Transition Teams – needs more local community interface. Suggest a booklet by the State DMVA on state and local services and benefits. Should allow VSO's into system.

We hope this is helpful to our collective efforts to improve the lives of Alaska's veterans and their families.

Prepared by Ric Davidge 907 229 5328 ricdavidge.ak@gci.net rdavidge@cyalaska.com

- State Council President, Vietnam Veterans of America (VVA)
- Chairman, Alaska Veterans Foundation, Inc. (AKVF)
- Chairman, MOA Mil & Vet Affairs Commission
- Chairman, Alaska Veterans Political Action Committee (AK VET PAC)
- Chairman, Ending Chronic Homelessness for our veterans (National Conf of State Council Presidents, VVA)
- Chairman, Political Action Committee (National Conf of State Council Presidents, VVA)
- National Chairman, Economic Opportunities Committee, VVA

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division
(January 2009)

Fact Sheet #28A: The Family and Medical Leave Act Military Family Leave Entitlements

The National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181, amended the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any "qualifying exigency" arising out of the active duty or call to active duty status of a spouse, son, daughter, or parent. The NDAA also amended the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in a "single 12-month period" to care for a covered servicemember with a serious injury or illness. These two new types of FMLA leave are known as the military family leave entitlements.

EMPLOYER COVERAGE

FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), **and** private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location where at least 50 employees are employed by the employer within 75 miles.

MILITARY FAMILY LEAVE ENTITLEMENTS

Military Caregiver Leave: A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness up to a total of **26 workweeks** of **unpaid** leave during a "single 12-month period" to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating. The "single 12-month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.)

Qualifying Exigency Leave: A covered employer must grant an eligible employee up to a total of **12 workweeks** of **unpaid** leave during the normal 12-month period established by the employer for FMLA leave

for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

- Issues arising from a covered military member's short notice deployment (i.e., deployment on seven or less days of notice) for a period of **seven** days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to **five** days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a **combined** total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered servicemember with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA leave may be taken intermittently whenever **medically necessary** to care for a covered servicemember with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation.

Under certain conditions, employees **or** employers may choose to "substitute" (run concurrently) accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

NOTICE REQUIREMENTS

Employee Notice

Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for planned medical treatment for a serious injury or illness of a covered servicemember. If leave is foreseeable but 30 days advance notice is not practicable, the employee must provide notice as soon as practicable – generally, either the same or next business day. An employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as practicable. When the need for military family leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer's usual and customary notice requirements.

An employee does not need to specifically assert his or her rights under FMLA, or even mention FMLA, when providing notice. The employee must provide "sufficient information" to make the employer aware of the need for FMLA leave and the anticipated timing and duration of the leave. Depending on the situation, such information may include, as applicable:

- that the requested leave is for a particular qualifying exigency related to the active duty or call to active duty status of a covered military member and the anticipated duration of the leave;
- that the leave is for a qualifying family member who is a covered servicemember with a serious injury or illness and the anticipated duration of the leave.

When an employee seeks leave due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee **must** specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Additionally, employers must either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, including a reason for non-eligibility if the employee is determined not to be eligible. Such eligibility notice may be oral or written and should, generally, be given within five business days of the request for FMLA leave. Subsequent eligibility notice in the same 12-month leave period may be required when an employee's eligibility status changes. Employers also must inform employees of their rights and responsibilities under FMLA, including giving specific written information on what is required of the employee.

When the employer has enough information to determine that leave is being taken for an FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave. The employer must designate leave that qualifies as **both** leave to care for a covered servicemember with a serious injury or illness **and** leave to care for a qualifying family member with a serious health condition as leave to care for a covered servicemember in the first instance. The designation notice must be in writing and, generally, must be given within five business days of the determination. An employer also must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA entitlement.

CERTIFICATION REQUIREMENTS

Employers may require that an employee's request for military family leave be supported by an appropriate certification. An employer may require that:

- leave for a qualifying exigency be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party;
- leave to care for a covered servicemember with a serious injury or illness be supported by a certification completed by an authorized health care provider **or** by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember's family.

Second and third opinions and recertification are not permitted for certification of a covered servicemember's serious injury or illness or of a qualifying exigency. An employer may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious injury or illness, or an ITO or ITA. Additionally, an employer may contact the individual or entity named in a certification of leave for a qualifying exigency for purposes of verifying the existence and nature of the meeting.

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

For additional information, visit our Wage and Hour Division Website: http://www.wagehour.dol.gov and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

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jackson|lewis

Preventive Strategies and Positive Solutions for the Workplace

Growing Number of States Passing Family Military Leave Acts

July 30, 2007

With the continuing demands on the military Reserve and National Guard, a growing number of states have been passing Family Military Leave Acts giving soldiers' family members limited unpaid leave entitlements. In general, the acts allow the family members of active duty soldiers to take unpaid leave during periods leading up to or immediately following their family member's deployment and also during periods of leave while still on active duty. The new statutes vary, but employers should be cognizant of these new laws and prepared to adjust their leave procedures to comply. Currently, Illinois, Indiana, Maine, Minnesota, Nebraska, and New York have passed these laws.

Illinois

The Illinois Family Military Leave Act requires employers with 15 to 50 employees to provide up to 15 days of unpaid family military leave to the spouse or parent of a soldier called to military service lasting longer than 30 days. Employers with more than 50 employees must provide up to 30 days of unpaid leave. During the period of leave the employee's health benefits must be maintained at the expense of the employee. Additionally, the employer cannot take any adverse actions against the employee for exercising his or her rights under this act. The employer has some rights under this act, as well. The employee must provide the employer with 14 days of notice prior to taking 5 or more days of leave. Additionally, employees are not eligible for leave under this act unless they have exhausted all paid vacation, personal, or any other leave, except for sick or medical leave, that might be granted to the employee.

Indiana

The Indiana Military Family Leave Law went into effect July 1, 2007. Under this act, employers with 50 or more employees must provide 10 days of unpaid leave to the spouse, parent, grandparent, or sibling of the person who is ordered to active duty. To be eligible, the employee must have worked for the employer for the 12 months prior to the leave date, and must have worked at least 1,500 hours during those 12 months. Additionally, the employee can only take the leave during three periods: 1) the 30 days before active duty orders are in effect; 2) the 30 days following the termination of the person's active duty; or 3) while the person is still on active duty but is on leave. Additionally, the employer has the right to require verification from employees of their eligibility under this act, as well as 30 days' written notice of the requested leave, when it is possible. The employee's health benefits can continue during the leave period at the employee's expense. Finally, the employee must be restored to the same position or one of equal status when he or she has returned from leave.

Maine

The current Family Military Leave Law requires employers with 50 or more employees to provide up to 15 days of unpaid leave to the spouse, domestic partner, or parent of the person ordered to active duty for a period of 180 days or longer. The employee must have been working for the same employer for 12 months or longer and for a minimum of 1,250 hours during the previous 12 months. Employees currently are eligible to take leave under this act only during the 15 days immediately prior to deployment or during the 15 days immediately following deployment. An employee who requests leave for 5 days or longer must notify the employer in writing at least 14 days prior to the leave. Additionally, the employer has the right to require certification that the employee is in fact eligible for leave under this act. As of September 20, 2007, an amended Family Military Leave Law will become effective. The new law will make the Family Military Leave Law applicable to employers with 15 or more employees. Additionally, employees will be able to take leave not only during the 15 days prior to and following deployment, but also during periods when the person is on leave during active duty.

Minnesota

Employers must grant the parent, child, sibling, or spouse of a person killed or injured while on active duty in the military up to 10 days of unpaid leave. The employer has the right to require the employee to use any paid leave, except for sick or medical leave, prior to taking any unpaid leave under this act. The employee is required to give the employer only as much notice as is possible prior to taking the leave. Additionally, employers are required to provide up to 1 day unpaid leave for the parent, child, sibling, or spouse of the person ordered to or returning from active duty to attend the send-off ceremony or homecoming.

Nebraska

Employers in Nebraska with 15 to 50 employees are required to provide up to 15 days of unpaid family military leave to the parent or spouse of a person being called to active duty for longer than 179 days. Employers with more than 50 employees must provide up to 30 days of unpaid family military leave. To be eligible under this law, the employee must have worked for the employer for at least 12 months prior to the requested leave and must have worked for at least 1,250 hours during that time period. An employee who requests leave for longer than 5 days is required to give the employer at least 14 days' notice prior to the time the leave is going to begin. Additionally, employers are required to restore the employees to their original or equivalent positions when they return from their leave. While on leave, employees can continue to receive their health benefits at their own expense.

New York

When the New York Family Military Leave Law became effective in August of 2006, it was the first state to have a family military leave law requiring employers to provide unpaid time off to family members of those on active duty in the military. The law requires employers with 20 or more employees to provide the spouse of a person on active duty in a combat theater or zone of operations

up to 10 days of unpaid leave. Under the New York law, time off may only be taken while the person in the military is on leave from active duty. To be eligible for leave under this law, the employee must work for the employer from which leave is sought for at least 20 hours per week. This law does not require any minimum length of service for eligibility. Additionally, the employee is not required to give the employer notice prior to taking leave. Also, employers are not permitted to retaliate against employees taking this leave.

Jackson Lewis attorneys are available to answer inquiries regarding these new laws and assist employers in achieving compliance with their requirements.

For More Information Contact:

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America's Newspapers

Senate looks at time off for spouse during leave

Olympian, The (WA) - Tuesday, February 19, 2008

Author: *Michael Gilbert, The News tribune*

There are few things as sacred for service members and their loved ones enduring a combat deployment as midtour leave.

Troops in Iraq and Afghanistan get up to 18 days of time out of the war zone. Most use the time to relax at home with their families.

The timing sometimes is unpredictable. Leaves are known to be postponed at the last minute because of the operational needs of the service member's unit. Flights out get diverted. But when the leave finally comes through, the last thing the spouse at home needs is trouble with the boss about getting time away from work.

That's the point of Senate Bill 6447, a measure being considered in Olympia that would require employers to give up to 15 days of unpaid leave to employees whose military spouses are home on leave from the war zone.

It's one of a couple dozen military and veterans-related bills still alive in the Legislature as lawmakers move toward today's cutoff deadline. Measures must pass out of the chamber in which they originated or they're considered dead for the session.

"It seems like a law that shouldn't even be necessary, but if it helps assure that people get their time off, that's one less thing to worry about," said Caedmon Cahill, a Seattle public defender whose husband, Leo, is a company commander with the 173rd Airborne Brigade in Afghanistan. "He's due home on leave in March."

Cahill heard from her mother-in-law about how other states had passed a similar law, and talking with a friend, learned about how she had to fight to get a mere two days off when her husband came home from Iraq.

"I realized Washington didn't have this law, and I was starting a new job at the time," Cahill said. "I thought this would make it easier for people to feel comfortable and safe in asking for the time off."

Cahill, a year out of law school, enlisted a friend who is a lobbyist, and the two drafted the bill - the Family Military Leave Act - at her kitchen table over a weekend. It cleared the Senate Government Operations & Elections Committee in late January and was waiting for a vote on the Senate floor.

The bill's sponsor, Sen. Steve Hobbs, a Lake Stevens Democrat and Army Iraq veteran, said he expects the measure will clear the Senate. No one spoke in opposition to the bill in committee.

"Our service members families gave pretty compelling testimony, and on top of that we have the 81st Brigade Combat Team getting ready to deploy," Hobbs said, referring to the Washington National Guard brigade that is expected to return to Iraq late this summer.

"This is really going to address their needs," he said.

Other bills

Other bills still alive include a number of technical fixes to correct the unforeseen complications that arise when state or local government employees are called up to full-time service in the National Guard or reserves. For instance, one would ensure that employees get credit toward their retirement, while another would see that they get paid on time, and another would extend military leaves of absence for government employees from 15 to 30 days.

There are also House and Senate bills to create a new state license plate for parents whose service-member children are killed in military service.

There are House and Senate versions of bills to protect the child-custody rights of service members when they're deployed overseas. The House passed a bill to allow service members who left high school before graduating in order to serve in Vietnam to receive their diplomas.

"They're definitely paying attention to veterans issues," said Heidi Audette, spokeswoman for the state Department of Veterans Affairs. "There are a lot of issues that are still moving, probably more than in past sessions."

More bills are still alive past the cutoff.

Section: *News*
Record Number: *story_20747347*
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The Oregon Biz Report - Business News from Oregon

Oregon Military Leave Act now in effect

August 9, 2009

BULLARD SMITH JERNSTEDT WILSON Bullard Smith Jernstedt Wilson
BULLARD eAlert

1. **Oregon Military Leave Act**
2. **Oregon Workplace Religious Freedom Act:**
3. **Annual Labor and Employment Law Briefing– 11/14/09:**

On June 25, 2009, the Oregon Military Family Leave Act went into effect, requiring all public, private, and not-for-profit employers of 25 or more employees in Oregon to provide up to 14 days of unpaid leave to "eligible" employees who are spouses of members of the armed forces during periods of military conflict. Click the following link to read the Bullard Alert describing the OMFLA in more detail: http://www.bullardlaw.com/Resources/BullardAlerts.html.

Oregon Workplace Religious Freedom Act:
Last week Governor Kulongoski signed the Oregon Workplace Religious Freedom Act, which goes into effect January 1, 2010. Among other things, absent "undue hardship" the Act prohibits an employer from "impos[ing] an occupational requirement that restricts the ability of an employee to wear religious clothing, to take time off for a holy day or to take time off to participate in a religious observance or practice." Further, the Act also requires that an employer permit an employee to use accrued "vacation leave, or other leave available to the employee, for the purpose of allowing the employee to engage in the religious observance or practices of the employee". While the Act applies to most workplaces, makes an exception for school districts, education service districts and public charter schools, which may prohibit teachers from wearing religious dress while engaged in the performance of duties as a teacher.

Annual Labor and Employment Law Briefing– October 14, 2009:
On October 14 we will be presenting our Annual Labor and Employment Law Briefing at the Oregon Convention Center. This continues our tradition of providing you with an annual update on current labor and employment law issues facing owners, executives, managers, in house counsel and human resources professionals, including review of recent case decisions, monitoring employee use of the internet and email, and employee wellness. Our guest speaker this year will be Brad Barton, a 1992 US Olympic Trials qualifier, master magician, and successful business person. MCLE and PHR credit is pending.

Registration: You may obtain more information about and register to attend the Annual Briefing by clicking on http://www.bullardlaw.com/Resources/SeminarsWorkshops.html or by contacting Coni Crone (503.248.1134 or ccrone@bullardlaw.com). We look forward to seeing you there.

At Your Service:
Please feel free to contact us with questions or for more information about the Oregon Military Family Leave Act, the Oregon Workplace Religious Freedom Act, or other developments affecting employment, labor relations and employee benefits. You may reach us anytime at 503/248-1134 or on the web at www.bullardlaw.com. Thank you.

Bullard Smith Jernstedt Wilson
1000 SW Broadway, Suite 1900
Portland, Oregon 97205
Phone: 503.248.1134
Fax: 503.224.8851
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Lawyers Alliance *for* New York

Connecting lawyers, nonprofits, and communities

December 2007

New York Enacts the Military Spouse Leave Act

New York has become the first state to require employers[1] to grant unpaid leave to employees[2] that are spouses of service members, including members of the United States armed forces, national guard or reserves who have been deployed during a period of military conflict[3] to a combat zone. Section 202-i of the Labor Law (the "Act") mandates that employers must grant the spouse ten (10) days unpaid leave when the spouse serving in the military is on leave. An employer may not retaliate against an employee for requesting a leave of absence under the Act.

Where the Act can be found: NY Labor § 202-i.

When the Act became effective: The amendment is effective retroactive to August 16, 2006, the date Labor Law § 202-i was originally enacted.

Practice Guidelines: Employers must grant an employee's request for unpaid leave of absence if he or she: (i) works an average of twenty or more hours per week, regardless of length of employment; and (ii) has a spouse serving in the military who is on leave. An employer may not refuse a leave of absence due to potential adverse effects resulting from the leave. Employees are not required to give advance notice of their intention to take leave under the Act. An employee's vacation days will be unaffected by the decision to take unpaid leave.

The Act only applies to spouses, rather than family members or significant others of military personnel. However, employers offering domestic partner benefits to their employees should consider whether to allow domestic partners of service members to also receive unpaid leave under the Act. Additionally, employers should consider including information regarding the Act in their personnel handbook and/or policy manuals.

This alert is meant to provide general information only, not legal advice. Please contact Angela Cheng at Lawyers Alliance for New York at (212) 219-1800 x 278 or visit our website www.lawyersalliance.org for further information.

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[1] Employer means a person or entity that employs twenty or more employees in at least one location and includes an individual, corporation, the state, county, town, city, school district, public authority or other governmental subdivision of any kind.

[2] Employee means a person who performs service for hire for an employer for an average of twenty or more hours per week but does not include an independent contractor.

[3] Period of Military Conflict means a period of war declared by the United States Congress or in which a member of a reserve component of the armed forces is ordered to active duty.

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Employment Law Alert

Legal developments affecting human resource management

A publication of Nixon Peabody LLP

JULY 31, 2008

Rhode Island Military Family Relief Act Imposes New Leave Requirements on Large and Small Employers

By Neal J. McNamara and Jillian S. Folger-Hartwell

On June 23, 2008, Governor Carcieri signed into law the Rhode Island Military Family Relief Act, H.B. 7774, 2008 Leg. Sess. (R.I. 2008), S.B. 2760, 2008 Leg. Sess. (R.I. 2008) (to be codified at R.I. Gen. Laws §§ 30-33-1 et seq.)("Act"), which took effect immediately. This new leave law has important implications for Rhode Island employers, both small and large.

Under the Act, spouses or parents of individuals who are called to military service lasting longer than thirty (30) days may request family military leave. Businesses that employ between fifteen (15) and fifty (50) employees must provide up to fifteen (15) total days of leave to such an employee during the time the federal or state military orders are in effect. Employers who have more than fifty (50) employees must provide up to thirty (30) total days of family military leave.

This leave may be unpaid and may only be taken if the employee has exhausted all accrued vacation leave, personal leave, compensatory leave, or any other leave that may be granted to the employee, with the exception of sick or disability leave. In addition, if the leave will consist of five (5) consecutive workdays or more, at least fourteen (14) days' notice must be given to an employer. If the leave consists of less than five (5) consecutive days, the employee need only give as much advance notice as is "practicable." Employers may, however, require certification from the proper military authority to verify the employee's eligibility to take the requested family military leave.

During any family military leave, the employee must be permitted to continue their benefits at their own expense. The employer and employee, however, may negotiate for the employer to maintain benefits at the employer's expense for the duration of the leave. Upon return from leave, employees must be reinstated to the same position or a position with "equivalent seniority status, employee benefits, pay and other terms and conditions of employment."

The Act imposes several new requirements on employers. First, although businesses that employ fewer than fifty (50) employees are not required to provide leave under the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq. (2008), or the Rhode Island Parental and Family Medical Leave Act ("RIPFMLA"), R.I. Gen. Laws §§ 28-48-1 et seq. (2008), businesses with as few as fifteen (15) employees are subject to the new Act's provisions. In addition, unlike the leave provisions of the FMLA and the RIPFMLA, an employee need not provide any reason for leave under the Act, but

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NIXON PEABODY LLP
ATTORNEYS AT LAW

need only show that his or her spouse or child has been called to military service lasting longer than thirty (30) days. Moreover, unlike leave provided under the FMLA and/or RIPFMLA, an employee's eligibility for leave is not measured based on the number of days the employee has taken in a calendar year; rather, the employee is entitled to this leave "during the time the federal or state orders are in effect." Thus, an employee may be eligible for family military leave under the Act, even if he or she has exhausted his or her allotted FMLA or RIPFMLA leave time.

Like the FMLA and the RIPFMLA, the Act provides that an employee must be reinstated to the same or a similar position upon his or her return from leave. Thus, employers may need to fill some positions temporarily for up to thirty (30) days. In addition, the Act appears to contemplate, and certainly does not prohibit, that this leave may be taken intermittently. Thus, an employer could be faced with numerous absences of varying lengths during the time the employee's family member has active orders. Moreover, the Act's provision that benefits may be continued at the employee's expense has little practical value for an employer because the amount of leave time permitted under the Act amounts to no more than a total of thirty (30) days. It would likely be administratively cumbersome for an employer to attempt to have an employee pay for his or her benefits during such short periods of leave time.

Ultimately, employers who previously believed they were not required to comply with federal and state family leave laws because they have fewer than fifty (50) employees, may need to update or develop leave policies based on the Act's provisions. In addition, larger employers will need to review and update their leave policies to ensure their existing policies comply with the Act.

For more information on this or any other labor or employment law matter, please contact your regular Nixon Peabody attorney or:

- Neal J. McNamara at 401-454-1019 or nmcnamara@nixonpeabody.com
- Jillian S. Folger-Hartwell at 401-454-1046 or jfolgerhartwell@nixonpeabody.com

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Official Nebraska Government Website

AdministrativeServices

William J. Wood, Chief Negotiator

301 Centennial Mall South
Lincoln, NE 68509
402-471-4106
fax 402-471-3394

Family Military Leave Act

LB 497 was passed by the Legislature, signed by the Governor and went into effect on April 5, 2007. Family Military Leave is leave requested by an employee who is the spouse or parent of a person called to military service lasting 179 days or longer, with the State or United States pursuant to the orders of the Governor or President of the United States.

Covered employers: If the employer employs between 15 and 50 employees, the employer shall provide up to 15 work days of unpaid leave. If the employer employs more than 50 employees, the employer shall provide up to 30 work days of unpaid leave. The State employs more than 50 employees, so employees may request up to 30 work days of leave. The number of days granted are at the discretion of the employer.

Eligible Employee: An eligible employee has been employed by the same covered employer for at least 12 months and has been employed for at least 1250 hours during that 12 month period immediately preceding the commencement of leave. Employee is the spouse or parent of a person called to military service lasting 179 calendar days or longer.

Notice: The employee shall give at least 14 calendar days of notice of taking leave if the leave will consist of five or more consecutive work days.

Employee Rights: When the leave ends, the employee must be restored to the position previously held or to a position with equivalent seniority status, benefits, pay, etc., except when the employer proves the employee is not restored due to reasons unrelated to taking leave.

The employee may continue benefits, during leave, at the employee's expense. The employee's service date will be adjusted after 14 calendar days of unpaid leave.

The Act provides that the employee may negotiate with the employer, for the employer to maintain benefits at the employer's expense during the leave period. As the State had concluded collective bargaining when this Act was passed, for the purpose of benefits, employees taking Family Military Leave will be treated the same as other employees taking non-Family Medical Leave Act unpaid leave. The State contribution to health insurance will continue for the first nine work days of the leave. Taking Family Military Leave shall not result in the loss of benefits accrued before the leave started (treated similar to a leave of absence).

For Additional Information Contact the DAS Employee Relations Division (William J. Wood 402-471-4106; Jeannie O'Meara 402-471-8292; or Gail Brolliar 402-471-4104.)

Public Act 094-0589

Bill Status Printer-Friendly Version PDF

Public Act 094-0589

SB1627 Enrolled LRB094 10133 RXD 40395 b

AN ACT concerning employment.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Family Military Leave Act.

Section 5. Definitions. In this Act:

"Employee" means any person who may be permitted, required, or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment. "Employee" does include an independent contractor. "Employee" includes an employee of a covered employer who has been employed by the same employer for at least 12 months, and has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

"Employee benefits" means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance and pensions, regardless of whether benefits are provided by a policy or practice of an employer.

"Employer" means (1) any person, partnership, corporation, association, or other business entity; and (2) the State of Illinois, municipalities and other units of local government.

"Family military leave" means leave requested by an employee who is the spouse or parent of a person called to military service lasting longer than 30 days with the State or United States pursuant to the orders of the Governor or the President of the United States.

Section 10. Family Military Leave Requirement.

(a) Any employer, as defined in Section 5 of this Act, that employs between 15 and 50 employees shall provide up to 15 days of unpaid family military leave to an employee during the time federal or State deployment orders are in effect, subject to the conditions set forth in this Section. Family military leave granted under this Act may consist of unpaid leave.

(b) An employer, as defined in Section 5 of this Act, that employs more than 50 employees shall provide up to 30 days of unpaid family military leave to an employee during the time

federal or State deployment orders are in effect, subject to the conditions set forth in this Section. Family military leave granted under this Act may consist of unpaid leave.

(c) The employee shall give at least 14 days notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. Where able, the employee shall consult with the employer to schedule the leave so as to not unduly disrupt the operations of the employer. Employees taking military family leave for less than 5 consecutive days shall give the employer advanced notice as is practicable. The employer may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

(d) An employee shall not take leave as provided under this Act unless he or she has exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick leave and disability leave.

Section 15. Employee benefits protection.

(a) Any employee who exercises the right to family military leave under this Act, upon expiration of the leave, shall be entitled to be restored by the employer to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. This Section does not apply if the employer proves that the employee was not restored as provided in this Section because of conditions unrelated to the employee's exercise of rights under this Act.

(b) During any family military leave taken under this Act, the employer shall make it possible for employees to continue their benefits at the employee's expense. The employer and employee may negotiate for the employer to maintain benefits at the employer's expense for the duration of the leave.

Section 20. Effect on existing employee benefits.

(a) Taking family military leave under this Act shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

(b) Nothing in this Act shall be construed to affect an employer's obligation to comply with any collective bargaining agreement or employee benefit plan that provides greater leave rights to employees than the rights provided under this Act.

(c) The family military leave rights provided under this Act shall not be diminished by any collective bargaining agreement or employee benefit plan.

(d) Nothing in this Act shall be construed to affect or diminish the contract rights or seniority status of any other employee of any employer covered under this Act.

Section 25. Prohibited acts.

(a) An employer shall not interfere with, restrain, or deny the exercise or the attempt to exercise any right provided under this Act.

(b) An employer shall not discharge, fine, suspend, expel, discipline or in any other manner discriminate against any employee that exercises any right provided under this Act.

(c) An employer shall not discharge, fine, suspend, expel, discipline or in any other manner discriminate against any employee for opposing any practice made unlawful by this Act.

Section 30. Enforcement. A civil action may be brought in the circuit court having jurisdiction by an employee to enforce this Act. The circuit court may enjoin any act or practice that violates or may violate this Act and may order any other equitable relief that is necessary and appropriate to redress the violation or to enforce this Act.

Section 99. Effective date. This Act takes effect upon becoming law.

Effective Date: 8/15/2005

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Legislative Information System, 705 Stratton Building, Springfield, Illinois 62706
217-782-3944 217-782-2050 (TTY)

America's Newspapers

Various military leave laws

Monterey County Herald, The (CA) - Friday, December 4, 2009

Author: *Jacqueline McManus Workplace Law*

QI have a fairly large company in Salinas, and I am revising the leave policies in our employee handbook. I am confused about the array of military-related leave laws.

I fully support our troops and want to provide time off as required by law, but I am having a hard time keeping track of the various military-related leaves.

A: It is prudent to review your handbook every few years to update it with new laws, and this year is no exception.

Leave laws are complicated, and the expansion of military-related leaves in the past few years present some challenges for employers.

The military leave laws to be aware of include:

California's new Military Leave Law. On Jan. 1, a new leave law will go into effect in California. The law is Assembly Bill 485, which creates the "Civil Air Patrol: California Wing: Employment Leave."

Under this law, employers are required to provide at least 10 days of unpaid leave per year to employees who are volunteer members of the California Wing of the Civil Air Patrol (the civilian auxiliary of the Air Force).

Employees are eligible if they have been employed 90 days or more at the time they are called to respond to "an emergency operational mission."

This law applies to companies with more than 15 employees. Eligible employees may take this leave in addition to any other leave benefits available.

Upon expiration of the Civil Air Patrol leave, employers are required to restore the employee to the position held when the leave began or to an equivalent position.

California Leave for Spouse or Registered Domestic Partner of Qualified Service member: This leave permits eligible employees to take up to 10 days unpaid leave during the time the employee's spouse or registered domestic partner is on leave from deployment during a period of military conflict.

To be eligible, the employee must be the spouse or registered domestic partner of a member of the U.S. Armed Forces who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the president; or a member of the National Guard or Reserves who has been deployed during a period of military conflict.

Employees who work an average of 20 or more hours per week are eligible for this leave.

Federal Family Medical Leave Act (FMLA): The FMLA applies to employers with 50 or more employees.

To qualify for FMLA leave, the employee must have worked for the employer at least one full year (52 weeks). The employee must also have worked at least 1,250 hours during the 12-month period immediately before the leave would begin.

The FMLA provides two types of military leaves:

* Military caregiver leave: Eligible employees may take up to 26 weeks unpaid leave in a single 12-month period to care for a covered service member.

A covered service member is the employee's spouse, child, parent or next of kin (nearest blood relative) who is a member of the U.S. Armed Forces (including the National Guard or Reserve), who is undergoing medical treatment for a serious injury or illness that occurred any time during the five years preceding the date of treatment, or who is temporarily disabled because of a serious injury or illness incurred in the line of active duty.

This leave is measured from the first day an employee takes leave. Employee health insurance and other benefits must continue for the entire leave period, up to 26 weeks.

* Qualifying exigency leave: An employee may take up to 12 weeks unpaid leave for one of eight defined nonmedical "qualifying exigencies" arising out of the fact that the employee's parent, child (including an adult child) or spouse is on active duty or is called to active duty in the U.S. Armed Forces, National Guard or Reserves.

Federal and state military leave. Employees who serve in U.S. military organizations or state militia groups may take unpaid leave to fulfill their service obligations. Upon completion of their service, eligible employees are entitled to reinstatement to their position, or to an equivalent position.

When an employee requests leave, it is important to determine if the employee is eligible for leave, and then determine how many leave days the employee is qualified to take.

Jacqueline McManus is a lawyer with the Fenton & Keller law firm in Monterey. This column is intended to answer questions of general interest and should not be construed as legal advice. Mail queries to "Workplace Law," c/o The Monterey County Herald, P.O. Box 271, Monterey 93942.

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26-LS1489\A.3
Wayne
3/2/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE PETERSEN

TO: HB 347

Page 2, line 10:

Delete "not required to give advance"

Insert "required to give"

Page 2, line 11, following "section":

Insert "at least 48 hours in advance; however, if it is not practicable to give notice 48 or more hours in advance, the teacher shall given as much advance notice as is practicable"

Page 3, line 18:

Delete "not required to give advance"

Insert "required to give"

Page 3, line 19, following "section":

Insert "at least 48 hours in advance; however, if it is not practicable to give notice 48 or more hours in advance, the employee shall give as much advance notice as is practicable"

Page 5, line 9:

Delete "not required to give advance"

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OFFERED IN THE HOUSE BY REPRESENTATIVE PETERSEN

TO: HB 347

Page 1, line 13, following "teacher":

Insert "who is employed by an employer that employs any combination of 20 or more full-time, part-time, and temporary employees"

26-LS1489\A.2
Wayne
3/2/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE PETERSEN

TO: HB 347

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HB 350

Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

HB 350
Sponsor Statement
Required Local Effort – Uniform Mill Rate

HB 350 brings uniformity back into Alaska's public school funding formula's calculation of required local effort. It will continue a benefit of counting only half the assessed valuation growth over the previous year. This recognizes for one year the increased infrastructure burden experienced by areas undergoing economic growth.

Legislation enacted in 2001changed the funding formula to require that only half of the increased current year's property value over the base year's value be counted. However it added this to a fixed year (FY 99) to determine the property value for the purposes of calculating required local effort for education. Use of a fixed base year instead of the previous year to calculate full and true value and local effort contribution has lead to a growing disparity between districts.

HB 350 will address this problem by requiring the local contribution of a city or borough school district to be derived from a uniform rate of a 2.7 mill tax levy on the full and true value of the taxable property in the district as of January 1 of the second preceding fiscal year plus 50% of the increase in value to the following year.

Under the current formula, areas with growing populations are given an ever greater tax break than stable areas. Districts containing older communities are therefore required to pay higher taxes than expanding districts. HB 350 will apply an even method of taxation, one that is proportionally fair and economically sustainable. It has set a uniform mill rate at the lowest current rate so no municipality will have to pay more than its current local tax mill rate.

State Capitol, Room 102 Juneau, AK 9980 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

My name is George Troxel and I am Superintendent of the Matanuska Susitna Borough School District.

House Bill 350 reduces the revenue available to the Mat Su School District without increasing local taxes, and furthermore, that impact is exponential over coming years. I don't support HB 350 for that reason. The Mat-Su school District is experiencing financial hardships due to the general nature of expenses rising faster than revenues in these times. Given this scenario, the Mat-Su and two other Districts in the state are singled out by HB 350 to get a double whammy in the arena of revenue shortfalls.

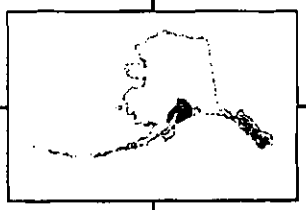
The Mat-Su School District has a growing enrollment, over 800 students in the last three years. The District did realize revenue enhancements generated by the growth. Revenue increases received because of increased enrollment take care of day-to-day expenses but not the expenses of more general support and infrastructure, such as buildings, grounds, furnishings, and equipment.

In the past 10 years as many new schools have been opened in the Valley. The opening of new schools has tremendous impact on annual budgets. In The Mat-Su we plan approximately a million dollars above the usual annual operating costs for that first year a school is open. Growth in the Valley is a good thing for the State of Alaska, growth has its costs, and while the Valley appreciates the State's support in handling this growth that help is also an expectation for which the state as a whole realizes dividends.

New schools are needed in the Valley. These new schools will further stress the property owners capacity to keep up with increasing demand for more tax dollars to build these schools. The District currently uses 61 portable buildings for classrooms. These house close to 2000 student full time equivalents. Bonds will need to be passed in the near future that will rely on subsequent tax increases to construct these needed schools.

House Bill 350 ultimately puts the askance for more dollars from property owners in the Mat-Su. The valley is not a home to major or great amounts of industry. Many of our taxpayers are those who can least afford more and more property tax increases. Median incomes for most who work in the Valley are on the low end of the scale. Multiply that by the fact that a sizable percentage of gross property value in the Valley is not a result of newly developed property resulting from growth, but rising property tax assessments on existing property. When higher tax assessments come about because of increased value of a property, the long term property owners become victims. Just because a property's value increases it does not follow that a property owner's ability to pay more in taxes increases.

All of us are in dire budgetary circumstances with more and more challenges. This is not the time to change formulas for funding where anyone loses while others are experiencing substantial gains.



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Assistant Superintendent
Dave Jones
148 North Binkley Street Soldotna, Alaska 99669
Phone (907) 714-8888 Fax (907) 262-5867
Email djones2@kpbsd.k12.ak.us

3/3/2010

The Honorable Paul Seaton

House of Representatives

Alaska State Capitol

Juneau, Alaska 99801-1182

Dear Representative Seaton:

I am writing to you in regards to HB 350. The Kenai Peninsula Borough School Board discussed HB 350 in detail at their meeting on Monday night, March 1, 2010.

The Board recognized that the 2001 change in property valuation used in the state foundation formula has created a disparity in the amount of local effort in mill levy equivalents for school districts across the state. The Board is concerned that this disparity has created a serious equity issue for education in Alaska. HB 350 would resolve the equity issue and put all districts and taxpayers across the state back on even ground.

The Kenai Peninsula Borough has historically funded schools to the local maximum amount allowed by law. With the state funding increases that have occurred over the last few years, the local maximum amount allowed has increased significantly and the local taxpayers have continued to support their schools by increasing funding to meet the maximum amount allowed. However, the recent economic downturn has made it more difficult for local taxpayers to maintain the maximum effort. HB 350 would lower the local maximum amount allowed. This would provide local taxpayer relief while at the same time not causing an overall revenue loss to the district.

The Kenai Peninsula Borough School District fully supports the passage of HB 350.

Please let me know if you have any questions or need further information in regard to this matter.

Sincerely,

Dave Jones
Assistant Superintendent
KPBSD

Ketchikan Gateway Borough
1900 1st Avenue, Ketchikan, Alaska 99901 ♦ (907) 228-6625 Telephone ♦ (907) 228-6684 Fax

March 5, 2010

The Honorable Paul Seaton
Chairman, House Education Committee
State Capitol, Room 102
Juneau, AK 99801-1182

RE: House Bill No. 350 - Public School Funding: Local Contribution

Dear Representative Seaton:

Enclosed is a copy of Resolution Number 2224 of the Assembly of the Ketchikan Gateway Borough expressing *qualified* support for House Bill Number 350.

The Assembly favors provisions of the bill that would bring temporary and partial relief to the taxpayers of the Ketchikan Gateway Borough from the penalties and unfunded mandates imposed upon it by the State of Alaska with respect to education. However, there are elements of the bill that are of significant concern to the Assembly. In particular, these include the following:

- While the bill purports to promote uniformity in terms of required local contributions for schools, it only does so for little more than half of the districts in Alaska (31 of Alaska's 53 school districts, or 58 percent of districts); the bill completely ignores far greater disparities in terms of required local contributions among the remaining districts.
- After a projected period of seventeen years, House Bill Number 350 will increase penalties and unfunded mandates that the Ketchikan Gateway Borough would be obligated to pay thereafter.
- Several municipal governments would gain little or no fiscal relief from the bill. These include the Matanuska-Susitna Borough, City of Saint Mary's, City of Hoonah, Municipality of Anchorage, Kenai Peninsula Borough, Fairbanks North Star Borough, Denali Borough, and City and Borough of Sitka.

Resolution Number 2224 calls on elected State officials to make further efforts to repeal or mitigate AS 14.17.410(b)(2), the onerous and discriminatory State tax on municipalities that operate school districts. The resolution also urges elected State officials to address other disincentives relating to borough government.

Sincerely,

Dave Kiffer
Mayor

Enclosure: Resolution Number 2224

KETCHIKAN GATEWAY BOROUGH

RESOLUTION NO. 2224

A RESOLUTION OF THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH EXPRESSING QUALIFIED SUPPORT FOR HOUSE BILL NUMBER 350 IN THE TWENTY-SIXTH ALASKA STATE LEGISLATURE, AND URGING ELECTED STATE OFFICIALS TO CONTINUE TO WORK TOWARD ELIMINATION OF BOTH INEQUITIES REGARDING RESPONSIBILITIES FOR LOCAL GOVERNMENT SERVICES AND BOROUGH INCORPORATION DISINCENTIVES

RECITALS

WHEREAS, AS 14.17.410(b)(2), in effect, imposes upon 31 of Alaska's 53 school districts a proportional annual tax or penalty in terms of State Aid for Education equivalent to 4 mills of the full and true value of taxable property within their respective boundaries as of January 1, 1999; and

WHEREAS, AS 14.17.510(c), in effect, imposes upon the same 31 school districts an additional proportional annual tax or penalty in terms of State Aid for Education equivalent to 2 mills of the increase in the full and true value of taxable property within their respective boundaries after January 1, 1999; and

WHEREAS, the blended mill-rate equivalent tax or penalty imposed on the 31 districts varies, as reflected below for Fiscal Year 2011, because of differing rates of growth of the full and true value after January 1, 1999 in each district; and

Matanuska-Susitna Borough: 2.66743 mills
City of Saint Mary's: 2.69597 mills
City of Hoonah: 2.71532 mills
Municipality of Anchorage: 2.89163 mills
Kenai Peninsula Borough: 2.99608 mills
Fairbanks North Star Borough: 3.01721 mills
Denali Borough: 3.06580 mills
City and Borough of Sitka: 3.07903 mills
Northwest Arctic Borough: 3.11826 mills
City and Borough of Juneau: 3.15047 mills
City of Hydaburg: 3.17170 mills
City of Galena: 3.18321 mills
City of Klawock: 3.20407 mills
Haines Borough: 3.20956 mills
City of Nome: 3.21953 mills
Aleutians East Borough: 3.24135 mills
City of Tanana: 3.30409 mills
City of Kake: 3.30939 mills
City and Borough of Yakutat: 3.32367 mills
City of Petersburg: 3.34583 mills
Ketchikan Gateway Borough: 3.35181 mills
City of Nenana: 3.38617 mills
Kodiak Island Borough: 3.45415 mills
City of Cordova: 3.47197 mills
City of Unalaska: 3.50810 mills
Wrangell Borough: 3.59132 mills
City of Dillingham: 3.65271 mills
Bristol Bay Borough: 3.72863 mills
City of Pelican: 3.79851 mills
Lake & Peninsula Borough: 3.88863 mills
City of Craig: 3.95580 mills

WHEREAS, the State House Education Committee of the Twenty-Sixth Alaska State Legislature introduced House Bill Number 350 amending AS 14.17.410(b)(2) to reduce the tax or penalty from 4 mills to 2.7 mills; but also amending AS 14.17.510(c) to raise the effective tax or penalty on increases in property values after January 1, 1999 from 2 mills to 2.7 mills (except for increases in the single most recent year, which would be taxed or penalized at 2 mills); and

WHEREAS, House Bill Number 350 would provide a measure of *temporary* relief in terms of the taxes and penalties imposed by AS 14.17.410(b)(2) and AS 14.17.510(c) on the Ketchikan Gateway Borough and many other city and borough school districts; however, that relief would diminish and be gradually replaced with even greater tax or penalty burdens over time as the value of taxable property increases (at the rate of growth in the value of taxable property in the Ketchikan Gateway Borough from 1999 to 2009, the benefit to the Ketchikan Gateway Borough from House Bill Number 350 would end around Fiscal Year 2027); and

WHEREAS, House Bill Number 350 will provide no temporary relief for municipal school districts whose blended mill-rate equivalent tax or penalty is currently at or near 2.7 mills (i.e., Matanuska-Susitna Borough; City of Saint Mary's and City of Hoonah), and will provide little temporary relief for a number of other districts whose blended mill-rate equivalent tax or penalty is currently slightly above 2.7 mills (e.g., Municipality of Anchorage, Kenai Peninsula Borough, Fairbanks North Star Borough, Denali Borough, and City and Borough of Sitka); those 8 districts will immediately or soon suffer greater taxes and penalties; and

WHEREAS, House Bill Number 350 would provide for greater uniformity in terms of the tax or penalty imposed by AS 14.17.410(b)(2) and AS 14.17.510(c) among the 31 districts listed above; however, the legislation does nothing to address far more glaring disparities among 22 other school districts in Alaska; and

WHEREAS, AS 14.17.410(b)(2) and AS 14.17.510(c) have a regressive element in that the annual tax or penalty is capped at 45 percent of basic need, which, in effect, results in lower mill-rate equivalent taxes or penalties for three municipal districts with higher per capita property tax bases, as reflected below, for Fiscal Year 2011:

North Slope Borough: 0.76020 mills
City of Valdez: 1.40990 mills
Municipality of Skagway: 1.99240 mills.

WHEREAS, AS 14.17.410(b)(2) and AS 14.17.510(c) impose no tax or penalty on the 19 districts (regional educational attendance areas or REAAs) as reflected below:

Alaska Gateway REAA
Aleutian Region REAA
Annette Island REAA
Bering Strait REAA
Chatham REAA
Chugach REAA
Copper River REAA
Delta/Greely REAA
Iditarod Area REAA
Kashunamiut REAA
Kuspuk REAA
Lower Kuskokwim REAA
Lower Yukon REAA
Pribilof REAA
Southeast Island REAA
Southwest Region REAA
Yukon Flats REAA
Yukon/Koyukuk REAA
Yupiit REAA

WHEREAS, since REAAs are not subject to the tax and penalty provisions of AS 14.17.410(b)(2) and AS 14.17.510(c), it is often incorrectly presumed that all REAAs are poor areas of Alaska that cannot afford to operate municipal school districts, while the 18 organized boroughs and 16 city governments that

operate municipal school districts are all relatively prosperous; in fact some REAAs are prosperous and many municipal school districts encompass economically "distressed" communities (as defined by the Alaska Department of Labor and Workforce Development); moreover, the proportional character of the taxes or penalties imposed by AS 14.17.410(b)(2) and AS 14.17.510(c) ensures that the burden imposed is directly in proportion to property values within the district; and

WHEREAS, the 1963 Alaska State Legislature passed, and Governor Egan signed into law, the "Mandatory Borough Act" (Chapter 52, SLA 1963), dictating that certain regions of Alaska – those encompassing Ketchikan, Juneau, Sitka, Kodiak Island, Kenai Peninsula, Anchorage, the Matanuska-Susitna valleys, and Fairbanks – form organized boroughs by January 1, 1964; and

WHEREAS, Section 1 of the Mandatory Borough Act promised that, "No area incorporated as an organized borough shall be deprived of state services, revenues, or assistance or be otherwise penalized because of incorporation;" and

WHEREAS, key State agencies have acknowledged that "contrary to the express intent of the 1963 Mandatory Borough Act, organized boroughs are being severely deprived of State services, revenues, or assistance and are being penalized because of incorporation" (See: *School Consolidation – Public Policy Considerations and a Review of Opportunities for Consolidation,* p. 54, February 2004, Department of Education and Early Development, Local Boundary Commission, with assistance by the Department of Commerce, Community and Economic Development); and

WHEREAS, the most fiscally onerous of the penalties imposed by the State of Alaska on boroughs is the "required local contribution" for schools dictated by AS 14.17.410(b)(2) and AS 14.17.510(c), which agencies have characterized as a State tax and which, under current law, will reduce FY 2011 State education funding to the Ketchikan Gateway Borough by $5,385,848; and

WHEREAS, Article I, Section 1 of the Constitution of the State of Alaska prescribes that "all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State;" and

WHEREAS, Article X, Section 1 of Alaska's Constitution encourages the creation of borough governments (*See Mobil Oil Corporation v. Local Boundary Commission,* 518 P.2d 92, 101 (Alaska 1974)); yet, after more than 50 years of statehood, approximately 60 percent of the geographic area of Alaska lies outside organized boroughs; and

WHEREAS, multiple studies in the post-mandatory-borough era have indicated that the biggest deterrent to voluntary formation of boroughs is the financial penalties that result; the late Jay Hammond expressed the matter well when he wrote in *Tales of Alaska's Bush Rat Governor,* (page 149), that "Attractive enough on paper, in practice, the organized borough concept had little appeal to most communities. After all, why should they tax themselves to pay for services received from the state, gratis?;" and

WHEREAS, former State Senator Gary Wilken, on August 28, 2007, observed as follows with respect to the State's policies about borough formation and equal treatment of Alaskans:

> In a recent filing, the State Attorney General's Office pointed out that "the fiscal resources, particularly the value of taxable property, of the proposed Deltana Borough [Delta Greely

REAA] would be the envy of most organized boroughs in Alaska. . . .

Given the remarkable fiscal capacity of the region, the action by Deltana voters [by which 90.6% of the voters rejected a proposal to incorporate] shines a glaring spotlight on the State's long-standing irrational public policy regarding the extension of borough government in Alaska. The framework of government for our nation and our state rests on the fundamental principles that all people are treated equally and fairly and that all persons have corresponding obligations to the people and to the State. (Alaska Constitution, Article I, Section 1.) Regrettably, those principles have not carried forward . . . .

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA as follows:

Section 1. The Ketchikan Gateway Borough Assembly hereby expresses its qualified endorsement of House Bill Number 350. The Assembly favors the measure largely because it can be reasonably expected to provide long overdue fiscal relief for the taxpayers of the Ketchikan Gateway Borough for the next seventeen years or so. However, the Assembly is concerned that some other municipal districts are afforded little or no immediate relief and, in the long-term, House Bill Number 350 will increase taxes or penalties on the Ketchikan Gateway Borough and most other municipal school districts.

Section 2. The Ketchikan Gateway Borough Assembly urges elected officials of the State of Alaska to recognize that House Bill Number 350 does not resolve the inequities regarding funding for education in Alaska. The Governor and legislators are urged to promote legislation to repeal or mitigate AS 14.17.410(b)(2), the onerous and discriminatory State tax on municipalities that operate school districts.

Section 3. The Ketchikan Gateway Borough Assembly urges elected officials of the State of Alaska to address other disincentives to borough incorporation.

Section 4. A copy of this resolution shall be provided to:

- The Honorable Sean Parnell, Governor;
- The Honorable Bert Stedman, Co-Chair of the Senate Finance Committee and State Senator, District A;
- The Honorable Kyle Johansen, House Majority Leader and State Representative, District 1;
- The Honorable Paul Seaton, Chairman, House Education Committee
- The Honorable Cathy Muñoz, Vice-Chair, House Education Committee
- The Honorable Peggy Wilson, Member, House Education Committee
- The Honorable Wes Keller, Member, House Education Committee
- The Honorable Bryce Edgmon, , Member, House Education Committee
- The Honorable Bob Buch, Member, House Education Committee
- The Honorable Berta Gardner, Member, House Education Committee
- The Honorable Emil Notti, Commissioner, Department of Commerce, Community, and Economic Development; and
- The Honorable Larry LeDoux, Commissioner, Dept. of Education and Early Development.

Section 5. This resolution is effective upon adoption.

ADOPTED this 1st day of March, 2010.

Dave Kiffer, Borough Mayor

ATTEST:

Kacie Paxton, Borough Clerk

Approved as to form:

Scott A. Brandt-Erichsen, Borough Attorney

EFFECTIVE DATE:	MARCH 1, 2010		
ROLL CALL	YES	NO	ABSENT
Moran	√		
Harrington	√		
Painter	√		
Phillips	√		
Salazar	√		
Shoemaker	√		
Thompson	√		
Mayor (tie votes only)			
4 AFFIRMATIVE VOTES REQUIRED FOR PASSAGE			

Department of Education and Early Development
Updated 10/22/09
Effects of SB174 on AS 14.17.410(b)(2)

STATE COST

Prepared by School Finance

District	FY02 Increased State Aid	FY03 Increased State Aid	FY04 Increased State Aid	FY05 Increased State Aid	FY06 Increased State Aid	FY07 Increased State Aid	FY08 Increased State Aid	FY09 Increased State Aid	Preliminary FY10 Increased State Aid	Projected FY11 Increased State Aid	CUMULATIVE STATE AID
Alaska Gateway	-	-	-	-	-	-	-	-	-	-	-
Aleutian Region	-	-	-	-	-	-	-	-	-	-	-
Aleutians East Borough	489	-	-	-	-	-	8,839	38,623	62,434	118,469	**228,854**
Anchorage	1,827,538	5,201,483	7,085,229	11,107,435	13,980,346	18,833,077	26,345,651	34,838,625	38,501,977	38,935,812	**196,657,173**
Annette Island	-	-	-	-	-	-	-	-	-	-	-
Bering Strait	-	-	-	-	-	-	-	-	-	-	-
Bristol Bay Borough	-	-	-	-	-	-	-	-	-	65,948	**65,948**
Chatham	-	-	-	-	-	-	-	-	-	-	-
Chugach	-	-	-	-	-	-	-	-	-	-	-
Copper River	-	-	-	-	-	-	-	-	-	-	-
Cordova	16,964	34,234	23,774	36,420	48,108	23,725	754	63,592	94,609	118,606	**460,786**
Craig	-	405	-	-	-	-	-	3,655	-	4,667	**8,727**
Delta/Greely	-	-	-	-	-	-	-	-	-	-	-
Denali Borough	-	60,663	60,156	73,214	73,214	73,214	149,562	212,649	211,954	215,179	**1,129,805**
Dillingham	3,763	26,086	780	-	15,811	-	85,618	48,030	46,718	61,472	**288,277**
Fairbanks North Star Bo	252,784	612,396	944,033	1,409,216	2,386,892	3,489,580	5,105,813	7,005,004	8,274,493	9,109,331	**38,589,542**
Galena	121	20	427	1,210	1,210	1,210	4,982	8,374	23,684	24,828	**66,067**
Haines Borough	11,922	37,397	37,144	42,500	45,171	94,243	149,855	207,498	289,472	258,865	**1,174,067**
Hoonah	-	24,328	23,014	21,546	21,546	21,546	22,965	36,378	37,754	90,953	**300,029**
Hydaburg	-	493	88	-	-	-	942	1,136	1,503	11,626	**15,788**
Iditarod Area	-	-	-	-	-	-	-	-	-	-	-
Juneau Borough	276,478	703,573	780,055	881,946	1,211,564	2,056,725	3,510,783	3,723,469	3,841,730	3,682,973	**20,669,296**
Kake	-	-	280	2,476	2,476	2,476	3,230	3,840	5,349	19,055	**39,183**
Kashunamiut	-	-	-	-	-	-	-	-	-	-	-
Kenai Peninsula Borou	396,460	955,598	1,639,406	2,584,199	2,921,957	3,431,335	4,244,039	5,596,202	6,988,799	8,165,514	**36,923,509**
Ketchikan Gateway Bor	61,700	170,635	144,661	47,551	62,446	184,837	338,196	659,278	915,009	1,041,551	**3,625,865**
Klawock	-	-	-	-	-	-	4,515	4,906	8,707	42,668	**60,796**
Kodiak Island Borough	82,466	82,088	133,940	116,664	190,535	317,507	394,848	510,004	606,712	703,258	**3,138,022**
Kuspuk	-	-	-	-	-	-	-	-	-	-	-
Lake & Peninsula Boro	-	2,012	-	-	-	-	-	-	2,845	8,166	**13,023**
Lower Kuskokwim	-	-	-	-	-	-	-	-	-	-	-
Lower Yukon	-	-	-	-	-	-	-	-	-	-	-
Mat-Su Borough	554,203	978,270	1,485,659	2,270,976	3,731,858	6,139,250	9,056,429	11,202,265	11,436,170	11,898,626	**58,753,706**
Nenana	-	-	-	877	356	7,668	9,285	19,738	23,601	16,009	**77,534**
Nome	38,395	32,004	30,436	40,749	28,726	58,717	121,599	120,446	187,995	245,658	**904,724**
North Slope Borough	-	-	-	-	-	-	-	-	-	-	-
Northwest Arctic Borou	-	-	2,024	1,906	1,906	1,906	8,903	570,611	580,813	601,128	**1,769,198**
Pelican	663	-	-	2,961	3,660	2,695	-	29	-	2,754	**12,762**
Petersburg	20,751	29,850	-	11,096	60,678	116,348	73,391	113,165	172,270	237,056	**834,605**
Pribilof	-	-	-	-	-	-	-	-	-	-	-
Saint Marys	71	443	-	786	786	786	1,157	1,014	16,562	16,865	**38,470**
Sitka Borough	45,060	85,149	134,767	194,084	269,304	338,359	619,866	860,734	1,061,249	1,085,266	**4,693,838**
Skagway	-	-	-	-	-	-	-	-	-	-	-
Southeast Island	-	-	-	-	-	-	-	-	-	-	-
Southwest Region	-	-	-	-	-	-	-	-	-	-	-
Tanana	-	-	-	-	-	-	266	281	4,582	6,227	**11,356**
Unalaska	-	-	-	-	5,742	57,658	146,325	175,794	171,587	245,178	**802,284**
Valdez	-	-	-	-	-	-	-	-	-	-	-
Wrangell	4,884	37,019	1,871	-	550	744	-	-	32,874	76,034	**153,976**
Yakutat	530	5,586	24,739	17,118	19,774	15,539	17,648	51,355	54,806	45,267	**252,362**
Yukon Flats	-	-	-	-	-	-	-	-	-	-	-
Yukon/Koyukuk	-	-	-	-	-	-	-	-	-	-	-
Yupiit	-	-	-	-	-	-	-	-	-	-	-
Mt. Edgecumbe HS	-	-	-	-	-	-	-	-	-	-	-
TOTAL	**$3,595,242**	**$9,079,732**	**$12,552,486**	**$18,864,929**	**$25,084,616**	**$35,269,145**	**$50,425,461**	**$66,076,695**	**$73,656,258**	**$77,155,009**	**$371,759,573**

G:\DistSup\FoundationOther\Foundation History\Local Effort History\[FY02-11LocalEffortAssessed&educationWithMills-2Pager_10-22-09.xlsx]State Cost

District	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	Prelim. FY10	Proj. FY11
Alaska Gateway	-	-	-	-	-	-	-	-	-	-
Aleutian Region	-	-	-	-	-	-	-	-	-	-
Aleutians East Borough	4.0	4.0	4.0	4.0	4.0	4.0	3.9	3.7	3.5	3.2
Anchorage	3.9	3.7	3.6	3.5	3.4	3.2	3.1	2.9	2.9	2.9
Annette Island	-	-	-	-	-	-	-	-	-	-
Bering Strait	-	-	-	-	-	-	-	-	-	-
Bristol Bay Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.7
Chatham	-	-	-	-	-	-	-	-	-	-
Chugach	-	-	-	-	-	-	-	-	-	-
Copper River	-	-	-	-	-	-	-	-	-	-
Cordova	3.9	3.8	3.9	3.8	3.7	3.9	4.0	3.7	3.6	3.5
Craig	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Delta/Greely	-	-	-	-	-	-	-	-	-	-
Denali Borough	4.0	3.6	3.6	3.5	3.5	3.5	3.2	3.1	3.1	3.1
Dillingham	4.0	3.8	4.0	4.0	3.9	4.0	3.5	3.7	3.7	3.7
Fairbanks North Star Borough	3.9	3.9	3.8	3.7	3.6	3.5	3.3	3.1	3.1	3.0
Galena	4.0	4.0	4.0	3.9	3.9	3.9	3.8	3.6	3.2	3.2
Haines Borough	3.9	3.8	3.8	3.8	3.8	3.6	3.5	3.3	3.2	3.2
Hoonah	4.0	3.4	3.4	3.4	3.4	3.4	3.4	3.2	3.1	2.7
Hydaburg	4.0	3.9	4.0	4.0	4.0	4.0	3.9	3.9	3.8	3.2
Iditarod Area	-	-	-	-	-	-	-	-	-	-
Juneau Borough	3.9	3.8	3.7	3.7	3.6	3.4	3.2	3.1	3.1	3.2
Kake	4.0	4.0	4.0	3.9	3.9	3.9	3.8	3.8	3.7	3.3
Kashunamiut	-	-	-	-	-	-	-	-	-	-
Kenai Peninsula Borough	3.9	3.8	3.7	3.5	3.5	3.4	3.3	3.2	3.1	3.0
Ketchikan Gateway Borough	3.9	3.9	3.9	4.0	3.9	3.8	3.7	3.5	3.4	3.4
Klawock	4.0	4.0	4.0	4.0	4.0	4.0	3.9	3.9	3.8	3.2
Kodiak Island Borough	3.9	3.9	3.9	3.9	3.8	3.7	3.7	3.6	3.5	3.5
Kuspuk	-	-	-	-	-	-	-	-	-	-
Lake & Peninsula Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.9
Lower Kuskokwim	-	-	-	-	-	-	-	-	-	-
Lower Yukon	-	-	-	-	-	-	-	-	-	-
Mat-Su Borough	3.8	3.7	3.6	3.4	3.2	3.0	2.8	2.7	2.7	2.7
Nenana	4.0	4.0	4.0	4.0	4.0	3.7	3.6	3.3	3.2	3.4
Nome	3.8	3.8	3.9	3.8	3.9	3.7	3.5	3.5	3.3	3.2
North Slope Borough	-	-	-	-	-	-		-	-	-
Northwest Arctic Borough	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.1	3.1	3.1
Pelican	3.9	4.0	4.0	3.8	3.7	3.8	4.0	4.0	4.0	3.8
Petersburg	3.9	3.9	4.0	4.0	3.8	3.6	3.7	3.6	3.5	3.3
Pribilof	-	-	-	-	-	-	-	-	-	-
Saint Marys	4.0	3.9	4.0	3.8	3.8	3.8	3.8	3.8	2.7	2.7
Sitka Borough	3.9	3.9	3.8	3.7	3.7	3.6	3.3	3.2	3.1	3.1
Skagway	-	-	-	-	-	-		-	-	-
Southeast Island	-	-	-	-	-	-	-	-	-	-
Southwest Region	-	-	-	-	-	-	-	-	-	-
Tanana	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	3.4	3.3
Unalaska	-	-	4.0	4.0	4.0	3.9	3.7	3.6	3.6	3.5
Valdez	-	-	-	-	-	-		-	-	-
Wrangell	4.0	3.8	4.0	4.0	4.0	4.0	4.0	4.0	3.8	3.6
Yakutat	4.0	3.9	3.6	3.7	3.6	3.7	3.7	3.3	3.2	3.3
Yukon Flats	-	-	-	-	-	-	-	-	-	-
Yukon/Koyukuk	-	-	-	-	-	-	-	-	-	-
Yupiit	-	-	-	-	-	-	-	-	-	-
Mt. Edgecumbe HS	-	-	-	-	-	-	-	-	-	-

G:\DistSup\FoundationOther\Foundation History\Local Effort History\[FY02-11LocalEffortAssessed&educationWithMills-2Pager_10-22-09.xlsx]SummaryMill Equivalent Change

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB350**
() Publish Date:

Identifier (file name): HB350-EED-ESS-2-18-2010
Dept. Affected: Education & Early Development
Title "An Act relating to the local contribution to public school funding; and providing for an effective date."
RDU K-12 Support
Component Foundation Program
Sponsor House Education Committee
Requester House Education Committee
Component Number 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	21,271.4	0.0	2,518.6	2,518.6	2,518.6	2,518.6	2,518.6
Miscellaneous							
TOTAL OPERATING	**21,271.4**	**0.0**	**2,518.6**	**2,518.6**	**2,518.6**	**2,518.6**	**2,518.6**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	21,271.4	0.0	2,518.6	2,518.6	2,518.6	2,518.6	2,518.6
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**21,271.4**	**0.0**	**2,518.6**	**2,518.6**	**2,518.6**	**2,518.6**	**2,518.6**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation would change AS 14.17.410(b)(2) Public school funding, by reducing the four mill tax levy rate to 2.7 mills when calculating the required local effort .

In addition, AS14.17.410(c) which currently provides for 50% of the annual increase in assessed value in a city or borough over the 1999 base year, would change so the current assessed value would be compared to the prior year assessed value.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 2/18/10 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 2/18/2010

(Revised 10/13/2009 OMB)

District	FY 11 Current Required Local	Proposed 2.7 Mills Required Local	Increased State Aid based 2.7mills	Increased State Aid based 50% of Assessed Value over PY	TOTAL
Alaska Gateway	-	-	-	-	-
Aleutian Region	-	-	-	-	-
Aleutians East Borough	506,163	421,627	84,536	37,824	**122,360**
Anchorage	101,579,642	94,847,932	6,731,710	292,839	**7,024,549**
Annette Island	-	-	-	-	-
Bering Strait	-	-	-	-	-
Bristol Bay Borough	906,132	656,154	249,978	55,909	**305,887**
Chatham	-	-	-	-	-
Chugach	-	-	-	-	-
Copper River	-	-	-	-	-
Cordova	779,867	606,469	173,398	16,198	**189,596**
Craig	417,683	285,086	132,597	8,301	**140,898**
Delta/Greely	-	-	-	-	-
Denali Borough	706,159	621,903	84,256	2,177	**86,433**
Dillingham	646,546	477,912	168,634	9,959	**178,593**
Fairbanks North Star Borough	27,966,016	25,025,859	2,940,157	563,515	**3,503,672**
Galena	96,761	82,073	14,688	773	**15,461**
Haines Borough	1,051,112	884,234	166,878	-	**166,878**
Hoonah	192,240	191,155	1,085	35,909	**36,994**
Hydaburg	44,519	37,898	6,621	6,833	**13,454**
Iditarod Area	-	-	-	-	-
Juneau Borough	13,658,159	11,705,264	1,952,895	-	**1,952,895**
Kake	91,313	74,499	16,814	9,252	**26,066**
Kashunamiut	-	-	-	-	-
Kenai Peninsula Borough	24,369,165	21,960,908	2,408,257	794,282	**3,202,539**
Ketchikan Gateway Borough	5,385,848	4,338,494	1,047,354	85,416	**1,132,770**
Klawock	171,762	144,740	27,022	22,924	**49,946**
Kodiak Island Borough	4,450,199	3,478,584	971,615	65,169	**1,036,784**
Kuspuk	-	-	-	-	-
Lake & Peninsula Borough	285,129	197,974	87,155	3,592	**90,747**
Lower Kuskokwim	-	-	-	-	-
Lower Yukon	-	-	-	-	-
Mat-Su Borough	23,817,761	24,108,561	(290,800)	312,157	**21,357**
Nenana	88,314	70,418	17,896	-	**17,896**
Nome	1,013,362	849,839	163,523	38,922	**202,445**
North Slope Borough		-	-	-	-
Northwest Arctic Borough	2,125,871	1,840,724	285,147	13,712	**298,859**
Pelican	51,915	36,901	15,014	2,834	**17,848**
Petersburg	1,212,452	978,418	234,034	43,731	**277,765**
Pribilof	-	-	-	-	-
Saint Marys	34,867	34,919	(52)	204	**152**
Sitka Borough	3,628,338	3,181,683	446,655	16,212	**462,867**
Skagway	-	-	-	-	-
Southeast Island	-	-	-	-	-
Southwest Region	-	-	-	-	-
Tanana	29,563	24,158	5,405	1,110	**6,515**
Unalaska	1,748,550	1,345,766	402,784	49,674	**452,458**
Valdez	-	-	-	-	-
Wrangell	668,150	502,324	165,826	29,133	**194,959**
Yakutat	222,452	180,710	41,742	-	**41,742**
Yukon Flats	-	-	-	-	-
Yukon/Koyukuk	-	-	-	-	-
Yupiit	-	-	-	-	-
Mt. Edgecumbe High School	-	-	-	-	-
TOTAL	**217,946,010**	**199,193,186**	**18,752,824**	**2,518,561**	**21,271,385**

History of How Required Local Effort Works...

CRAIG
$100,000 assessed
value in 1988
$100,000 * 4mil = $400

...no growth →

CRAIG
$100,000 assessed
value in 1999
$100,000 * 4mil = $400

no change.... →

CRAIG
$100,000 assessed
value in 2008
$100,000 + (no increase since 1999) * 4mil = $400

→ Craig taxpayer are still paying
4 mil rate
for required local effort
OUCH!

SB174 sets 1999 as the base year.

Only 50% of growth after 1999
Counts for calculating local effort

Is it Fair?

KPB
$100,000 assessed
value in 1988
$100,000 * 4mil = $400

wow! Development - in property values →

KPB
$200,000 assessed
value in 1999
$200,000 * 4mil = $800

sigh..... →

KPB
$300,000 assessed
value in 2008
Formula: (1999 value)+(50% increase 1999-2FY ago)
* 4mil = $ req. local effort
(200,000 + $50,000) * 4mil = $1,000

→

Because municipalities only
count half the growth
after 1999, this effectively decreases the
rate for KPB taxpayers
in our model to the equivalent of a
3.3 mil rate by 2010.
It will keep decreasing as the area grows
and property values increase

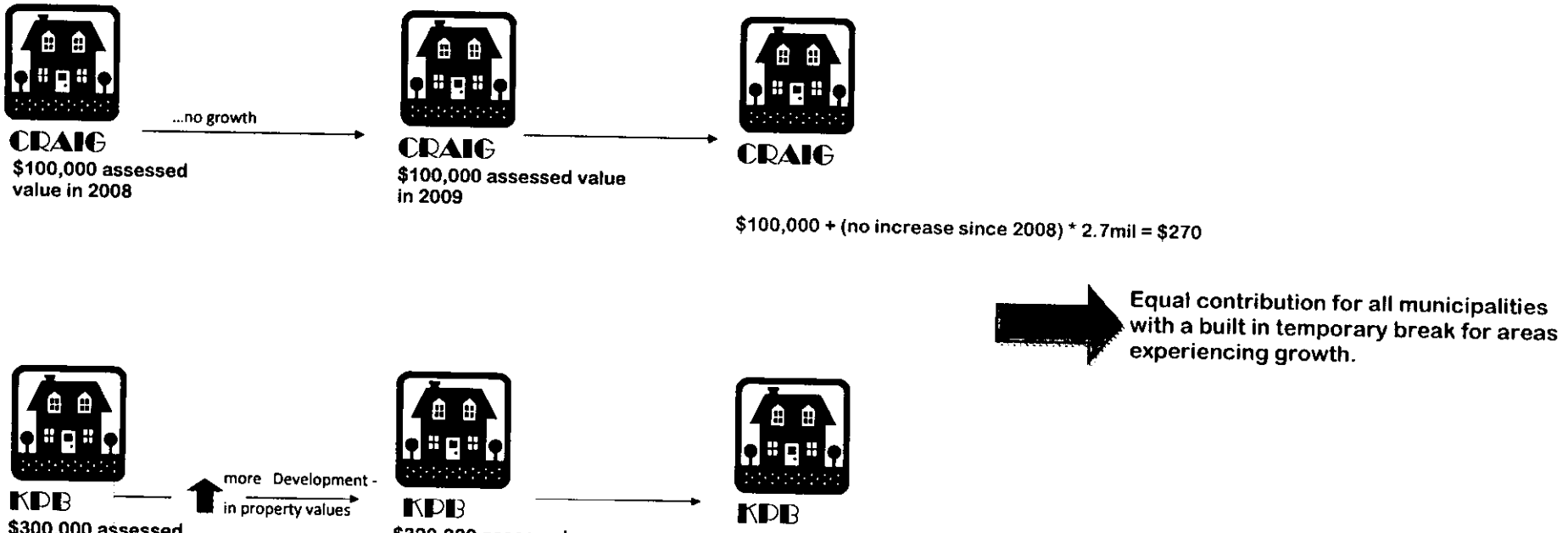
1990 **2001** July 1st **2001** **2010**

*examples of Craig and KPB are for illustrative purposes only and do not reflect actual shifts in property value or mil rates

Prepared by office of Rep. Seaton 2.19.2010 for HB350

Figure 1.

How Required Local Effort Works Under HB350...



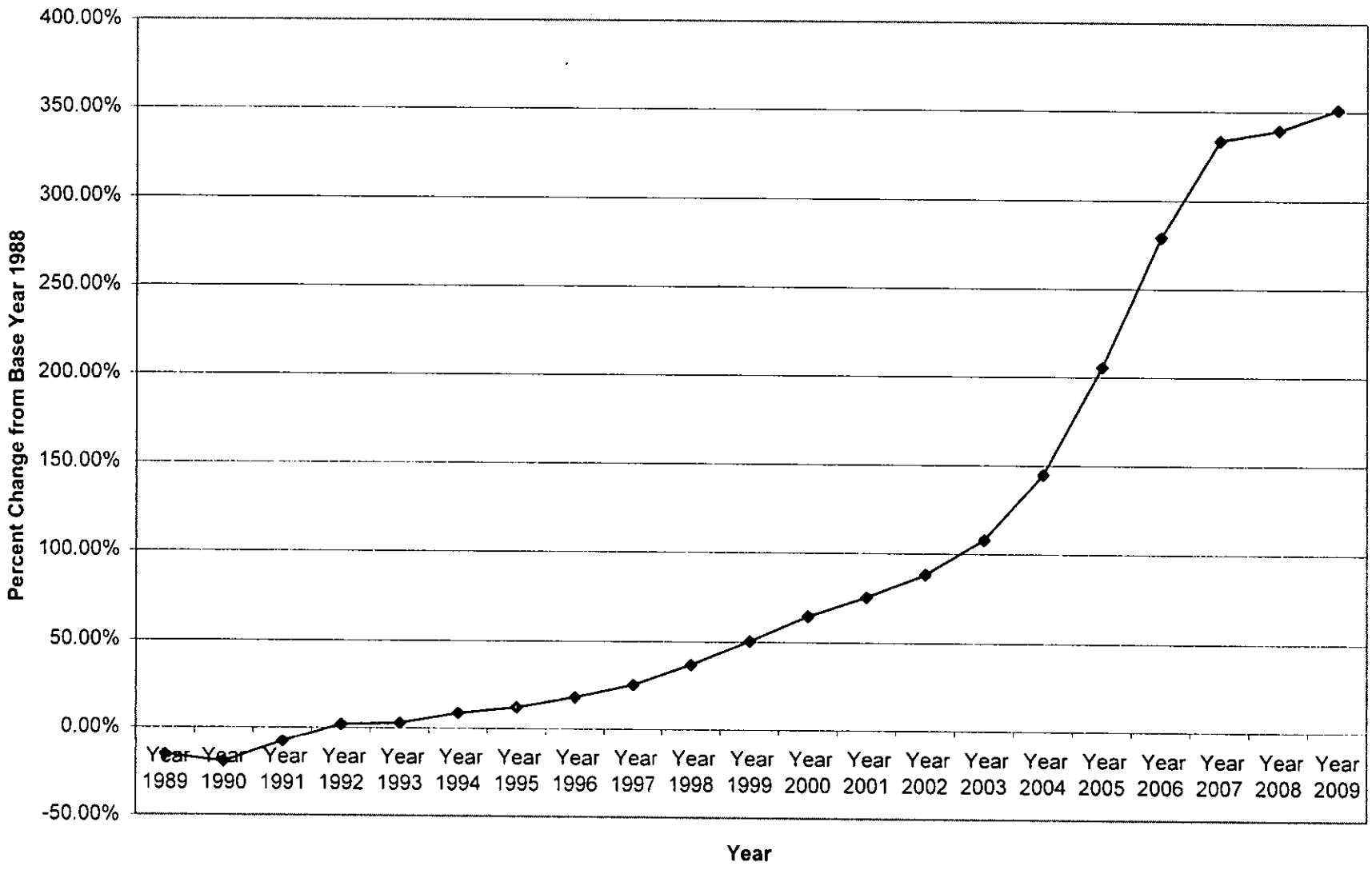
*examples of Craig and KPB are for illustrative purposes only and do not reflect actual shifts in property value or mil rates

Prepared by office of Rep. Seaton 2.19.2010 for HB350

Figure 2.

MATANUSKA-SUSITNA BOROUGH SCHOOLS DISTRICT
COMPARSION OF STATE-ASSESSED VALUATION OF BOROUGH PROPERTY

Percent Change is Assessed Valuation of Taxable Property in the Mat Su Borough

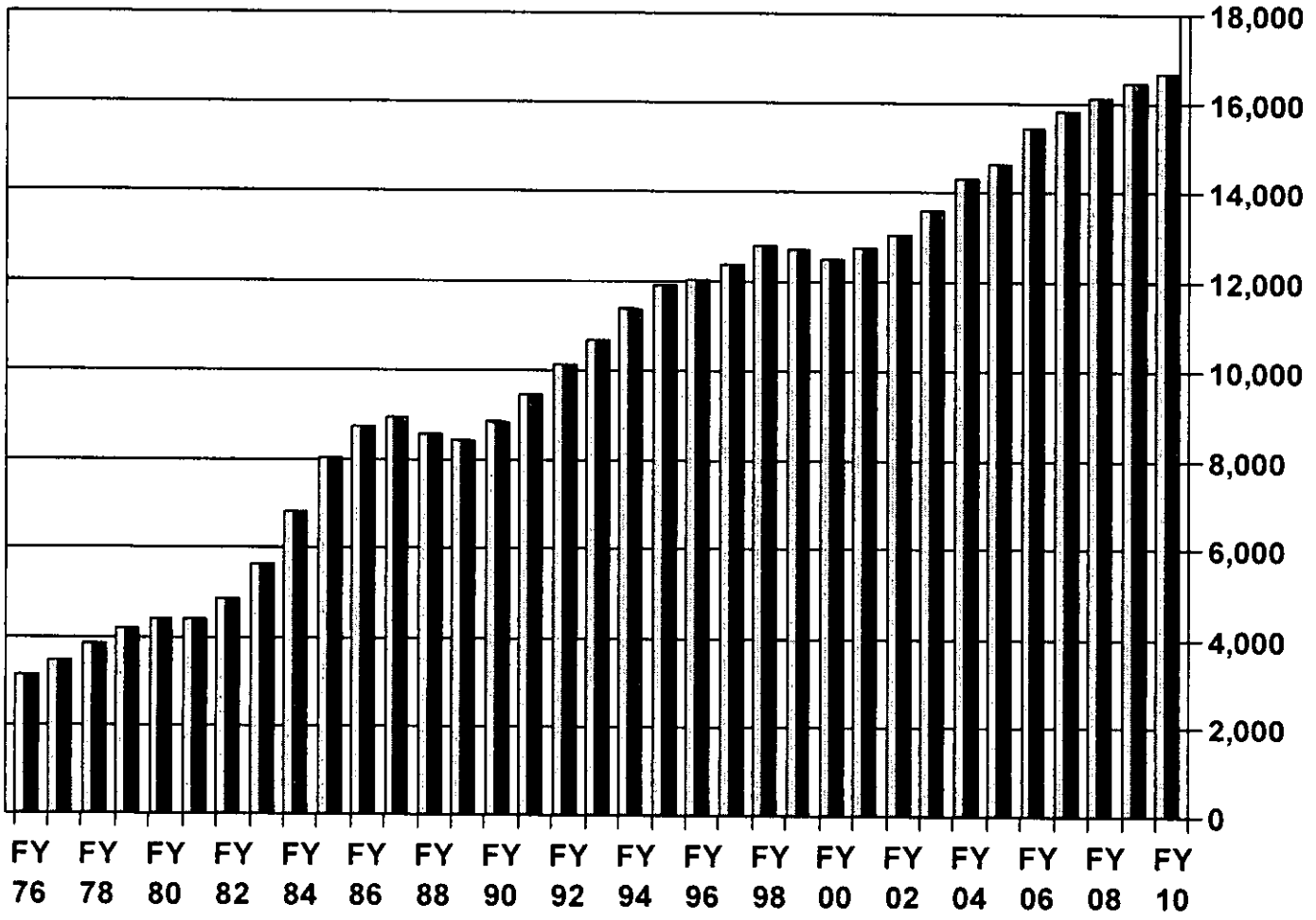


Updated:2/8/2010

Comparison of change from 1988 valuation.

SOURCE: State of Alaska/DCRA

History of Student Enrollment



HB 360

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: February 19, 2010 **FURTHER REFERRALS:**

Date of Committee Action: 3/8/2010

The EDUCATION Committee considered: **HOUSE BILL NO. 360**

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

HB 360-YOUTH ACADEMY: STUDENT RECORDS

Recommends it be replaced with [ ] HCS *or* [X] CS *for* HB 360 (EDC)
For Senate Bills with new title: [ ] Technical Title [ ] New Title: HCR_____ **[ ] Same Title [ ] New Title**

[ ] attach amendments
[ ] add new referral to _____Committee
[ ] Letter of Intent_____Committee

List of Abbrev for Depts.:
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
DHS
LWF
LAW
LEG
MVA
DNR
DPS
REV
DOT
UA

NEW **FISCAL NOTES** *Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
EED				X

PREVIOUS **FISCAL NOTES**				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

Signing with recommendations	Printed Last Name	DP	DNP	NR	AM
Wm Keller	Keller	X			
Cathy Muñoz	Muñoz	X			
Bert Gardner	Gardner			X	
Peggy Wilson	WILSON	X			
Bryce Edgmon	Edgmon			X	
Chair: Paul K Seaton	Seaton	X			
Chair:					

26-LS1482\P
Mischel
3/3/10

CS FOR HOUSE BILL NO. 360( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE DAHLSTROM

A BILL

FOR AN ACT ENTITLED

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

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

*** Section 1.** AS 14.30 is amended by adding a new section to read:

Sec. 14.30.745. Provision of student information to academy. (a) Except as provided in (b) of this section, on or before January 15 and July 15 of each year, a school district shall provide to the director of the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth, a biannual report containing the name, last known address, and dates of attendance of a student who

(1) is at least 15 years of age but less than 19 years of age;

(2) was enrolled but is no longer enrolled in a school in the district;

(3) has not provided school transfer or graduation information to a

school in the district; and

(4) has not received a high school diploma or general educational development certificate.

(b) At the beginning of each school year, a school district shall provide a written notice to the parent or guardian of the student, or, if the student is at least 18 years of age, to the student, of the disclosure of the information under (a) of this section and provide an opportunity for objection to the disclosure.

(c) The official to whom the information in (a) of this section is provided shall certify in writing to the school district providing the information that the information will not be disclosed to any other party except as necessary to recruit and retain students.

(d) In this section, "district" has the meaning given in AS 14.17.990.

*** Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ALASKA CHALLENGE YOUTH ACADEMY INFORMATION; APPLICABILITY. AS 14.30.745, added by sec. 1 of this Act, applies to students who were expelled from or who dropped out of school on or after September 1, 2010.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 3, 2010

SUBJECT: Consequences for failure of school district to comply with statute (CS HB 360( ); (Work Order No. 26-LS1482\P))

TO: Representative Nancy Dahlstrom
Attn: Laura Pierre

FROM: Jean M. Mischel
Legislative Counsel

You have asked about the consequences to a school district for failure to comply with the records provisions contained in HB 360. As in all education law compliance actions, the Department of Education and Early Development is authorized to withhold state funds for non-compliance. AS 14.07.070 states

> State funds may not be paid to a school district or teacher that fails to comply with the school laws of the state or with the regulations adopted by the department.

It is likely that the department would provide notice and an opportunity to take corrective action before withholding state funds to avoid a due process challenge under this section.

In addition, under the federal Family Educational Records Privacy Act, 20 U.S.C. 1232g, an act that recognizes privacy rights over education records, federal funding that is provided to the state may be similarly affected for a records handling violation.

If I may be of further assistance, please advise.

JMM:plm
10-122.plm

Enclosure

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If I may be of further assistance, please advise.

JMM:plm
10-122.plm

Enclosure

ALASKA STATE LEGISLATURE

Interim:
10928 Eagle River Road, Suite 238
Eagle River, Alaska 99577
Phone: (907) 622-3783
Fax: (907) 622-3784

Session:
Alaska State Capitol
Juneau, AK 99801-1182
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Toll Free (877) 460-3783

REPRESENTATIVE NANCY DAHLSTROM

HOUSE RULES COMMITTEE

Sponsor Statement
House Bill 360: "An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

A high school diploma is an essential first step for the youth of Alaska to become productive members in our communities. Children who drop out or are expelled from school are unlikely to return to the classroom on their own. It is essential that these at-risk children are presented with every opportunity to enroll in a program that will help them finish their high school diploma or complete their General Education Diploma (GED).

House Bill 360 requires school districts to provide the names, addresses, and dates of attendance of students who have dropped out of high school to the Director of the Alaska Challenge Youth Academy. The school districts would be required to provide this information biannually: January 15th and July 15th. These deadlines will allow ample opportunity for the Academy staff to reach out to potential students.

The Alaska Challenge Youth Academy is a great option for young people to finish their high school career. The Academy offers a 22-week program designed to help youth achieve their high school goals, but also teaches them life coping skills, job skills, leadership/followership, health and hygiene, physical fitness, and community service. Students can attend the Challenge program to catch up in their academic studies and upon completion return to a local high school for graduation.

According to the Center for Labor Market studies, the earning potential for an individual without a high school diploma is a mere $11,031 annually. Conversely, a student with a high school diploma or equivalent is $23,059 annually.

With the passage of House Bill 360 these young people will be given the chance to achieve success at an early age. Our youth are our future and they should be presented with every opportunity available to achieve their high school education. I believe this is one step in affording them this prospect.

I appreciate the committee's consideration of this legislation.

ALASKA STATE LEGISLATURE

Interim:
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REPRESENTATIVE NANCY DAHLSTROM

HOUSE RULES COMMITTEE

Sectional analysis
House Bill 360: "An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

Section 1:

Amends AS 14.30 by adding a new section mandating the release of certain students' information to the Alaska Challenge Youth Academy. Students must meet the following requirements:

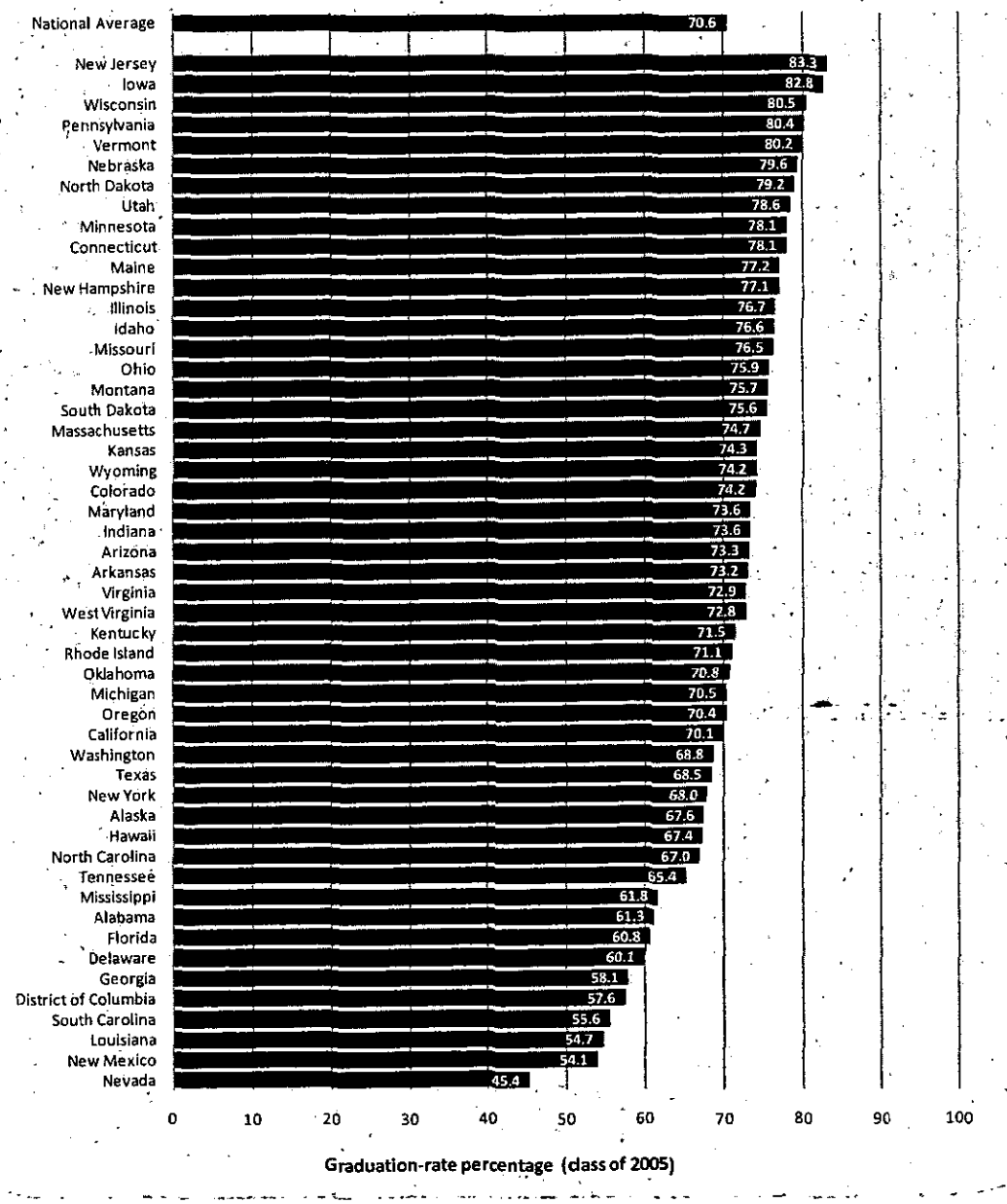
1) Between 15 and 19 years old
2) Previously enrolled in a school district
3) Plans to transfer or graduate were not provided to school
4) Have not earned a diploma or GED

Their contact information will be provided to the Alaska Challenge Youth Academy biannually, on or before January 15 and July 15.

The school will notify the parent in writing before the information is released to the academy. If the student is 18 years of age or older, the notification will be provided to the student. The parent or student has 10 days to object. If there is objection, the district may not release the information.
The school district will not provide the information to any other entities, and they will certify the confidentiality of the students' information in writing.

Graduation in the United States

About 71 percent of all public school students in the nation graduated from high school with a regular diploma in the class of 2005. Thirty-eight percentage points separate the graduation rates in the best-performing and worst-performing states. More than eight in 10 students graduate in Iowa, New Jersey, Pennsylvania, Vermont, and Wisconsin. But that proportion drops to fewer than six in 10 in the District of Columbia, Georgia, Louisiana, Nevada, New Mexico, and South Carolina. Results reported in *Diplomas Count 2008* show that between 2001 and 2005 the nation's graduation rate increased by 2.6 percentage points, signaling slow but steady progress.



EPE RC RESEARCH CENTER

STATE PROFILE 2004-05

Graduation Profile for the Class of 2005

Graduation Rate by Student Group

	Alaska State Average (%)	National Average (%)
All Students	67.6	70.6
By Gender		
Male	61.8	67.8
Female	71.7	75.3
By Race and Ethnicity		
American Indian/Alaska Native	46.8	50.6
Asian/Pacific Islander	67.8	81.3
Hispanic	24.4	57.8
Black (not Hispanic)	59.0	55.3
White (not Hispanic)	74.4	77.6
By Gender and Race and Ethnicity		
Male		
American Indian/Alaska Native	42.0	45.8
Asian/Pacific Islander	70.6	77.5
Hispanic	‡	52.0
Black (not Hispanic)	48.7	48.2
White (not Hispanic)	70.7	74.3
Female		
American Indian/Alaska Native	50.5	52.5
Asian/Pacific Islander	69.8	82.8
Hispanic	57.1	62.7
Black (not Hispanic)	65.9	61.3
White (not Hispanic)	77.7	79.8

† Value not calculated because necessary data field(s) not reported in the Common Core of Data, the U.S. Department of Education database used for this analysis.
‡ Value not reported because of insufficient data for reliable estimate.

Table 70: Reported Reasons for Dropping Out

Dropout Reason	Count	Percent
Grade 7		
Expelled	3	13.04%
Due to Illness	1	4.35%
Non-attendance	8	34.78%
Family problem	1	4.35%
Unknown	10	43.48%
Total Grade 7	**23**	**100.00%**
Grade 8		
Expelled	3	13.04%
Failing	1	4.35%
Non-attendance	7	30.43%
Non-district sponsored home school	5	21.74%
Administrative Drop	1	4.35%
Unknown	6	26.09%
Total Grade 8	**23**	**100.00%**
Grade 9		
Expelled	6	5.50%
Due to Illness	2	1.83%
Failing	1	0.92%
Non-attendance	71	65.14%
G.E.D.	2	1.83%
Enter Military	1	0.92%
Non-district sponsored home school	5	4.59%
Family problem	3	2.75%
Administrative Drop	2	1.83%
Unknown	16	14.68%
Total Grade 9	**109**	**100.00%**
Grade 10		
Expelled	16	9.82%
Due to Illness	1	0.61%
Failing	1	0.61%
Employment	1	0.61%
Non-attendance	98	60.12%
G.E.D.	11	6.75%
Enter Military	3	1.84%
Non-district sponsored home school	6	3.68%
Family problem	3	1.84%
Administrative Drop	9	5.52%
Pregnancy	1	0.61%
Unknown	13	7.98%
Total Grade 10	**163**	**100.00%**
Grade 11		
Expelled	15	7.35%
Due to Illness	1	0.49%
Employment	3	1.47%
Non-attendance	126	61.76%
G.E.D.	19	9.31%
Non-district sponsored home school	3	1.47%
Family problem	1	0.49%
Administrative Drop	16	7.84%
Pregnancy	1	0.49%
Unknown	19	9.31%
Total Grade 11	**204**	**100.00%**
Grade 12		
Expelled	8	2.14%
Due to Illness	4	1.07%
Employment	12	3.22%
Non-attendance	198	53.08%
G.E.D.	48	12.87%
Enter Military	2	0.54%
Non-district sponsored home school	8	2.14%
Family problem	4	1.07%
Administrative Drop	27	7.24%
Pregnancy	2	0.54%
Unknown	60	16.09%
Total Grade 12	**373**	**100.00%**
Grades 7-12		
Expelled	51	3.59%
Due to Illness	9	0.32%
Failing	3	1.69%
Employment	16	56.49%
Non-attendance	508	8.87%
G.E.D.	80	6.02%
Enter Military	6	1.37%
Non-district sponsored home school	27	6.23%
Family problem	12	0.42%
Administrative Drop	55	0.95%
Pregnancy	4	0.63%
Unknown	124	13.41%
Total Grades 7-12	**895**	**100.00%**

STATE OF ALASKA

Sean Parnell, GOVERNOR

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE COMMISSIONER

P. O. BOX 5800
Ft Richardson, ALASKA 99505-5800
PHONE: (907) 428-6003
FAX: (907) 428-6019

February 26, 2010

Rep. Nancy Dahlstrom:

I offer this letter as my official statement of support for House Bill 360, "An act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans Affairs, Alaska Challenge Youth Academy."

The Alaska Challenge Youth Academy, what we call the Alaska Military Youth Academy, is a last stop for teens to reset their life and get back on the track to be a productive member of our communities. Our school provides a military-style training and discipline environment to high school dropouts who voluntarily attend the 22-week residential course. The AMYA offers students the opportunity to: receive 7 high school credits that will allow the student to go back into the public school system, a General Education Diploma, and multiple job training certifications that, combined with internships, allow for quick job placement after the residential phase of the program.

Because the AMYA is a completely voluntary program, the Department of Military and Veterans Affairs must advertise to reach candidates for this program. By supporting HB 360, the legislature will allow the AMYA to send a recruitment brochure to each high school dropout showing one alternative that will help the teen get back on track to complete their high school education. We can narrow our focus by simply having the school districts send the AMYA the names and contact information of known dropouts.

Our goal is to help high school dropouts finish their basic education requirements and become positive members of our great state. Every school is designed to help students achieve the most out of life, let's allow our traditional high schools to work with the AMYA to help every student, especially the ones who have dropped out, achieve success.

Sincerely,

Thomas H. Katkus

Brigadier General Thomas H. Katkus
Commissioner

Louie Flora

Subject: FW: HB 360 Information request

From: Norman Eck [mailto:norman_eck@nwarctic.org]
Sent: Wednesday, March 03, 2010 5:03 PM
To: Louie Flora
Cc: Sen. Donny Olson; Rep. Reggie Joule; J.M. Walsh Company, Inc.; wendyc@gci.net; kdawson@alaska.com
Subject: Re: HB 360 Information request

Sir,

Thank you for requesting input on this proposed measure. the Northwest Arcdtic Borough School District feels that this would be an unfair burden to place upon our central office to fulfill the requirements of this bill. TH 360 is an unfunded mandate, and schools already have too many of these with NCLB and IDEA (special education).

We provide dropout information to the Department of Education at year's end. This is in the Report Card to the Public. It takes several weeks of work to compile this information and we have no time during the regual school year to do this work. Only after the school year is out do we have the several weeks that it takes up to complete the Report.

Again, let me say that this would place an expensive burden upon our district to comply with HB 360. HB 360 would become one more unfunded mandate taking resources away from out students.

Dr. Norman Eck
Superintendent
Northwest Arctic Borough School District

Louie Flora <Louie_Flora@legis.state.ak.us> on Sunday, February 28, 2010 at 5:30 PM -0800 wrote:
Hi,

Representative Seaton asked me send to each district a notice that HB 360 YOUTH ACADEMY: STUDENT RECORDS will be heard on Monday in House Education. HB 360 (text posted below) requires twice annual reports to the Alaska Challenge Youth Academy.

Representative Seaton would like to know if districts already screen their information in a way to easily accomplish the requirement or if this is a significant burden for any rural or urban district for compliance with the proposed new statute.

Thank you,

Louie Flora

House Education Committee Aide,

Representative Paul Seaton, Chairman

(907) 465-3923

HOUSE BILL NO. 360

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

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

*** Section 1.** AS 14.30 is amended by adding a new section to read:

Sec. 14.30.745. Provision of student information to academy. (a) Except as provided in (b) of this section, on or before January 15 and July 15 of each year, a school district shall provide to the director of the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs for the purpose of

Louie Flora

Subject: FW: HB 360 Information request

From: Brad Allen [mailto:ballen@kuspuk.org]
Sent: Tuesday, March 02, 2010 1:15 PM
To: Louie Flora
Subject: Re: HB 360 Information request

Louie,
I've checked with my student records folks and they said it wouldn't be a huge impact on them to get this information to the Youth Academy, requiring a little more of their time depending on the number of times they would need to report this to the agency.
But remember that we are a small district (only 340 total students K-12) so we wouldn't have really large numbers to report so that makes it a little easier than some of the larger districts.

Thank you,
Brad Allen
Superintendent - Kuspuk School District

Louie Flora

From: David Means, Director of Administrative Services [david_means@jsd.k12.ak.us]
Sent: Tuesday, March 02, 2010 8:54 AM
To: Louie Flora
Cc: Glenn Gelbrich
Subject: HB 360

Hi

Superintendent Gelbrich asked me to respond to your inquiry.

This won't impose a difficult or impossible burden on the District, but it imposes an additional requirement that someone in the District will have to identify the students, send out information, and notify the Alaska Alaska Youth Challenge Academy. I estimate this will take roughly 8 hours twice a year.

By the way, you may want to add "death" of the student as a reason not to provide information.

Sincerely

David Means
Director of Administrative Services
Juneau School District

Louie Flora

From: Woody Wilson [wwilson@wrangellschools.org]
Sent: Monday, March 01, 2010 11:40 AM
To: Louie Flora
Subject: HB 360
Attachments: Drop out Report Card info.xlsx

Louie,

I have attached the information on drop outs that is already collected by DEED for the Report Card to the Public. We only do this once per year (goes out about the time school starts) and it is, of course, not the only thing in the Report Card. To have to do it all over in January would be more trouble. We could simply report who has been dropped administratively. It is not likely that most students will come in and let us know they are dropping. Most of them just don't show up and become truant. We call that an administrative drop. In Wrangell that is when we start looking for them and see if there is anything we can do to bring them back.

If an arm of DEED, the Alaska Challenge Youth Academy, wants this information, they already have it annually in the Report Card. It would be nice if you didn't bother us to give them something else that they already have.

As always, thanks for asking.

Woody Wilson, Superintendent
Wrangellschools.org
907-874-2347

Mr. Flora,

Our student record system could provide us with name and last known contact information without too much trouble. Getting a notice out to parents would be a bit of a burden.

Gary Baldwin
Superintendent
Lower Kuskokwim School District
Phone (907) 543-4912
Fax (907)543-4904
gary_baldwin@lksd.org

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 3, 2010

SUBJECT: Consequences for failure of school district to comply with statute (CS HB 360( ); (Work Order No. 26-LS1482\P))

TO: Representative Nancy Dahlstrom
Attn: Laura Pierre

FROM: Jean M. Mischel
Legislative Counsel

You have asked about the consequences to a school district for failure to comply with the records provisions contained in HB 360. As in all education law compliance actions, the Department of Education and Early Development is authorized to withhold state funds for non-compliance. AS 14.07.070 states

> State funds may not be paid to a school district or teacher that fails to comply with the school laws of the state or with the regulations adopted by the department.

It is likely that the department would provide notice and an opportunity to take corrective action before withholding state funds to avoid a due process challenge under this section.

In addition, under the federal Family Educational Records Privacy Act, 20 U.S.C. 1232g, an act that recognizes privacy rights over education records, federal funding that is provided to the state may be similarly affected for a records handling violation.

If I may be of further assistance, please advise.

JMM:plm
10-122.plm

Enclosure

26-LS1482\P
Mischel
3/3/10

CS FOR HOUSE BILL NO. 360( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE DAHLSTROM

A BILL

FOR AN ACT ENTITLED

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

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

*** Section 1.** AS 14.30 is amended by adding a new section to read:

Sec. 14.30.745. Provision of student information to academy. (a) Except as provided in (b) of this section, on or before January 15 and July 15 of each year, a school district shall provide to the director of the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth, a biannual report containing the name, last known address, and dates of attendance of a student who

(1) is at least 15 years of age but less than 19 years of age;

(2) was enrolled but is no longer enrolled in a school in the district;

(3) has not provided school transfer or graduation information to a

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school in the district; and

(4) has not received a high school diploma or general educational development certificate.

(b) At the beginning of each school year, a school district shall provide a written notice to the parent or guardian of the student, or, if the student is at least 18 years of age, to the student, of the disclosure of the information under (a) of this section and provide an opportunity for objection to the disclosure.

(c) The official to whom the information in (a) of this section is provided shall certify in writing to the school district providing the information that the information will not be disclosed to any other party except as necessary to recruit and retain students.

(d) In this section, "district" has the meaning given in AS 14.17.990.

*** Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ALASKA CHALLENGE YOUTH ACADEMY INFORMATION; APPLICABILITY. AS 14.30.745, added by sec. 1 of this Act, applies to students who were expelled from or who dropped out of school on or after September 1, 2010.

More than **2,927**

at-risk youth have graduated from the Alaska Military Youth Academy's National Guard ChalleNGe program since its inception in 1994

Over **80%** of the program's graduates go on to become successful citizens by joining the work force, the military or contining their education

ALASKA MILITARY YOUTH ACADEMY
Admissions Office
PO Box 5727
Ft. Richardson, AK 99505

PLEASE PLACE POSTAGE HERE

For more information about the Alaska Military Youth Academy call:

Anchorage Office:
907.375.5556
907.375.5554

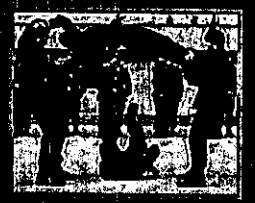
Toll Free: 877.242.5643

Fairbanks Office:
907.374.7960

"Before coming to AMYA everything was going down hill, all my dreams were falling away. AMYA changed everything, I felt like I could reach for my dreams again. It taught me how to be a better person"

Emmanuel Howes
AMYA Graduate
Class 2009-1

Dream,



FREE Tuition

Believe,

Alaska Military Youth Academy

The mission of the National Guard Alaska Military Youth Academy ChalleNGe Program is to intervene in and reclaim the lives of at-risk youth. We produce program graduates with the values, skills, education, and self-discipline necessary to succeed as adults

We want to assist you in completing your High School Education

ACHIEVE

"We are making a difference one life at a time."

The Alaska Military Youth Academy's Challe*NG*e Program is designed to provide life coping skills and meet the educational needs of 16 to 19-year-old Alaskans who will not turn 20 prior to graduation. The Youth Challe*NG*e program is a 22-week residential school with a 12-month post-residential aftercare follow-up phase.

Cadets are instructed in the following eight Core Components: Life Coping Skills, Academic Excellence, Job Skills, Responsible Citizenship, Leadership/Followership, Health & Hygiene, Physical Fitness, and Service to Community. In addition to these skills, cadets work toward the completion of a GED or High School Diploma.

Cadets enrolled in the Alaska Military Youth Academy's Challe*NG*e Program are required to complete all three phases of the Academy and to become successful, productive members of the community.

PRE-CHALLENGE PHASE

The program begins with the two-week Pre-Challe*NG*e phase during which Candidates are assessed to determine their potential for successfully completing the entire program. This phase allows Candidates an opportunity to adjust to the physical, mental and social discipline of the program. The focus is on teamwork, close order drill, leadership and followership practicums, code of conduct, and physical training. Those candidates who successfully complete this phase earn the distinction of becoming a Cadet.

RESIDENTIAL PHASE

The residential phase provides Cadets the opportunity to make basic lifestyle changes through a rigorous program of education, training, and service to community. During this phase, Cadets focus on the eight core components to develop the whole person in terms of mind, body and personal values. Emphasis is on self-discipline, self-esteem, education and development of healthy lifestyles.

POST-RESIDENTIAL PHASE

The post-residential phase begins when graduates return to their communities and implement their individual life plan as developed durning the residential program. Each graduate and their mentor maintain a caring and positive relationship for the 12 months following graduation. The link between mentoring and the academy's Eight Core Components make the Challe*NG*e program unique and increases the chances for the continued success of its graduates.

PLEASE SEND ME MORE INFORMATION ON THE ALASKA MILITARY YOUTH ACADEMY NATIONAL GUARD CHALLE*NG*E PROGRAM.

Name _____

Address _____

City _____ State _____ ZIP _____

Phone _____ E-mail _____

I am interested in: ☐ Applying ☐ Mentoring ☐ Donating ☐ Employment

Anchorage Admissions Office: 907.375.5556
907.375.5554
Toll Free: 877.242.5643

Fairbanks Admissions Office: 907.374.7960

HB

367

26-LS1538\P
Bullock
3/22/10

CS FOR HOUSE BILL NO. 367( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, Kelly, Peggy Wilson, Ramras

A BILL

FOR AN ACT ENTITLED

"An Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes and facilities; and providing for an effective date."

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

*** Section 1.** AS 21.06.110 is amended to read:

Sec. 21.06.110. Director's annual report. As early in each calendar year as is reasonably possible, the director shall prepare and deliver an annual report to the commissioner, who shall notify the legislature that the report is available, showing, with respect to the preceding calendar year,

(1) a list of the authorized insurers transacting insurance in this state, with a summary of their financial statement as the director considers appropriate;

(2) the name of each insurer whose certificate of authority was surrendered, suspended, or revoked during the year and the cause of surrender, suspension, or revocation;

(3) the name of each insurer authorized to do business in this state

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against which delinquency or similar proceedings were instituted and, if against an insurer domiciled in this state, a concise statement of the facts with respect to each proceeding and its present status;

(4) a statement in regard to examination of rating organizations, advisory organizations, joint underwriters, and joint reinsurers as required by AS 21.39.120;

(5) the receipt and expenses of the division for the year;

(6) recommendations of the director as to amendments or supplementation of laws affecting insurance or the office of director;

(7) statistical information regarding health insurance, including the number of individual and group policies sold or terminated in the state; this paragraph does not authorize the director to require an insurer to release proprietary information;

(8) the annual percentage of health claims paid in the state that meets the requirements of AS 21.36.128(a) and (d); [AND]

(9) **the total amount of contributions reported and the total amount of credit claimed under AS 21.89.070 and 21.89.075; and**

(10) other pertinent information and matters the director considers proper.

*** Sec. 2.** AS 21.89.070(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or AS 21.66.110 for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 3.** AS 21.89.070(b) is amended to read:

(b) The amount of the credit is [THE LESSER OF

(1)] an amount equal to

(1) [(A)] 50 percent of contributions of not more than $100,000;

(2) [AND (B)] 100 percent of the next $100,000 of contributions; **and**

(3) 50 percent of the amount of contributions that exceed $200,000

[OR

(2) 50 PERCENT OF THE TAXPAYER'S TAX LIABILITY UNDER THIS TITLE].

*** Sec. 4.** AS 21.89.070(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 5.** AS 21.89.070(e) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 6.** AS 21.89.075(c) is amended to read:

(c) A contribution claimed by a taxpayer as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title;

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group; in this paragraph, "affiliated group" has the meaning**

given in AS 43.20.073 [EXCEED $150,000]; or

(3) be claimed as a credit unless the contribution qualifies for the credit under (d) of this section.

*** Sec. 7.** AS 43.05.010 is amended to read:

Sec. 43.05.010. Duties of commissioner. The commissioner of revenue shall

(1) exercise general supervision and direct the activities of the Department of Revenue;

(2) supervise the fiscal affairs and responsibilities of the department;

(3) prescribe uniform rules for investigations and hearings;

(4) keep a record of all departmental proceedings, record and file all bonds, and assume custody of returns, reports, papers, and documents of the department;

(5) adopt a seal and affix it to each order, process, or certificate issued by the commissioner;

(6) keep a record of each order, process, and certificate issued by the commissioner, and keep the record open to public inspection at all reasonable times;

(7) hold hearings and investigations necessary for the administration of state tax and revenue laws;

(8) except as provided in AS 43.05.405 - 43.05.499 and in AS 44.64.030, hear and determine appeals of a matter within the jurisdiction of the Department of Revenue and enter orders on the appeals that are final unless reversed or modified by the courts;

(9) issue subpoenas to require the attendance of witnesses and the production of necessary books, papers, documents, correspondence, and other things;

(10) order the taking of depositions before a person competent to administer oaths;

(11) administer oaths and take acknowledgments;

(12) request the attorney general for rulings on the interpretation of the tax and revenue laws administered by the department;

(13) call upon the attorney general to institute actions for recovery of unpaid taxes, fees, excises, additions to tax, penalties, and interest;

(14) issue warrants for the collection of unpaid tax penalties and interest and take all steps necessary and proper to enforce full and complete compliance with the tax, license, excise, and other revenue laws of the state;

(15) **report to the legislature before February 15 of each year the total amount of contributions reported and the total amount of credit claimed during the previous calendar year under AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, and AS 43.77.045** [REPEALED].

*** Sec. 8.** AS 43.20.014(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 9.** AS 43.20.014(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 10.** AS 43.20.014(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title;

(2) also be allowed as a deduction under 26 U.S.C. 170 against the tax imposed by this chapter; and

(3) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 11.** AS 43.20.014(e) is amended by adding new paragraphs to read:

(3) "affiliated group" has the meaning given in AS 43.20.073;

(4) "tax due under this chapter" means the tax due after application of the credit allowed under AS 43.20.043 and before the application of any other credit allowable under this chapter.

*** Sec. 12.** AS 43.55.019(a) is amended to read:

(a) A producer of oil or gas is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 13.** AS 43.55.019(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 14.** AS 43.55.019(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 15.** AS 43.55.019(f) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 16.** AS 43.56.018(a) is amended to read:

(a) The owner of property taxable under this chapter is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 17.** AS 43.56.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 18.** AS 43.56.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another

provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 19.** AS 43.56.018(e) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 20.** AS 43.65.018(a) is amended to read:

(a) A person engaged in the business of mining in the state is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school; **and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 21.** AS 43.65.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions; **and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 22.** AS 43.65.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of the credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 23.** AS 43.65.018(e) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 24.** AS 43.75.018(a) is amended to read:

(a) A person engaged in a fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school; **and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 25.** AS 43.75.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions; **and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 26.** AS 43.75.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits

taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.77.045, **result in the total amount of the credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 27.** AS 43.75.018(e) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 28.** AS 43.77.045(a) is amended to read:

(a) In addition to the credit allowed under AS 43.77.040, a person engaged in a floating fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 29.** AS 43.77.045(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 30.** AS 43.77.045(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits

taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.75.018, **result in the total amount of the credits exceeding $5,000,000; if the taxpayer is a member of an affiliated group, then the total amount of credits may not exceed $5,000,000 for the affiliated group** [EXCEED $150,000].

*** Sec. 31.** AS 43.77.045(e) is amended by adding a new paragraph to read:

(3) "affiliated group" has the meaning given in AS 43.20.073.

*** Sec. 32.** This Act takes effect January 1, 2011.

Noah Hanson

From: David Woodley [dswoodley@alaska.edu]
Sent: Thursday, March 25, 2010 12:38 PM
To: Noah Hanson
Subject: UA Foundation giving numbers
Attachments: Rep Gardner Numbers.xls; ATT00001.htm

Hi Noah,

attached is a short spreadsheet I have put together to hopefully answer some of your requests.

The spreadsheet shows three things:

1) Total Contributions by organizations

2) Total Contributions by oil companies

3) Needs funded by oil companies

A few caveats -

A) The data is only from FY93 forward. Anything earlier and the records in the database start looking very incomplete. The information exists, but only in a bunch of crates up in Fairbanks.

B) Likely not all oil companies were included in the data pull. As a general practice we don't always code every organization with some sort of NAICS code. We think we tagged all the big ones, but it's entirely possible that we missed some lesser known ones.

The needs of the university that were funded are arranged by designations for our 1400+ funds. Let me know if you have any questions regarding the classifications. In short…

Faculty Chairs = Endowments for Faculty Position Funding
Facilities = bricks and mortar
Non Foundation Gifts = gifts to the university directly (we don't know what they were used for)
Program Support = operating costs for programs
Scholarships = student support
Undesignated = donor gave no designation, gifts can be used for any purpose

Unfortunately we have no way of telling if gifts from organizations were specifically to take advantage of the Education Tax Credit. We have only 5 such donors identified as such in our database. Only the Department of Revenue can provide that info, which they say cannot be shared with us.

This about the best we can do on short notice, but if you have any other questions, we can certainly try to answer them.

-David

	Total Giving to UA from Organizations*	Approximate Total Giving By Petroleum Organizations**
FY93	$1,078,884	$64,800
FY94	$2,008,855	$40,200
FY95	$1,848,564	$51,700
FY96	$2,332,524	$35,991
FY97	$3,397,658	$62,175
FY98	$8,618,616	$143,040
FY99	$5,415,222	$104,158
FY00	$13,936,342	$151,450
FY01	$35,284,688	$6,943,805
FY02	$10,785,401	$4,036,560
FY03	$13,316,123	$3,512,800
FY04	$12,388,021	$4,451,850
FY05	$12,388,021	$5,587,827
FY06	$16,514,213	$7,177,425
FY07	$15,897,599	$7,809,600
FY08	$27,604,426	$17,377,405
FY09	$27,599,564	$8,980,616

*** Run using CASE standards (Cash Gifts, pledges, matching cash gifts)**

**** All Petroleum Organizations may not be represented**

Petroleum Organization Gifts Purposes (1993-2009)

Faculty Chairs	$1,100,000
Facilities	$4,000,000
Non-Foundation Gift (gift to the university)	$818,888
Program Support	$15,280,242
Scholarships	$258,475
Scholarships and Program Support	$84,866
Undesignated	$44,981,434

ANCSA REGIONAL ASSOCIATION
Bringing Together Regional Corporation Presidents and CEOs

PO Box 240766 • Anchorage, AK 99524 • 907 339 6052

December 22, 2008

Mr. Mark R. Hamilton, President
University of Alaska Statewide System
President's Office
Suite 202 Butrovich Building
Fairbanks, Alaska 99775

Dear President Hamilton:

On behalf of the ANCSA Regional Association, I am pleased to transmit the enclosed resolution.

The presidents and chief executive officers of the regional Alaska Native Corporations voted unanimously in support of this initiative to strengthen our corporations' ties with Alaska's university system. We appreciate your encouraging response to our invitation to discuss this initiative on November 18th, 2008 and we look forward to working closely with you and other university leaders to build on the good work already being done all across the state.

The opportunities afforded by this initiative to enhance our mutual interests are enormous. We stand ready to take the next step with you.

Sincerely yours,

William Anderson, Jr., President
ANCSA Regional Association

ANCSA Regional Association
Resolution 08-01

IN SUPPORT OF ALASKA NATIVE EDUCATION

WHEREAS: The ANCSA Regional Association (the Association) has as its members the Presidents and CEOs of the Alaska Native Regional Corporations; and

WHEREAS: The Regional Corporations represent Alaska Natives and their descendents enrolled with each individual organization who strive to provide meaningful benefits in the form of dividends, education and training, job opportunities, cultural preservation and land management as the largest private landowners in Alaska. The Regional Corporations collectively represent the economic interest of over 100,000 Alaska Native people; the Regional Corporations are among the largest Alaskan-owned businesses, employ thousands of Alaskans; and generate significant benefits to the Alaskan economy; and

WHEREAS: In a short period of 35 years since ANCSA was adopted, our people have developed the skills and vision to enable and empower current and future generations the ability to run these organizations successfully; and

WHEREAS: The University of Alaska—through its three universities and 13 community campuses—has been the sole provider of public higher education in Alaska since 1917 offering more than 500 academic programs ranging from certificates to doctoral degrees. These programs include training and research in subjects of special importance to Alaska Natives because of their cultural relevance and their contribution to political, social, and economic opportunity. And the University reaches out to encourage and to prepare young people to continue their education and career development. In 2007, the University enrolled over 4,000 Alaska Native Students; and

WHEREAS: The University of Alaska has created strong statewide initiatives in recent years to provide needed research, curriculum, and outreach programs in close partnership with the health, process technology, energy, mining, transportation, and other important Alaska industries. These programs meet critical workforce development needs, provide answers to Alaska's problems, and attract new students;

WHEREAS: Communication and collaboration with the University of Alaska will strengthen Alaska's Native Corporations and their shareholders—enhancing competitive capacity while increasing opportunities in high demand occupations in Alaska—as well as enrich the University of Alaska and its programs and services;

NOW THEREFORE BE IT RESOLVED that the Association recognizes the importance of education for our people and supports development of classes, programs and a better working relationship with the University of Alaska; and

BE IT FURTHER RESOLVED that the Association supports the formation of an Alaska Native Education and Research Council, which will:

- Develop—in partnership with the President of the University of Alaska—a program that identifies, prioritizes, and supports such activities as vocational and technical training, university academic curriculum, research, community outreach, endowed chairs, and other mutually determined activities that would meet the needs and serve the interests of the Alaska Native Corporations and the University;
- Provide funding in support of the program developed above; and
- Annually evaluate program progress and reprioritize activities as appropriate.

BE IT FURTHER RESOLVED that the following are examples of the activities that could be developed to promote current and future programs, classes, and an environment to enhance education of our Alaska Native people:

- A series of courses and areas of ANCSA emphasis within the University of Alaska's business management and public administration programs, including but not limited to MBA or MPA degree programs;
- Focused outreach programs using innovative technologies that improve student readiness for success in higher education and in their subsequent careers;
- Possible short courses for contracting (tribal and 8a and others);
- Degree completion and executive programs designed for working people which recognize academic credit for professional experience;
- Programs that support Alaska Native arts, culture, history, and languages;
- Facilities for housing ANCSA papers and historic documents;
- Endowed faculty chairs;
- Conferences for the exploration of the role of Alaska Natives in Statehood; and
- Research on the economic impact of ANCSA Corporations.

ADOPTED AND DATED December 17, 2008.

Board of Directors
ANCSA Regional Association

President

12/22/2008
Date

ALASKA NATIVE REGIONAL CORPORATIONS
HIGHER EDUCATION PRIORITIES
AUGUST 2009

Evaluation Criteria

- responding to ANC workforce needs
- strengthening ANC management and governance
- contributing to shareholder success
- increasing broader knowledge about ANCs
- serving ANC cultural interests
- maximizing impact through use of technology and other means

Project	Description	Priority
ANCSA course - web based	Inform students about ANCSA, increase visibility of ANCs • Content would include history, culture, politics, economics • Modify existing, already approved course • Preferably web-based, self-paced with rich content (video, archive documents) • Could be targeted to enrolled students or new employees of ANCs	**HIGH**
ANCSA course – GER	Inform students (degree seeking or not) about ANCSA, increase visibility of ANCs • Content would include history, culture, politics, economics • Face to face course, could be used as a General Education Requirement (GER) • Would expose a large number of undergraduates to ANCs	**HIGH**
Increase tax credit	Diversify funding, increase private funding, strengthen partnerships, increase exposure • Current tax credit value maximized at contribution of $150,000 • Increase tax credit to 50% of contribution	**HIGH**
Executive MBA	Enable working professionals to obtain MBAs without interrupting career or family life. Top business schools in the nation offer Executive MBA programs, which feature: • Top quality curriculum and faculty • A cohort model, resulting in high student success and career long networks • Schedule designed for working people • Use of guest faculty and practitioners, providing real world perspectives and networking opportunities	**HIGH**
ANCSA conferences	Expand knowledge of ANCSA history, issues, impacts, and opportunities • ANC leaders and scholars can provide learning opportunities for students and the broader public • UA scholars and students can use as forums for presentation and later publication • ANCs receive recognition, become familiar to students and potential employees	**HIGH**
High School outreach camps	Build on highly successful pre-college summer programs (RAHI, ANSEP) • Offer dual credit with high schools • Possibly link with sports programs and internships	**HIGH**
Self-paced develop-mental courses	Improve student preparedness and success through IT enabled self-paced courses • Faculty design courses for delivery in learning centers with long hours accessible to high school students (dual credit), working people, etc., through self-paced on-line technology, with advanced students serving as on-site course guides • Highly successful examples have improved student performance and reduced cost	**MEDIUM**
Alaska Native Arts	Expand course and program offerings • Focus on development of high value arts and crafts • Support the development of new accomplished Native artists	**MEDIUM**
Short courses for ANCs and tribes	Provide highly practical short training programs, e.g., grant writing and 8(a) • Could be delivered on-site • Tailored to each company's specific needs and interests	**MEDIUM**

ALASKA NATIVE REGIONAL CORPORATIONS
HIGHER EDUCATION PRIORITIES
AUGUST 2009 (2)

Project	Description	Priority
Political support	Provide support for University system priorities • State budget: program funding • Land grant legislation	MEDIUM
Cooperative education programs	Improve knowledge of employment opportunities for students and employers • E.g., UAF Management School has proposed a 4 year program in which students spend 3 full semesters with 3 different employers • Experience with employers is for credit and integrated with the academic program • Common in engineering and business programs	MEDIUM
Career Pathways	Show shareholders educational pathways for major job groups for each ANC • University staff will take occupational data from each ANC, focus on high demand job categories and create educational pathway materials • Materials can be distributed widely to shareholders and others about the tracks, in terms of education and training needed, increasing number of prepared applicants • Can be used as an effective advising tool to prepare shareholders for existing jobs	MEDIUM
ANCSA CEO in residence	Provide students and faculty insights on leadership of ANCs • CEO would be available for a certain time period (semester or year) • CEO would visit classes, make presentations, advise faculty and mentor students • CEO could be interviewed for ANCSA and/or ANC corporate history	MEDIUM
Visiting lecturers	Support visits of experts to campus • Bring new/outside perspectives to campus, students, and faculty • Draw members of the community onto campus	MEDIUM
Board of Directors' training	Strengthen leadership capabilities of board directors (Profit and non-profit) • UA experts provide training in fields such as governance, finance, strategy, human resources	MEDIUM
Histories of ANCSA Leaders and Corporations	Make available histories of ANCSA leaders for use in curriculum, research • University faculty and students would conduct and record interviews- likely in high definition video • Text, video, etc., could be used in web-based and face to face classes • Way to formally preserve history for future generations of shareholders, teachers and historians	MEDIUM
Collection of historic documents, images	Collect, preserve and archive papers and images of early land claims battles and development of the corporations • Collect this material before it is lost • Reposited in designated sections of libraries which create visibility for the collections	MEDIUM
Support Alaska Native Scholars	Provide support for Alaska Natives who are pursuing academic excellence in their disciplines • Increases the number of Alaska Natives with advanced degrees • Strengthens diversity among the faculty	MEDIUM
Provide scholarships in selected fields	Create an educated workforce in areas of importance to the ANCs • Provide funding in targeted fields, those of high priority to the ANCs • Flexible in terms of funding, from an annual contribution to an endowment • Can change fields as ANC needs change • Supports connection between scholarship and UA	MEDIUM
Facility purchase, construction, operation	Provide facilities (building, lecture halls, galleries, conference rooms, residence halls, labs) • Funding to provide facilities would support added capacity, services • Would provide alternative to public funding • Would provide opportunity for naming, outreach	LOW
Endow faculty chairs	Establish faculty positions with stable funding insulated from competing funding pressures • UA has very few compared to other universities • Provide funding stability, earnings off invested principal • Can be set up as a term appointment (1 year, 3 years, 5 years) • $4-5 million (approx, depending on academic field) required to establish	LOW

Chair and Secretary of the Board of Regents to sign the resolution. This motion is effective February 17, 2009."

The Board of Regents regularly passes a resolution specifying certain university officers as being authorized to execute investment and banking transactions for the University of Alaska. Because of changes in members of the board, a current resolution is necessary in order to execute timely investment and banking transactions.

I. Approval of Resolution in Support of Alaska Native Education

Regent Martin moved, seconded by Regent Cowell, and passed that:

PASSED
"The Board of Regents approves the resolution in support of Alaska Native Education as presented. This motion is effective February 18, 2009."

WHEREAS: The University of Alaska—through our three universities and 13 community campuses—has been the sole provider of public higher education in Alaska since 1917, offering more than 500 academic programs ranging from occupational endorsement certificates to doctoral degrees. These programs include training and research in subjects of special importance to Alaska Natives because of their contribution to economic, political, and social opportunity and their cultural relevance. As well, the University reaches out to encourage and to prepare young people to continue their education and career development. In fall 2008, the University enrolled more than 32,000 students, of which 4,300 were Alaska Natives; and

WHEREAS: The University has increased Alaska Native degree achievement by 108 percent this last decade and hopes to achieve another 100 percent increase in the decade ahead; and

WHEREAS: The University has created strong statewide initiatives in recent years to provide needed research, curriculum, and outreach programs in close partnership with the health, process technology, energy, mining, transportation, and other important Alaska industries. These programs meet critical workforce development needs, provide answers to Alaska's problems, and attract new students; and

WHEREAS: The Alaska Native Corporation Regional Association (the Association) has as its members the Presidents and CEOs of the Alaska Native Regional Corporations. These corporations represent Alaska Natives and their descendents enrolled with each individual organization

who strive to provide meaningful benefits in the form of dividends, education and training, job opportunities, cultural preservation and land management as the largest private landowners in Alaska; and

WHEREAS: The Regional Corporations collectively represent the economic interests of over 100,000 Alaska Native people; the Regional Corporations are among the largest Alaskan-owned businesses, employ thousands of Alaskans, and generate significant benefits to the Alaskan economy. In a short period of 35 years since ANCSA was adopted, Alaska Native people have developed the skills and vision to enable and empower current and future generations the ability to run these organizations successfully; and

WHEREAS: Communication and collaboration with Alaska's Native Corporations will enrich the University of Alaska and its programs and services while strengthening the Alaska Native Corporations' competitive capacity; and

WHEREAS: On December 17, 2008, the Association passed a unanimous resolution in support of the formation of an Alaska Native Education and Research Council, which will:

- Develop—in partnership with the Alaska Native Corporation CEOs—a program that identifies, prioritizes, and supports such activities as vocational and technical training, university academic curriculum, research, community outreach, endowed chairs, and other mutually determined activities that would meet the needs and serve the interests of the Alaska Native Corporations and the University;
- Provide funding in support of the program developed above; and
- Annually evaluate program progress and reprioritize activities as appropriate.

NOW THEREFORE BE IT RESOLVED that the Board of Regents appreciates the action taken by the Association and strongly supports the formation of an Alaska Native Education and Research Council as proposed by the Association; and

BE IT FURTHER RESOLVED that the President of the University should take what actions he determines appropriate to further the mutual interests of the University and the Alaska Native Corporations through this Council; and

BE IT FURTHER RESOLVED that this resolution be appropriately engrossed, with a copy to be incorporated in the official minutes of the February 17-19, 2009 meeting of the Board of Regents.

Hecla
GREENS CREEK

Hecla Greens Creek Mining Company
P.O. Box 32199
Juneau, Alaska 99803

March 19, 2010

To Whom It May Concern:

This letter will confirm the support of Hecla Greens Creek Mining Company for HB 367, a bill relating to education tax credit sponsored by Representative Cathy Munoz.

The Greens Creek Mine is located within the City and Borough of Juneau; and with 330 employees it is the city's largest private sector employer.

Private support of vocational and higher education helps provide a margin of excellence when preparing the Alaskan workforce of tomorrow. Partnerships between these learning centers and the private sector improve the quantity and quality of workers available to meet the present and future demands of Greens Creek and other employers in the state.

Vocational and higher education institutions are outstanding community resources that enhance and diversify Alaska's economy. The changes to tax credits as proposed in HB 367 further incentivize private donors to create additional opportunities for teaching, learning and services that would not otherwise be possible.

A trained and skilled Alaskan workforce is essential to meet the demands of a growing state economy. With the HB 367 tax credits in place, the private sector could provide even more help in meeting those demands. Please support Representative Munoz in her efforts to secure passage of this bill.

Sincerely,

Ron Plantz
Human Resources Manager

STATE OF ALASKA

DEPARTMENT OF REVENUE

Tax Division

Sean Parnell, Governor

State Office Building
PO Box 110420
Juneau, AK 99811-0420
907.465.2320

550 W Seventh, Suite 500
Anchorage, AK 99501-3566
907.269.6620

www.tax.state.ak.us

March 16, 2010

The Honorable Paul Seaton, Chair
House Education Committee
House of Representatives
Capitol Building Room 102
Juneau, Alaska 99811

Re: HB 367

Dear Chairman Seaton and Committee Members:

During the last meeting of the House Education Committee, we were asked to provide the following information regarding the Alaska Education Credit:

1. The tax effect of a contribution for which an Income Tax Education Credit may be claimed, under two scenarios:
    a. Charitable contribution is claimed
    b. Income Tax Education Credit is claimed

2. Two scenarios demonstrating the difference in ordering credits.

3. Alaska Education Tax Credits claimed in the Fiscal Years 2007--2009

4. Any technical suggestions

Please find attached several worksheets that answer the questions posed. On Attachment 1, we have provided a comparison of claiming a charitable contribution to claiming a credit for a contribution to university.

Attachments 2 and 3 are provided to show the difference resulting from alternatives in credit ordering. Attachment 2 assumes that the Income Tax Education Credit is prioritized over the

Film Production Tax Credit. Attachment 3 assumes that the Film Production Tax Credit is prioritized over the Income Tax Education Credit.

Ordering of credits is clearly a policy decision. From a technical standpoint, it is important that the policy be made clear. Alaska statute currently requires that the Gas Exploration & Development Credit (AS 43.20.043) be applied against the corporate income tax first, before all other credits. However, Alaska statute is silent on how other credits are applied. On Attachment 6, we have provided some alternative language for lawmakers to consider.

Our second suggestion concerns the application of the Education Credit. Current law restricts the credit to $150,000 per "taxpayer." In the area of income tax, it is unclear whether this refers to an individual corporation, or to the group of corporations where there is an affiliated group. AS 43.20.340(10) defines "taxpayer" as "a person [corporation] subject to a tax imposed by this chapter." Where there is an affiliated group of taxpayers, they may file one consolidated tax return. For example, if a multi-state oil company is doing business in Alaska, it commonly has separate corporations for its E&P operations, its marketing operations, and its transportation operations. Such a company commonly files a single consolidated Alaska tax return. It is unclear whether there is one $150,000 credit allowed for a consolidated tax return, or multiple $150,000 credits allowed for each member represented in the consolidated return. Hearing minutes from the year the credit was initially enacted indicate that the credit limit was intended to apply per corporate group and not to individual taxpayers within the group. It would be helpful to have this clarified in statute. Attachment 6 also presents some language to clarify this.

Attachment 4 shows the Education Credits claimed for the last three fiscal years. Please note that these statistics are provided based on tax returns filed during each fiscal year. Thus, the FY09 statistics include most of the income tax returns filed for the calendar year 2007 and any fiscal year tax returns filed during FY09.

Attachment 5 shows the contributions upon which the Education Credits were claimed for each respective fiscal year. Please note that these statistics are based on the tax returns, as filed, and do not include any similar contributions for which a taxpayer may have claimed a charitable contribution, rather than claiming a credit.

Thank you for the opportunity to provide this information.

Sincerely,

Johanna Bales
Deputy Director, Tax Division

Purpose: To compare the tax benefit of an income tax "deduction" to the benefit of a "credit for contribution of $50,000,000 to a university

A deduction is an expense taken to reduce total taxable income.
A credit reduces income tax directly.

		deduction		credit
Gross income	A	300,000,000		300,000,000
Expenses:				
Other epxenses		10,000,000		10,000,000
Deduction for contribution to university	B	50,000,000		
Total expenses	C	60,000,000		10,000,000
Taxable income	A - C	240,000,000		290,000,000
Tax rate		* 9.4%		* 9.4%
Tax		22,560,000		27,260,000
Credit		0	B * 50%	(25,000,000)
Tax after credit		22,560,000		2,260,000

This analysis examines the benefit of the next marginal contribution after $200,000.

Assumptions:
--charitable contribution is not limited by taxable income limit.
--highest marginal tax rate
--company does all of its business in Alaska

Purpose: to compare ordering of credits
Priority: Income Tax Education Credit

Assumptions:
company does business only in Alaska

		available credits	tax application limit	carryover
Income Tax Education Credit	AS 43.20.014	1,000,000	no limit	no carryover
Gas Exploration & Development Tax Credit	AS 43.20.043	1,000,000	50% tax	5 year carryover
Film Production Tax Credit	AS 43.98.030	1,000,000	no limit	3 year carryover
Total potential credits		3,000,000		

** AS 43.20.043(c) requires application first of Gas Exploration & Development Tax Credit

Scenario 1: apply Income Tax Education Credit next

Tax before credits	(assumed)	1,200,000
Gas Exploration & Development Tax Credit	(limited to 50% tax)	(600,000)
Income Tax Education Credit		(600,000)
Tax after credits:		0

Credits utilized	
Gas Exploration & Development Tax Credit	600,000
Income Tax Education Credit	600,000
Total credit utilized	1,200,000

Credits lost	
Income Tax Education Credit	400,000
Total credits lost	400,000

Credits available for future utilization	
Gas Exploration & Development Tax Credit	400,000
Film Production Tax Credit	1,000,000
Total credits available for future utilization	1,400,000

Purpose: to compare ordering of credits
Priority: Film Production Tax Credit

Assumptions:
company does business only in Alaska

		available credits	tax application limit	carryover
Income Tax Education Credit	AS 43.20.014	1,000,000	no limit	no carryover
Gas Exploration & Development Tax Credit	AS 43.20.043	1,000,000	50% tax	5 year carryover
Film Production Tax Credit	AS 43.98.030	1,000,000	no limit	3 year carryover
Total potential credits		3,000,000		

** AS 43.20.043(c) requires application first of Gas Exploration & Development Tax Credit

Scenario 2: apply Film Production Tax Credit next

Tax before credits	(assumption)	1,200,000
Gas Exploration & Development Tax Credit	(limited to 50% tax)	(600,000)
Film Production Tax Credit		(600,000)
Tax after credits:		0

Credits utilized/monetized	
Gas Exploration & Development Tax Credit	600,000
Film Production Tax Credit	600,000
Total credit utilized	1,200,000
Credits lost	
Income Tax Education Credit	1,000,000
Total credits lost	1,000,000
Credits available for future utilization	
Gas Exploration & Development Tax Credit	400,000
Film Production Tax Credit	400,000
Total credits available for future utilization	800,000

Alaska Education Tax Credit
Credits Claimed
FY 07--09

Tax Type	FY 09	FY 08	FY 07
Corporate Income Tax	1,064,019	1,314,499	1,196,972
Insurance Premiums Tax	450,000	425,000	300,000
Fishery Resource Landing Tax	150,000	1,050,000	1,200,000
Mining License Tax	0	10,814	250,626
Fisheries Business Tax	450,000	450,000	300,000
Total Education Tax Credit claimed	2,114,019	3,250,313	3,247,598

Contributions generating Alaska Education Tax Credit

FY 07--09

	FY 09	FY 08	FY 07
Tax Types			
Corporate Income Tax	1,624,326	5,197,425	5,047,485
Insurance Premiums Tax	600,000	575,000	400,000
Fishery Resource Landing Tax	200,000	1,400,000	1,600,000
Mining License Tax	0	21,628	391,802
Fisheries Business Tax	600,000	200,000	200,000
Total contributions for Education Tax Credit	3,024,326	7,394,053	7,639,287

** Note: These amounts do not include contributions that would have enjoyed the Education Tax Credit, but for which taxpayer did not claim a credit, but claimed a deduction instead.

Letter to House Education Committee
March 16, 2010
Attachment 6

Suggested edits for HB 367

If intent is to prioritize Education Credit before other credits:

A new paragraph:

AS 43.20.014(e)(2) "tax due under this chapter" means the tax liability after application of the credit under AS 43.20.043 and before application of any other credits allowable under this chapter.

To clarify taxpayer credit limit:

Amend AS 43.20.014(d)(3)

(3) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed $150,000. **If the taxpayer is a member of an affiliated group, then the credit may not exceed $150,000 for the affiliated group.**

Add a new paragraph:

AS 43.20.014(e)(3) "affiliated group" means a group of two or more corporations in which 50 percent or more of the voting stock of each member of the group is directly or indirectly owned by one or more corporate or noncorporate common owners, or by one or more of the members of the group.

Similar language to be added in AS 21.89.070, 21.89.075, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045

26-LS1538\E
Bullock
3/11/10

CS FOR HOUSE BILL NO. 367( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, Kelly, Peggy Wilson, Ramras

A BILL

FOR AN ACT ENTITLED

"An Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes and facilities; and providing for an effective date."

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

*** Section 1.** AS 21.06.110 is amended to read:

Sec. 21.06.110. Director's annual report. As early in each calendar year as is reasonably possible, the director shall prepare and deliver an annual report to the commissioner, who shall notify the legislature that the report is available, showing, with respect to the preceding calendar year,

(1) a list of the authorized insurers transacting insurance in this state, with a summary of their financial statement as the director considers appropriate;

(2) the name of each insurer whose certificate of authority was surrendered, suspended, or revoked during the year and the cause of surrender, suspension, or revocation;

(3) the name of each insurer authorized to do business in this state

New Text Underlined [DELETED TEXT BRACKETED]

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against which delinquency or similar proceedings were instituted and, if against an insurer domiciled in this state, a concise statement of the facts with respect to each proceeding and its present status;

(4) a statement in regard to examination of rating organizations, advisory organizations, joint underwriters, and joint reinsurers as required by AS 21.39.120;

(5) the receipt and expenses of the division for the year;

(6) recommendations of the director as to amendments or supplementation of laws affecting insurance or the office of director;

(7) statistical information regarding health insurance, including the number of individual and group policies sold or terminated in the state; this paragraph does not authorize the director to require an insurer to release proprietary information;

(8) the annual percentage of health claims paid in the state that meets the requirements of AS 21.36.128(a) and (d); [AND]

(9) **the total amount of contributions reported and the total amount of credit claimed under AS 21.89.070 and 21.89.075; and**

(10) other pertinent information and matters the director considers proper.

*** Sec. 2.** AS 21.89.070(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or AS 21.66.110 for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

* **Sec. 3.** AS 21.89.070(b) is amended to read:

(b) The amount of the credit is [THE LESSER OF

(1)] an amount equal to

(1) [(A)] 50 percent of contributions of not more than $100,000;

(2) [AND (B)] 100 percent of the next $100,000 of contributions; **and**

(3) 50 percent of the amount of contributions that exceed $200,000

[OR

(2) 50 PERCENT OF THE TAXPAYER'S TAX LIABILITY UNDER THIS TITLE].

* **Sec. 4.** AS 21.89.070(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

* **Sec. 5.** AS 21.89.075(c) is amended to read:

(c) A contribution claimed by a taxpayer as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title;

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000]; or

(3) be claimed as a credit unless the contribution qualifies for the credit under (d) of this section.

* **Sec. 6.** AS 43.05.010 is amended to read:

Sec. 43.05.010. Duties of commissioner. The commissioner of revenue shall

(1) exercise general supervision and direct the activities of the Department of Revenue;

(2) supervise the fiscal affairs and responsibilities of the department;

(3) prescribe uniform rules for investigations and hearings;

(4) keep a record of all departmental proceedings, record and file all bonds, and assume custody of returns, reports, papers, and documents of the department;

(5) adopt a seal and affix it to each order, process, or certificate issued by the commissioner;

(6) keep a record of each order, process, and certificate issued by the commissioner, and keep the record open to public inspection at all reasonable times;

(7) hold hearings and investigations necessary for the administration of state tax and revenue laws;

(8) except as provided in AS 43.05.405 - 43.05.499 and in AS 44.64.030, hear and determine appeals of a matter within the jurisdiction of the Department of Revenue and enter orders on the appeals that are final unless reversed or modified by the courts;

(9) issue subpoenas to require the attendance of witnesses and the production of necessary books, papers, documents, correspondence, and other things;

(10) order the taking of depositions before a person competent to administer oaths;

(11) administer oaths and take acknowledgments;

(12) request the attorney general for rulings on the interpretation of the tax and revenue laws administered by the department;

(13) call upon the attorney general to institute actions for recovery of unpaid taxes, fees, excises, additions to tax, penalties, and interest;

(14) issue warrants for the collection of unpaid tax penalties and interest and take all steps necessary and proper to enforce full and complete compliance with the tax, license, excise, and other revenue laws of the state;

(15) **report to the legislature before February 15 of each year the total amount of contributions reported and the total amount of credit claimed during the previous calendar year under AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, and AS 43.77.045** [REPEALED].

* **Sec. 7.** AS 43.20.014(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

* **Sec. 8.** AS 43.20.014(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

* **Sec. 9.** AS 43.20.014(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title;

(2) also be allowed as a deduction under 26 U.S.C. 170 against the tax imposed by this chapter; and

(3) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

* **Sec. 10.** AS 43.55.019(a) is amended to read:

(a) A producer of oil or gas is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 11.** AS 43.55.019(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 12.** AS 43.55.019(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 13.** AS 43.56.018(a) is amended to read:

(a) The owner of property taxable under this chapter is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND]

programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 14.** AS 43.56.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 15.** AS 43.56.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 16.** AS 43.65.018(a) is amended to read:

(a) A person engaged in the business of mining in the state is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses**,** [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 17.** AS 43.65.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

*** Sec. 18.** AS 43.65.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 19.** AS 43.75.018(a) is amended to read:

(a) A person engaged in a fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses**,** [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 20.** AS 43.75.018(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

* **Sec. 21.** AS 43.75.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.77.045, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

* **Sec. 22.** AS 43.77.045(a) is amended to read:

(a) In addition to the credit allowed under AS 43.77.040, a person engaged in a floating fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

* **Sec. 23.** AS 43.77.045(b) is amended to read:

(b) The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; [AND]

(2) 100 percent of the next $100,000 of contributions**; and**

(3) 50 percent of the amount of contributions that exceed $200,000.

* **Sec. 24.** AS 43.77.045(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.75.018, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 25.** This Act takes effect January 1, 2011.

26-LS1538\R
Bullock
3/9/10

CS FOR HOUSE BILL NO. 367( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, Kelly, Peggy Wilson, Ramras

A BILL

FOR AN ACT ENTITLED

"An Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes and facilities; and providing for an effective date."

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

*** Section 1.** AS 21.06.110 is amended to read:

Sec. 21.06.110. Director's annual report. As early in each calendar year as is reasonably possible, the director shall prepare and deliver an annual report to the commissioner, who shall notify the legislature that the report is available, showing, with respect to the preceding calendar year,

(1) a list of the authorized insurers transacting insurance in this state, with a summary of their financial statement as the director considers appropriate;

(2) the name of each insurer whose certificate of authority was surrendered, suspended, or revoked during the year and the cause of surrender, suspension, or revocation;

(3) the name of each insurer authorized to do business in this state

against which delinquency or similar proceedings were instituted and, if against an insurer domiciled in this state, a concise statement of the facts with respect to each proceeding and its present status;

(4) a statement in regard to examination of rating organizations, advisory organizations, joint underwriters, and joint reinsurers as required by AS 21.39.120;

(5) the receipt and expenses of the division for the year;

(6) recommendations of the director as to amendments or supplementation of laws affecting insurance or the office of director;

(7) statistical information regarding health insurance, including the number of individual and group policies sold or terminated in the state; this paragraph does not authorize the director to require an insurer to release proprietary information;

(8) the annual percentage of health claims paid in the state that meets the requirements of AS 21.36.128(a) and (d); [AND]

(9) **the total amount of contributions reported and the total amount of credit claimed under AS 21.89.070 and 21.89.075; and**

(10) other pertinent information and matters the director considers proper.

*** Sec. 2.** AS 21.89.070(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or AS 21.66.110 for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 3.** AS 21.89.070(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 4.** AS 21.89.070 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under AS 21.09.210 or AS 21.66.110 to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 5.** AS 21.89.075(c) is amended to read:

(c) A contribution claimed by a taxpayer as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under more than one provision of this title;

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000]; or

(3) be claimed as a credit unless the contribution qualifies for the credit under (d) of this section.

*** Sec. 6.** AS 21.89.075 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under AS 21.09.210 to below zero for any tax year. An unused credit or portion of a credit not used under this section for a calendar year may not be sold, traded, transferred, or applied in a subsequent calendar year.

*** Sec. 7.** AS 43.05.010 is amended to read:

Sec. 43.05.010. Duties of commissioner. The commissioner of revenue shall

(1) exercise general supervision and direct the activities of the

Department of Revenue;

(2) supervise the fiscal affairs and responsibilities of the department;

(3) prescribe uniform rules for investigations and hearings;

(4) keep a record of all departmental proceedings, record and file all bonds, and assume custody of returns, reports, papers, and documents of the department;

(5) adopt a seal and affix it to each order, process, or certificate issued by the commissioner;

(6) keep a record of each order, process, and certificate issued by the commissioner, and keep the record open to public inspection at all reasonable times;

(7) hold hearings and investigations necessary for the administration of state tax and revenue laws;

(8) except as provided in AS 43.05.405 - 43.05.499 and in AS 44.64.030, hear and determine appeals of a matter within the jurisdiction of the Department of Revenue and enter orders on the appeals that are final unless reversed or modified by the courts;

(9) issue subpoenas to require the attendance of witnesses and the production of necessary books, papers, documents, correspondence, and other things;

(10) order the taking of depositions before a person competent to administer oaths;

(11) administer oaths and take acknowledgments;

(12) request the attorney general for rulings on the interpretation of the tax and revenue laws administered by the department;

(13) call upon the attorney general to institute actions for recovery of unpaid taxes, fees, excises, additions to tax, penalties, and interest;

(14) issue warrants for the collection of unpaid tax penalties and interest and take all steps necessary and proper to enforce full and complete compliance with the tax, license, excise, and other revenue laws of the state;

(15) **report to the legislature before February 15 of each year the total amount of contributions reported and the total amount of credit claimed during the previous calendar year under AS 43.20.014, AS 43.55.019,**

AS 43.56.018, AS 43.65.018, AS 43.75.018, and AS 43.77.045 [REPEALED].

*** Sec. 8.** AS 43.20.014(a) is amended to read:

(a) A taxpayer is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 9.** AS 43.20.014(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title;

(2) also be allowed as a deduction under 26 U.S.C. 170 against the tax imposed by this chapter; and

(3) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 10.** AS 43.20.014 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 11.** AS 43.55.019(a) is amended to read:

(a) A producer of oil or gas is allowed a credit against the tax due under this

chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 12.** AS 43.55.019(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 13.** AS 43.55.019 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 14.** AS 43.56.018(a) is amended to read:

(a) The owner of property taxable under this chapter is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school; **and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 15.** AS 43.56.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.65.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 16.** AS 43.56.018 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 17.** AS 43.65.018(a) is amended to read:

(a) A person engaged in the business of mining in the state is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs, **and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school; **and**

(4) for a facility by a nonprofit, public or private, Alaska two-year

or four-year college accredited by a regional accreditation association.

*** Sec. 18.** AS 43.65.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.75.018, or AS 43.77.045, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 19.** AS 43.65.018 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 20.** AS 43.75.018(a) is amended to read:

(a) A person engaged in a fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses, [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 21.** AS 43.75.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.77.045, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 22.** AS 43.75.018 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 23.** AS 43.77.045(a) is amended to read:

(a) In addition to the credit allowed under AS 43.77.040, a person engaged in a floating fisheries business is allowed a credit against the tax due under this chapter for cash contributions accepted

(1) for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association;

(2) for secondary school level vocational education courses**,** [AND] programs**, and facilities** by a school district in the state; [AND]

(3) **for vocational education courses, programs, and facilities** by a state-operated vocational technical education and training school**; and**

(4) for a facility by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association.

*** Sec. 24.** AS 43.77.045(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be **the basis for a credit** claimed [AS A CREDIT] under another provision of this title; and

(2) when combined with **contributions that are the basis for** credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.75.018, **result in the total amount of the credits exceeding $25,000,000** [EXCEED $150,000].

*** Sec. 25.** AS 43.77.045 is amended by adding a new subsection to read:

(f) The credit under this section may not reduce a person's tax liability under this chapter to below zero for any tax year. An unused credit or portion of a credit not used under this section for a tax year may not be sold, traded, transferred, or applied in a subsequent tax year.

*** Sec. 26.** This Act takes effect January 1, 2011.

Amdmt #1 Adopted

Conceptual amendment to CS HB 367 Version R – applicable to all tax credit sections identified in CS HB 367 Version R:

The amount of the credit is

(1) 50 percent of contributions of not more than $100,000; and

(2) 100 percent of contributions of the next $100,000 of contributions; **and**

(3) 50 percent of the amount of contributions that exceed $200,000.

Louie Flora

Subject: FW: HB 367

From: Kendra Kloster
Sent: Thursday, March 11, 2010 3:05 PM
To: Louie Flora
Subject: FW: HB 367

Louie,

I have talked with Don Bullock about the CS and hoping to have it soon. Below is a response from Robynn Wilson with the Department of Revenue referencing the removal of language in sections throughout the bill I mentioned to you earlier.

The other change in the CS will just be adding the amendment that the committee adopted on Wednesday. Trying to get a cleaner version of the bill for the committee to review.

Kendra Kloster
Chief of Staff
Rep. Cathy Muñoz
907-465-4712

From: Wilson, Robynn J (DOR) [mailto:robynn.wilson@alaska.gov]
Sent: Thursday, March 11, 2010 12:12 PM
To: Kendra Kloster
Cc: Blaisdell, Ginger (DOR); Bales, Johanna D (DOR)
Subject: HB 367

Kendra,

Per our telephone conversation, our suggestion is as follows (based on version **A**):

Page 8, lines 22-26: delete section 19 (AS 43.20.014(f)) in its entirety.

The general rule in tax administration is that credits are not refundable, do not enjoy a carryforward, and cannot be transferred or sold unless this privilege is specifically written into the law. The "default" is that the credit is only good to apply to tax in that year. If this language is added to 43.20, then it suggests that credit sections that are silent somehow mean that those other credits can be refunded, carried forward, or transferred.

This comment would also apply to similar bill Sections on pages 4, 10, 12, 14, 16, and 18.

Thank you for the opportunity to comment.

Robynn J. Wilson
Corporate Income Tax Manager
Dept. of Revenue, Tax Division

SECURITY NOTICE: The state cannot guarantee the security of emails sent to or from a state employee outside the state email system. If you do not want to communicate with the Department of Revenue Tax Division via email, please contact the Tax Division in Anchorage at (907) 269-6620 or in Juneau at (907) 465-2320.

REPRESENTATIVE CATHY MUÑOZ

HB 367: Tax Credits for Educational Contributions

Under current law, tax payers that make cash contributions to an Alaskan educational or vocational institution receive a maximum tax credit allowable in any given year of $150,000.

House Bill 367 would increase the higher education tax credits to 50 percent for the first $100,000 contribution, 100 percent for contributions over $100,000 and up to $300,000, and 50 percent on contributions that exceed $300,000. A cap was placed in the amount of $25,000,000.

The current limitation has a constraining effect on corporate donations and investments in educational and vocational institutions. In 2008, only 11 donors contributed enough to the University of Alaska to maximize the current tax credit.

Many major employers in Alaska understand the importance of educating Alaskans to create a skilled workforce. These businesses want to hire Alaskans from vocational schools, colleges and universities. By expanding the educational tax credit companies can help Alaska's universities expand their existing research and development capacities, and help to maximize the potential for economic development.

By facilitating greater cooperation between Alaska's business and education sectors, and encouraging greater financial support, HB 367 will leverage important workforce and economic development goals. With Alaskans working together we can strengthen our workforce, increase collaboration between school and local business, diversify funding sources for Alaska's higher education institutions, enhance student activities and facilities, and develop research programs that contribute to the economic development of Alaska.

EDWARD B RASMUSON
MAC K3212-051
PO Box 196127
Anchorage, Alaska 99519

March 8, 2010

Dear Members of the House Education Committee:

I am writing in support of House Bill 367, an Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes.

As a longtime Alaskan with success building businesses in our state, I know the importance of a highly skilled workforce, an engaged citizenry, and a vibrant culture. These qualities of Alaska's people are developed in our schools and in our vocational/technical institutes, colleges, and universities.

My family believes so strongly in the role of education in Alaska that we have supported such important institutions as the University of Alaska and Alaska Pacific University by providing financial resources and by serving as Regents and Trustees. Through these partnerships, we are contributing to our state's economic, cultural, and political development.

I support House Bill 367 because it addresses a concern about the current law, which caps tax credits at $150,000 per year. I think it is in the state's interest to increase the cap in order to generate more business support for our colleges and universities. By leveling the playing field with other state investment tax credits, we can strengthen workforce development and job opportunities for Alaskans, diversify funding sources for Alaska's higher education institutions, encourage community participation in funding new facilities, and develop research programs that contribute to economic development in Alaska.

I was a Regent of the University of Alaska in 1989 when this tax credit was first introduced. I supported it then and I support the proposed amendments in House Bill 367 now.

Thank you for considering my views on this important opportunity for Alaska.

Yours truly,

Edward Rasmuson

1 Doyon Place, Suite 300
Fairbanks, Alaska 99701

Toll free (888) 478-7788
in Fairbanks 459-2000

DOYON
Limited®

January 26, 2010

Dear Senate Education Committee Members:

On behalf of Doyon, Limited—a regional Alaska Native corporation with 17,500 shareholders and more than 3,000 employees in its family of companies—I am writing in strong support of Senate Bill 236, an Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes or for a facility.

Under current law Alaska state income tax payers who make cash contributions to an Alaskan higher education institution (including vocational/technical programs) receive a tax credit of 50 percent of the contribution up to $100,000 and 100 percent of the contribution between $100,000 and $200,000. The maximum tax credit in any one year is $150,000.

While the current tax credit is helpful, the cap on the current tax credit does not encourage corporate donations to higher education institutions in Alaska. Senate Bill 236 would remove the cap, setting the stage for increased private funding for higher education in Alaska.

Our company operates more than a dozen businesses across the state. We are especially active in oil field services, government contracting, and natural resource development. We take pride in contributing to Alaska's economic development and diversification. We are committed to providing employment opportunities for Alaskans as we build our businesses in the future.

Our ability to continue to grow now and in the years to come requires a well trained workforce. While not all of our employees require a college degree, some certainly do, and the others require at least some training beyond high school. We want to hire Alaskans from Alaska's vocational schools, colleges and universities. In addition, we are interested in exploring opportunities for the commercialization of scientific research, a major source for economic development and diversification in other states.

Senate Bill 236 will level the playing field with other state investment tax credits and encourage business to partner with our state's educational institutions. With this critical partnership, we can achieve key workforce and economic development and diversification goals for Alaska.

Thank you for your consideration and support of this important legislation.

Sincerely,

Norman L. Phillips, Jr.
President and CEO

ALASKA NATIVE REGIONAL CORPORATIONS
HIGHER EDUCATION PRIORITIES
AUGUST 2009

Evaluation Criteria

- responding to ANC workforce needs
- strengthening ANC management and governance
- contributing to shareholder success
- increasing broader knowledge about ANCs
- serving ANC cultural interests
- maximizing impact through use of technology and other means

Project	Description	Priority
ANCSA course - web based	Inform students about ANCSA, increase visibility of ANCs • Content would include history, culture, politics, economics • Modify existing, already approved course • Preferably web-based, self-paced with rich content (video, archive documents) • Could be targeted to enrolled students or new employees of ANCs	**HIGH**
ANCSA course – GER	Inform students (degree seeking or not) about ANCSA, increase visibility of ANCs • Content would include history, culture, politics, economics • Face to face course, could be used as a General Education Requirement (GER) • Would expose a large number of undergraduates to ANCs	**HIGH**
Increase tax credit	Diversify funding, increase private funding, strengthen partnerships, increase exposure • Current tax credit value maximized at contribution of $150,000 • Increase tax credit to 50% of contribution	**HIGH**
Executive MBA	Enable working professionals to obtain MBAs without interrupting career or family life. Top business schools in the nation offer Executive MBA programs, which feature: • Top quality curriculum and faculty • A cohort model, resulting in high student success and career long networks • Schedule designed for working people • Use of guest faculty and practitioners, providing real world perspectives and networking opportunities	**HIGH**
ANCSA conferences	Expand knowledge of ANCSA history, issues, impacts, and opportunities • ANC leaders and scholars can provide learning opportunities for students and the broader public • UA scholars and students can use as forums for presentation and later publication • ANCs receive recognition, become familiar to students and potential employees	**HIGH**
High School outreach camps	Build on highly successful pre-college summer programs (RAHI, ANSEP) • Offer dual credit with high schools • Possibly link with sports programs and internships	**HIGH**
Self-paced develop-mental courses	Improve student preparedness and success through IT enabled self-paced courses • Faculty design courses for delivery in learning centers with long hours accessible to high school students (dual credit), working people, etc., through self-paced on-line technology, with advanced students serving as on-site course guides • Highly successful examples have improved student performance and reduced cost	**MEDIUM**
Alaska Native Arts	Expand course and program offerings • Focus on development of high value arts and crafts • Support the development of new accomplished Native artists	**MEDIUM**
Short courses for ANCs and tribes	Provide highly practical short training programs, e.g., grant writing and 8(a) • Could be delivered on-site • Tailored to each company's specific needs and interests	**MEDIUM**

ALASKA NATIVE REGIONAL CORPORATIONS
HIGHER EDUCATION PRIORITIES
AUGUST 2009 (2)

Project	Description	Priority
Political support	Provide support for University system priorities • State budget: program funding • Land grant legislation	MEDIUM
Cooperative education programs	Improve knowledge of employment opportunities for students and employers • E.g., UAF Management School has proposed a 4 year program in which students spend 3 full semesters with 3 different employers • Experience with employers is for credit and integrated with the academic program • Common in engineering and business programs	MEDIUM
Career Pathways	Show shareholders educational pathways for major job groups for each ANC • University staff will take occupational data from each ANC, focus on high demand job categories and create educational pathway materials • Materials can be distributed widely to shareholders and others about the tracks, in terms of education and training needed, increasing number of prepared applicants • Can be used as an effective advising tool to prepare shareholders for existing jobs	MEDIUM
ANCSA CEO in residence	Provide students and faculty insights on leadership of ANCs • CEO would be available for a certain time period (semester or year) • CEO would visit classes, make presentations, advise faculty and mentor students • CEO could be interviewed for ANCSA and/or ANC corporate history	MEDIUM
Visiting lecturers	Support visits of experts to campus • Bring new/outside perspectives to campus, students, and faculty • Draw members of the community onto campus	MEDIUM
Board of Directors' training	Strengthen leadership capabilities of board directors (Profit and non-profit) • UA experts provide training in fields such as governance, finance, strategy, human resources	MEDIUM
Histories of ANCSA Leaders and Corporations	Make available histories of ANCSA leaders for use in curriculum, research • University faculty and students would conduct and record interviews- likely in high definition video • Text, video, etc., could be used in web-based and face to face classes • Way to formally preserve history for future generations of shareholders, teachers and historians	MEDIUM
Collection of historic documents, images	Collect, preserve and archive papers and images of early land claims battles and development of the corporations • Collect this material before it is lost • Reposited in designated sections of libraries which create visibility for the collections	MEDIUM
Support Alaska Native Scholars	Provide support for Alaska Natives who are pursuing academic excellence in their disciplines • Increases the number of Alaska Natives with advanced degrees • Strengthens diversity among the faculty	MEDIUM
Provide scholarships in selected fields	Create an educated workforce in areas of importance to the ANCs • Provide funding in targeted fields, those of high priority to the ANCs • Flexible in terms of funding, from an annual contribution to an endowment • Can change fields as ANC needs change • Supports connection between scholarship and UA	MEDIUM
Facility purchase, construction, operation	Provide facilities (building, lecture halls, galleries, conference rooms, residence halls, labs) • Funding to provide facilities would support added capacity, services • Would provide alternative to public funding • Would provide opportunity for naming, outreach	LOW
Endow faculty chairs	Establish faculty positions with stable funding insulated from competing funding pressures • UA has very few compared to other universities • Provide funding stability, earnings off invested principal • Can be set up as a term appointment (1 year, 3 years, 5 years) • $4-5 million (approx, depending on academic field) required to establish	LOW

GREATER FAIRBANKS CHAMBER OF COMMERCE

Interior Alaska – The "Place" To Do Business

Introduced By: Governmental Relations Committee
Date Introduced: February 22, 2010
Date Passed: February 22, 2010
Date Transmitted: February 22, 2010 (Senate)
Date Transmitted: March 4, 2010 (House)

RESOLUTION 10-0222B
A RESOLUTION IN SUPPORT OF SENATE BILL 236 AND HOUSE BILL 367, AN ACT RELATING TO TAX CREDITS FOR CASH CONTRIBUTIONS BY CORPORATE TAXPAYERS THAT ARE ACCEPTED FOR CERTAIN EDUCATIONAL PURPOSES OR FOR A FACILITY

WHEREAS, under current law Alaska state corporate income tax payers who make cash contributions to an Alaskan higher education institution (including vocational/technical programs) receive a tax credit of 50 percent of the contribution up to $100,000 and 100 percent of the contribution between $100,000 and $200,000. The maximum tax credit in any one year is $150,000.

WHEREAS, limits on the current tax credit appear to constrain corporate donations to higher education institutions in Alaska.

WHEREAS, many major employers in Alaska understand that the future success of their businesses requires a highly skilled workforce. These businesses want to hire Alaskans from Alaska's vocational schools, colleges and universities. In addition, businesses are interested in increasing incentives for the commercialization of scientific research, a major source for economic development and diversification in other states. By leveling the playing field with other state investment tax credits, important workforce and economic development goals can be achieved.

WHEREAS, Alaska businesses and higher education institutions could partner to prepare workers skilled in specific areas of high demand, develop courses using advanced technology to increase access to important skills and employment opportunities, create academic and training programs with more flexible scheduling to accommodate working people, support innovative outreach programs for secondary students to increase participation in and preparation for higher education, strengthen the relevance of selected programs to Alaskan concerns and opportunities, and increase private sector participation in development of new facilities at vocational and college facilities across the state.

WHEREAS, the Alaska Senate Education Committee has proposed a bill— SB 236 and the Alaska House Education Committee has proposed a bill HB 367— to

INVESTORS

DIAMOND
BP Exploration
ConocoPhillips
ExxonMobil
Fairbanks Daily News-Miner
FMH & Denali Center
Flint Hills Resources Alaska

PLATINUM
Alyeska Pipeline Service Co.
Carlson Center
Doyon, Limited
Fred Meyer Stores
Golden Heart Utilities
Mt. McKinley Bank
Wells Fargo Bank Alaska

GOLD
Alaska USA FCU
Birchwood Homes
Denali State Bank
Design Alaska
Doyon Utilities LLC
First National Bank Alaska
GCI
Kinross-Fort Knox Mine
MAC Federal Credit Union
Pogo Gold Mine
The Boeing Co.
Usibelli Coal Mine

SILVER
ACS
Alaska Airlines
Alaska Railroad
AT&T
Denali – The Alaska Gas Pipeline
Everts Air Cargo, Everts Air AK
Exclusive Paving/Univ. Redi-Mix
Fairbanks Natural Gas
Flowline Alaska
Fountainhead Development
GVEA
Hale & Associates, Inc.
JL Properties, Inc.
Key Bank
Northrim Bank
Personnel Plus
Spirit of Alaska FCU
Tanana Valley Clinic
TDL Professional Staffing
TOTE
WAL-MART Stores, Inc.
Yukon Title Company

THEREFORE BE IT RESOLVED, that on this date, February 22, 2010, the Greater Fairbanks Chamber of Commerce strongly supports SB 236 and March 4, 2010 supports HB 367. The Greater Fairbanks Chamber of Commerce encourages their passage in this session of the Twenty-sixth Legislature.

BE IT FURTHER RESOLVED that this resolution be distributed to:

Senator Kevin Meyer, Senate Education Committee Chair
Senator Joe Thomas, Senate Education Committee Co-Chair
Representative Paul Seaton, House Education Committee Chair
Representative Cathy Munoz, House Education Committee Co-Chair

Dan Britton
Board Chair
Greater Fairbanks Chamber of Commerce

Lorna Shaw
Chair
Governmental Relations Committee

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 5, 2010

SUBJECT: Sectional summary for HB 367 (Work Order No. 26-1538\A)

TO: Representative Cathy Muñoz
Attn: Kendra Kloster

FROM: Donald M. Bullock Jr.
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Amends AS 21.06.110 to require the director of the division of insurance to include the total amount of contributions reported and the total amount of credit claimed under AS 21.89.070 and 21.89.075.

Section 2. Amends AS 21.89.070(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 21.09.210 or AS 21.66.110.

Section 3. Amends AS 21.89.070(a), as amended in sec. 2, to return the language of the subsection to its current form.

Section 4. Amends AS 21.89.070(b) to increase the amount of contributions eligible for the tax credit.

Section 5. Amends AS 21.89.070(b), as amended in sec. 4, to return the language of the subsection to its current form.

Section 6. Amends AS 21.89.070(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 7. Amends AS 21.89.070(d), as amended in sec. 6, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 8. Adds a new subsection to AS 21.89.070 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 9. Amends AS 21.89.075(c) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 10. Amends AS 21.89.075(c), as amended in sec. 9, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 11. Adds a new subsection to AS 21.89.075 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 12. Amends AS 43.05.010 to require the commissioner of revenue to report to the legislature the total amount of contributions reported and the total amount of credit claimed under AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045.

Section 13. Amends AS 43.20.014(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.20.

Section 14. Amends AS 43.20.014(a), as amended in sec. 13, to return the language of the subsection to its current form.

Section 15. Amends AS 43.20.014(b) to increase the amount of contributions eligible for the tax credit.

Section 16. Amends AS 43.20.014(b), as amended in sec. 15, to return the language of the subsection to its current form.

Section 17. Amends AS 43.20.014(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 18. Amends AS 43.20.014(d), as amended in sec. 17, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 19. Adds a new subsection to AS 43.20.014 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 20. Amends AS 43.55.019(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.55.

Section 21. Amends AS 43.55.019(a), as amended in sec. 20, to return the language of the subsection to its current form.

Section 22. Amends AS 43.55.019(b) to increase the amount of contributions eligible for the tax credit.

Section 23. Amends AS 43.55.019(b), as amended in sec. 22, to return the language of the subsection to its current form.

Section 24. Amends As 43.55.019(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 25. Amends AS 43.55.019(d), as amended in sec. 24, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 26. Adds a new subsection to AS 43.55.019 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 27. Amends AS 43.56.018(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.56.

Section 28. Amends AS 43.56.018(a), as amended in sec. 27, to return the language of the subsection to its current form.

Section 29. Amends AS 43.56.018(b) to increase the amount of contributions eligible for the tax credit.

Section 30. Amends AS 43.56.018(b), as amended in sec. 29, to return the language of the subsection to its current form.

Section 31. Amends As 43.56.018(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 32. Amends AS 43.56.018(d), as amended in sec. 31, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 33. Adds a new subsection to AS 43.56.018 to state that the credit may not

reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 34. Amends AS 43.65.018(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.65.

Section 35. Amends AS 43.65.018(a), as amended in sec. 34, to return the language of the subsection to its current form.

Section 36. Amends AS 43.65.018(b) to increase the amount of contributions eligible for the tax credit.

Section 37. Amends AS 43.65.018(b), as amended in sec. 36, to return the language of the subsection to its current form.

Section 38. Amends As 43.65.018(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 39. Amends AS 43.65.018(d), as amended in sec. 38, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 40. Adds a new subsection to AS 43.65.018 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 41. Amends AS 43.75.018(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.75.

Section 42. Amends AS 43.75.018(a), as amended in sec. 41, to return the language of the subsection to its current form.

Section 43. Amends AS 43.75.018(b) to increase the amount of contributions eligible for the tax credit.

Section 44. Amends AS 43.75.018(b), as amended in sec. 43, to return the language of the subsection to its current form.

Section 45. Amends As 43.75.018(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 46. Amends AS 43.75.018(d), as amended in sec. 45, to reduce the total amount

of credits allowed to the amount in current law, $150,000.

Section 47. Adds a new subsection to AS 43.75.018 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 48. Amends AS 43.77.045(a) to allow credits for cash contributions accepted for facilities and vocational education courses and programs. Credits are applied against the tax due under AS 43.77.

Section 49. Amends AS 43.77.045(a), as amended in sec. 48, to return the language of the subsection to its current form.

Section 50. Amends AS 43.77.045(b) to increase the amount of contributions eligible for the tax credit.

Section 51. Amends AS 43.77.045(b), as amended in sec. 50, to return the language of the subsection to its current form.

Section 52. Amends As 43.77.045(d) to increase the total amount of credits allowed under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045 to $25,000,000.

Section 53. Amends AS 43.77.045(d), as amended in sec. 52, to reduce the total amount of credits allowed to the amount in current law, $150,000.

Section 54. Adds a new subsection to AS 43.77.045 to state that the credit may not reduce the tax liability below zero and that an unused credit may not be sold, traded, transferred, or applied in a subsequent tax year.

Section 55. Repeals the listed statutory subsections and paragraphs. Under sec. 57, the repeals take effect on January 1, 2014.

Section 56. Provides that secs. 1, 2, 4, 6, 8, 9, 11 - 13, 15, 17, 19, 20, 22, 24, 26, 27, 29, 31, 33, 34, 36, 38, 40, 41, 43, 45, 47, 48, 50, 52, and 54 take effect January 1, 2011.

Section 57. Provides that the sections not listed in sec. 56 take effect on January 1, 2014.

DMB:plm
10-143.plm

1020

House Bill 367

Tax Credits
for
Donations for Educational Purposes & Facilities

HB 367 Impacts 7 Different Tax Types:

- 5 Administered by Revenue
  - Oil & Gas Property Tax
  - Oil & Gas Production Tax
  - Corporate Income Tax
  - Mining License Tax
  - Fisheries Business Tax
- 2 Administered by Commerce
  - 2 sections under Health Insurance Providers Tax

How the Current Tax Credit Statutes Work

A contributor receives a 50% credit for the first $100,000 and a 100% credit for the second $100,000.

AlaskaCo contributes $500,000 to AKU:

Contribution	%	Credit
$100,000	50%	$50,000
$100,000	100%	$100,000
$100,000		
$100,000		
$100,000		
$500,000		$150,000*

*Maximum allowable credit per individual contributor per year

How Tax Credit work under HB 367

A contributor receives a 50% credit for the first $100,000, a 100% credit for the second $200,000 and a 50% credit for all dollars over $300,000.

AlaskaCo contributes $500,000 to AKU:

Contribution	%	Credit
$100,000	50%	$50,000
$100,000	100%	$100,000
$100,000	100%	$100,000
$100,000	50%	$50,000
$100,000	50%	$50,000
$500,000		**$350,000***

*Maximum one-year credit accrual: $25million

HB 393

HOUSE BILL NO. 393 (Amended)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE-FIRST SESSION

BY REPRESENTATIVE KELLER

Offered: 03/31/10
Referred:

A BILL

FOR AN ACT ENTITLED

"An Act relating to charter school approval and funding."

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

*** Section 1.** AS 14.03.250(a) is amended to read:

(a) A charter school may be established as provided under AS 14.03.250 - 14.03.290 upon the approval of the local school board and the state Board of Education and Early Development of an application for a charter school. [THE STATE BOARD OF EDUCATION AND EARLY DEVELOPMENT MAY NOT APPROVE MORE THAN 60 CHARTER SCHOOLS TO OPERATE IN THE STATE AT ANY ONE TIME.]

*** Sec. 2.** AS 14.11 is amended by adding new sections to read:

Article 2. Charter School Facilities.

Sec. 14.11.121. Supplemental charter school facilities construction, lease, and major maintenance grant program. (a) The department shall establish a charter school facilities construction, lease, and major maintenance grant program that supplements grant aid otherwise available under this chapter and that is based on a per

pupil funding formula.

(b) The department shall apply for available federal funding and award federal funding made available under the grant program established under (a) of this section for not more than five years [FOR APPROVED PROJECTS] for charter school facilities construction, lease, or major maintenance **projects for which an assumption of responsibilities has been made under AS 14.11.020** as follows:

(1) 90 percent of the allowable costs for the first fiscal year for the [APPROVED] project;

(2) 80 percent of the allowable costs for the second fiscal year for the [APPROVED] project;

(3) 60 percent of the allowable costs for the third fiscal year for the [APPROVED] project;

(4) 40 percent of the allowable costs for the fourth fiscal year for the [APPROVED] project; and

(5) 20 percent of the allowable costs for the fifth fiscal year for the [APPROVED] project.

(c) The grant program established in this section is subject to legislative appropriation and available funding and must be consistent with applicable [FEDERAL AND STATE] **federal, state, and local** requirements.

(d) A school district or regional educational attendance area that submits an application for a proposed project under [**AS 14.11.011**] for funding under this section that is [approved for funding by the department] **assumed under AS 14.11.020** shall provide a participating share that is equal to the difference between available federal funding and the state aid provided under AS 14.11.126. Allowable costs for a project [approved under this section shall be] **under this section shall be determined by the governing body of the school district and be** based on the adjusted student count for a charter school calculated under AS 14.17.450(a) and (c)[, as determined by the commissioner].

Sec. 14.11.126. State aid for costs of charter school construction, lease, and major maintenance. During each fiscal year, the state shall allocate to a school district and regional educational attendance area that [is approved] **submits an application** for a charter school

facilities construction, lease, or major maintenance grant under AS 14.11.121 an amount that is not less than one dollar for each pupil enrolled in the charter school.

*** Sec. 3.** AS 14.11.121 and 14.11.126, added by sec. 2 of this Act, are repealed July 1, 2015.

26-LS1550\A.2
Mischel
3/30/10

ADOPTED

Conceptual

AMENDMENT AS Amended

Delete P. 2, line 8

OFFERED IN THE HOUSE BY REPRESENTATIVE KELLER

TO: HB 393

Page 2, line 4:

Delete "for approved projects"

Page 2, line 5, following "maintenance":

Insert "projects for which an assumption of responsibilities has been made under AS 14.11.020"

Page 2, line 7:

Delete "approved"

Page 2, line 9:

Delete "approved"

Page 2, line 11:

Delete "approved"

Page 2, line 13:

Delete "approved"

Page 2, line 15:

Delete "approved"

Page 2, lines 17 - 18:

Delete "federal and state"

Insert "federal, state, and local"

Page 2, line 20:

Delete "under AS 14.11.011"

Page 2, line 21:

Delete "approved for funding by the department" Am #1 to Am #1 Delete

Insert "assumed under AS 14.11.020"

Page 2, line 23:

Delete "approved under this section shall be"

Insert "under this section shall be determined by the governing body of the school district and be"

Page 2, line 25:

Delete ", as determined by the commissioner"

Page 2, line 28:

Delete "is approved"

Insert "submits an application"

* Sec. ⋗14.11.020⋖. Assumption of responsibilities.

(a) The assembly or council of a municipality that is a school district or a regional school board may, by resolution or majority vote of the body, assume the responsibilities relating to the planning, design, and construction of a school or an education-related facility located within the boundaries or operating area of the municipality or regional educational attendance area. After receipt of a request by an assembly or council under this subsection, the department shall provide for the assumption of the responsibilities requested. After receipt of a request by a regional school board under this subsection, the department may provide for the assumption of the responsibilities requested.

(b) If a municipality that is a school district or a regional educational attendance area assumes the responsibilities under this section, the department shall grant to the municipality or regional educational attendance area money appropriated for the school or education-related facility. The department may transfer the appropriations to a special construction account in the state treasury. Under the fiscal control of the department, a municipality or regional educational attendance area that assumes responsibilities for the project as provided in this section may draw on the account for costs of the project.

(c) The construction management costs of a project assumed under this section may not exceed four percent of the amount of appropriations for the facility if the amount of appropriations is $500,000 or less. The construction management costs of a project assumed under this section may not exceed three percent of the amount of appropriations for the facility if the amount of appropriations is over $500,000 but less than $5,000,000. The construction management costs of a project assumed under this section may not exceed two percent of the amount of appropriations for the facility if the amount of appropriations is $5,000,000 or more. For purposes of this subsection "construction management" means management of the project's schedule, quality, and budget during any phase of the planning, design, and construction of the facility by a private contractor engaged by the municipality or regional educational attendance area.

(d) The commissioner shall adopt necessary regulations implementing this section, and setting out the requirements for agreements between the department and a municipality or regional educational attendance area relating to the assumption by the municipality or regional educational attendance area of responsibilities for the planning, design, and construction of a project.

State approves new charter school

By Frontiersman staff

PALMER -- Birchtree Charter School has gotten a green light from the state and will be holding an informational meeting this week for interested parents.

The meeting, hosted by the Birchtree Parent's Guild, will start at 6 p.m. Thursday in the Palmer Library.

Birchtree aims to be a "Waldorf-inspired" school with a curriculum that takes into account a child's developmental stages and puts arts and handicrafts on an equal footing with the standbys of

math, science and reading.

Lori Berrigan, one of the parents organizing to create Birchtree, said in an e-mail that the school had recently cleared its final bureaucratic hurdle and won approval from the state.

"We are officially a school option in the Mat-Su Valley," she wrote.

In addition to Thursday's meeting, interested parents should save the date of April 21, when the school will hold its lottery to select its inaugural group of students.

For more information visit the school's website at birchtreecharterschool.org

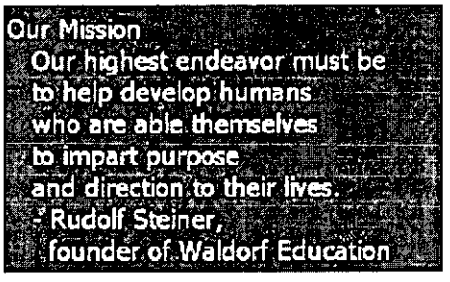
Applications for enrollment will be available April 1st! A lottery will take place April 21st. Location TBA.

Birchtree Charter School is slated to open during the 2010-2011 school year in the Matanuska-Susitna Valley, Alaska. Birchtree will be a Waldorf-inspired program.

Waldorf Education is based in a rich pedagogical tradition that both nurtures and respects the child. It is based on the work of Rudolf Steiner. The first Waldorf School was founded in Stuttgart, Germany in 1919. In Waldorf preschools and kindergartens, young children's days are framed with strong and balanced rhythms. Active and quiet times are weaved together throughout the day. A typical day might start with outdoor time, followed by story time and then snack. The children then have time for

unstructured creative play. From ages 0 to 7, children mostly live in their bodies and are exerting their will. This is a time when children learn primarily through example and imitation. Early academics are not part of Waldorf Education as we do not want to take children out of their bodies and into their heads until they are ready. This academic readiness usually happens by first grade.

In first grade, active and quiet times are weaved together throughout the day. From ages 7 to 14, children are thought to live primarily in their 'feeling life'. During these years, children hear the great myths and legends of various cultures. In these stories, the children's feelings are deeply affected. Math, science, history, art, language arts, music are weaved throughout the day and year. An artistic approach is used in all Waldorf schools, unlocking each child's artistic ability and deepening each child's feelings and experience for what he/she is studying. Textbooks are not used. Instead each child creates their own main lesson book. These are books each child creates, exerting their will to use care and their best handwriting while they are being created.



We want to help provide your child with a rich educational growth process. It is imperative that we, as parents and educators, understand and teach to our youth through sensory experience, both large and small motor movement, and through imitating and connecting with our environment. In your child, we hope to nurture a deep connection with nature, with each other, and with our community. In so doing, we aim to develop smart, imaginative, and compassionate stewards of the future.

Would you like your children to attend a Mat-Su Valley Waldorf-inspired Charter School, preschool, or daycare? We invite you to join us for our recreational activities and workshops to find out how you can get involved today. Come meet and play with us!

Check here for upcoming events!

EED's Program Specialist for correspondence and charter schools is a shared position within the Department of Education and Early Development (EED). The charter school duties were rolled into the correspondence school position after the U.S. Department of Education's grant ended.

The EED program specialist is assigned to act as a liaison between school districts and the department for school districts that operate statewide correspondence and charter school programs. In addition, the following is a list of duties, however not all inclusive:

- Provides and/or arranges for professional development and technical assistance to school districts in the design, implementation and evaluation of their statewide correspondence and charter school program;
- Develops and implements monitoring procedures for EED to conduct field audits of statewide correspondence and charter schools for compliance with state and federal laws and regulations;
- Conducts on-site program quality reviews as required, and interprets available data and state guidelines to determine compliance with state and federal laws and regulations;
- Develops procedures and timelines to communicate site visit findings to commissioner and school districts. Assist districts in the development of corrective action plans where required;
- Reviews and approves corrective action plans that address area identified as deficient;
- Develops procedures and timelines to communicate site visit findings to commissioner and school districts;
- Assist districts in the development of corrective action plans when required. Reviews and approves corrective action plans that address area identified as deficient;
- Develops revocation criteria and procedures should circumstances require EED to rescind a district's approval to operate a statewide correspondence school;
- Develop and recommend changes to regulations as a result of field audits to clarify intent of current laws and regulations;
- Develops the statewide correspondence and charter school application template used by school district staff to show operation will be in compliance with state and federal laws and regulations;
- Reviews applications and approves those that meet EED regulations for statewide correspondence schools;
- Provides guidance to school districts in preparing a compliant application;
- Communicates with statewide correspondence and charter schools, monitoring program fund expenditures to determine compliance with applicable requirements. Plans and conducts statewide, regional, or on-site trainings for educators and parents related to statewide correspondence and charter school implementation;
- Provides direct oversight of federal Charter School grant application, implementation and reporting requirements;
- Coordinates or facilitates curriculum and research-based strategies and identifies exemplary programs and practices to provide effective programs within the context of state guidelines for statewide correspondence and charter schools.
- Provides technical support and disseminate materials, information and resources on new developments and successful practices through newsletters, memos, the website and other electronic means.

State of Alaska
Department of Education and Early Development
Active and closed Charter Schools

Program	District	Enroll	Lease	Square'	Attendance	Open	Close
Alaska Native Cultural School	Anchorage	199	Leased Facility	10,000	Anchorage	2009	Open
Aquarian Charter School	Anchorage	359	Leased Facility		Anchorage	1997	Open
Eagle Academy Charter School	Anchorage	163	Leased Facility	17,500	Chugiak	2004	Open
Family Partnership Charter School	Anchorage	591	Leased Facility	2,330	Anchorage	1997	Open
Frontier Charter	Anchorage	326	Leased Facility	2,800	Anchorage	2003	Open
Highland Tech. Charter School	Anchorage	238	Leased Facility	30,000	Anchorage	2003	Open
Rilke School Charter School	Anchorage	266	Leased Facility	34,000	Anchorage	2007	Open
Winterberry Charter School	Anchorage	199	Leased Facility	16,000	Anchorage	2005	Open
Chinook Montessori Charter School	Fairbanks	153	Leased Facility		Fairbanks	1996	Open
Effie Kokrine Charter School	Fairbanks	156	District Owned	30,850	Fairbanks	2005	Open
Star of the North Charter School	Fairbanks	200	Leased Facility	Est. 5000	North Pole	2004	Open
Watershed Charter School	Fairbanks	172	Leased Facility		Fairbanks	2008	Open
Juneau Community Charter School	Juneau	86	Leased Facility	3,370	Juneau	1997	Open
Aurora Borealis Charter School	Kenai	182	District Owned		Kenai	1997	Open
Fireweed Academy	Kenai	74	District Owned		Homer	1997	Open
Kaleidoscope School of Arts & Sciences	Kenai	248	District Owned		Kenai	2004	Open
Soldotna Montessori Charter School	Kenai	159	District Owned		Soldotna	2002	Open
Ketchikan Charter School	Ketchikan	179	District Owned		Ketchikan	1997	Open
Tongass School of Arts and Sciences	Ketchikan	168	District Owned		Ketchikan	2003	Open
Ayaprun Elitnaurvik Yup'ik Immersion	Lower Kusokwim	169	District Owned		Bethel	1999	Open
Academy Charter School	MatSu	224	Owned	19,000	Palmer	1997	Open
Fronterias Charter School	MatSu'	202	District Owned	12,000	Wasilla	2005	Open
Midnight Sun Family Learning Center	MatSu	163	Leased Facility	16,500	Wasilla	1997	Open
Twindly-Bridge Charter School	MatSu	276	Leased Facility	3,000	Palmer	2005	Open
Anvil City Science Academy	Nome	44	District Owned	Diagram	Nome	1998	Open
Closed Schools							
Project Education	Galena	N/A	N/A	N/A	N/A	1996	1999
Bay View Charter School	Kenai	N/A	N/A	N/A	N/A	1997	1999
Walden Pond Charter School	Anchorage	N/A	N/A	N/A	N/A	1997	2000
Wiseman/Coldfoot School	Yukon Koyukuk	N/A	N/A	N/A	N/A	1998	2001
New Beginnings Charter School	Fairbanks	N/A	N/A	N/A	N/A		2002
Horizon	MatSu	N/A	N/A	N/A	N/A		2004
Village Charter School (2)	Anchorage	N/A	N/A	N/A	N/A	1998	2005
P.A.C.E. (Charter School)	Craig	N/A	N/A	N/A	N/A	2000	2005
Alaska Mandarin Chinese	Anchorage	N/A	N/A	N/A	N/A	1999	Never Opened
Do Something	Anchorage	N/A	N/A	N/A	N/A	1997	Never Opened
S.P.Y.D.E.R.	Anchorage	N/A	N/A	N/A	N/A	1997	Never Opened
Village Charter School (1)	Anchorage	N/A	N/A	N/A	N/A	1996	Never Opened
Chatham Traveling School	Angoon	N/A	N/A	N/A	N/A	1997	Never Opened
Copper River	Cordova	N/A	N/A	N/A	N/A	1998	Never Opened
Craig	Craig	N/A	N/A	N/A	N/A	1998	Never Opened
Y.E.S.S.	Fairbanks	N/A	N/A	N/A	N/A	1999	Never Opened
At Yatx'I Satu Kein Ax	Juneau	N/A	N/A	N/A	N/A	1999	Never Opened
Montessori Borealis	Juneau	N/A	N/A	N/A	N/A	2005	Never Opened
North Star Montessori	Juneau	N/A	N/A	N/A	N/A	1999	Never Opened
Northern Lights Charter High School	Kenai	N/A	N/A	N/A	N/A	2004	Never Opened
North Slope Montessori	North Slope	N/A	N/A	N/A	N/A	1999	Never Opened
S.I.S.D N.E.W.S.	Southeast Island	N/A	N/A	N/A	N/A	2001	Never Opened
Athabascan	Yukon Flats	N/A	N/A	N/A	N/A		Never Opened

these products, stakeholders have a better understanding of what NIDRR does and what new information and products are available.

V. References

Carlson, D., & Ehrlich, N. (2005). *Assistive technology and information technology use and need by persons with disabilities in the United States, 2001.* Washington, DC: National Institute on Disability and Rehabilitation Research, U.S. Department of Education [On-line]. Available: *http://www.ed.gov/rschstat/research/pubs/at-use/at-use-2001.pdf.*

Erickson, Tammy. (2008). The Project-Based Workforce. *BusinessWeek.* January 31, 2008.

Field, M., & Jette, A.M. (Eds.). (2007). *The future of disability in America.* Washington, DC: The National Academies Press.

National Council on Disability. (2007). *Empowerment for Americans with disabilities: Breaking barriers to careers and full employment.* Washington, DC: Author.

National Institute on Disability and Rehabilitation Research. (2006). *Long-range plan for fiscal years 2005 through 2009 [On-line].* Available: *http://www.ed.gov/legislation/FedRegister/other/2006-1/021506d.pdf.*

Ross, C.E, & Mirowsky, J. (1995). Does employment affect health? *Journal of Health and Social Behavior, 36*(3), 230–243.

United States Census Bureau. (2006). *Calculations using the 2006 American Community Survey via the Census Bureau's DataFerret System.* American Community Survey. Available: *http://www.census.gov/hhes/www/disability/2006acs.html.*

World Health Organization. (2001). *ICF: International classification of functioning, disability and health.* Geneva: Author.

[FR Doc. E9–741 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Innovation and Improvement; Overview Information: State Charter School Facilities Incentive Grants Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2009

Catalog of Federal Domestic Assistance (CFDA) Number: 84.282D.

DATES: *Applications Available:* January 15, 2009.

Deadline for Transmittal of Applications: July 1, 2009.

Deadline for Intergovernmental Review: August 31, 2009.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: This program provides grants to eligible States to help them establish or enhance, and administer, per-pupil facilities aid programs for charter schools. States eligible for these grants are those with per-pupil aid programs that assist charter schools with their school facility costs.

Priorities: In accordance with 34 CFR 75.105(b)(2)(ii), these priorities are from the regulations for this program (34 CFR 226.13 and 226.14).

Competitive Preference Priorities: For FY 2009 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 40 points to an application, depending on how well the application meets these priorities.

These priorities are:

Competitive Preference Priority 1. The Secretary will award up to 20 points to an application under competitive preference priority 1. The applicant must meet all of the following requirements ((a) through (d)) in order to receive the full 20 points. The requirements are:

(a) *Periodic Review and Evaluation.*

The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter and is meeting or exceeding the student academic performance requirements and goals for charter schools as set forth under State law or the school's charter.

(b) *Number of High-Quality Charter Schools.*

The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which the State applies for a grant under this competition.

(c) *One Authorized Public Chartering Agency Other than an LEA, or an Appeals Process.*

The State—

(1) Provides for one authorized public chartering agency that is not a local educational agency (LEA), such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(2) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

(d) *High Degree of Autonomy.*

The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

Competitive Preference Priority 2. The Secretary may award up to 10 points to an application under a competitive preference priority regarding the capacity of charter schools to offer public school choice in those communities with the greatest need for this choice based on—

(1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for improvement, corrective action, or restructuring under title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), 20 U.S.C. 7221a(e);

(2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform poorly on State academic assessments; and

(3) The extent to which the applicant would target services to communities with large proportions of low-income students.

Competitive Preference Priority 3. The Secretary may award up to 10 points to an application under a competitive preference priority for applicants that have not previously received a grant under the program.

Program Authority: 20 U.S.C. 7221d(b).

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 97, 98, and 99. (b) The regulations for this program in 34 CFR part 226.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested $14,782,000 for new awards for this program for FY 2009. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process before the end of the current fiscal year,

if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2010 from the list of unfunded applications from this competition.

Estimated Range of Awards: $2,000,000–$10,000,000.

Estimated Average Size of Awards: $3,695,500.

Estimated Number of Awards: 4.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* States that have enacted a State law authorizing per-pupil facilities aid for charter schools.

2. a. *Cost Sharing or Matching:* Under section 5205(b)(2)(C) of the ESEA, as amended by the NCLB, States, or parties that are closely collaborating with them, are required to provide matching funds. The minimum non-Federal share of the total cost of the project increases each year of the grant, from 10 percent the first year to 80 percent in the fifth year.

Applicants that are initially selected to receive grants will not receive grant funds unless they demonstrate, by July 15, 2009, that they will be able to fund the non-Federal share of the matching funds required under this program. The Department reserves the right to reject an application if an initial recipient does not demonstrate that it will have the required non-Federal funding by this date.

b. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements under section 5205(b)(3)(C) of the ESEA (20 U.S.C. 7221d(b)(3)(C)).

Funds under this program must be used to supplement, and not supplant, State and local public funds expended to provide per pupil facilities aid programs, operations, financing programs, or other programs, for charter schools. Therefore, the Federal funds provided under this program, as well as the matching funds provided by the grantee, must be in addition to the State and local funds that would otherwise be used for this purpose in the absence of this Federal program. The Department generally considers that State and local funds would be available for this purpose at least in the amount of the funds that was available in the preceding comparison year and that the Federal funds and matching funds under this program would supplement that amount.

3. *Other:* The charter schools that a grantee selects to benefit from this program must meet the definition of a charter school, as defined in the Charter Schools Program authorizing statute in section 5210(1) of the ESEA. The definitions of *charter school* and *authorized public chartering agency* are in the application package.

IV. Application and Submission Information

1. *Address To Request Application Package:* Valarie Perkins, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. Telephone: (202) 260–1924 or by e-mail: *Valarie.Perkins@ed.gov.*

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (*e.g.*, braille, large print, audiotape, or computer diskette) by contacting the program contact person listed in this section.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this program.

Page Limit: We have found that reviewers are able to conduct the highest-quality review when applications are concise and easy to read. Applicants are encouraged to limit their applications to no more than 30 double-spaced pages (not including the required forms and tables), to use a 12-point or larger-size font with one-inch margins at the top, bottom, and both sides, and to number pages consecutively. Furthermore, applicants are strongly encouraged to include a table of contents that specifies where each required part of the application is located.

3. *Submission Dates and Times:*

Applications Available: January 15, 2009.

Deadline for Transmittal of Applications: July 1, 2009.

Applications for grants under this program must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV.6. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: August 31, 2009.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

5. *Funding Restrictions:* We specify unallowable costs in 34 CFR 75.533. We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the State Charter School Facilities Incentive Grants Program, CFDA number 84.282D, must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for State Charter School Facilities Incentive Grants Program at

www.Grants.gov. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (*e.g.*, search for 84.282, not 84.282D).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at *http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf.*
- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see *www.grants.gov/applicants/get_registered.jsp*). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see *http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf*). You also must provide on your application the same D–U–N–S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.
- You must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.
- You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.
- Your electronic application must comply with any page-limit requirements described in this notice.
- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).
- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues With the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; *and*
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked

no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Valarie Perkins, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. FAX: (202) 205–5630.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education,
Application Control Center,
Attention: (CFDA Number 84.282D)
LBJ Basement Level 1, 400 Maryland Avenue, SW., Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education,
Application Control Center,
Attention: (CFDA Number 84.282D)
550 12th Street, SW., Room 7041,
Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from the program regulations in 34 CFR 226.12. The maximum score for all of the selection criteria is 100 points. The maximum score for each criterion is indicated in parentheses. Each criterion also includes the factors that the reviewers will consider to determine how well an application meets the criterion. We encourage applicants to make explicit connections to the selection criteria and factors in their applications.

(a) *Need for facility funding* (30 points).

(1) The need for per-pupil charter school facility funding in the State.

(2) The extent to which the proposal meets the need to fund charter school facilities on a per-pupil basis.

(b) *Quality of plan* (30 points).

(1) The likelihood that the proposed grant project will result in the State either retaining a new per-pupil facilities aid program or continuing to enhance such a program without the total amount of assistance (State and Federal) declining over a five-year period.

(2) The flexibility charter schools have in their use of facility funds for the various authorized purposes.

(3) The quality of the plan for identifying charter schools and determining their eligibility to receive funds.

(4) The per-pupil facilities aid formula's ability to target resources to charter schools with the greatest need and the highest proportions of students in poverty.

(5) For projects that plan to reserve funds for evaluation, the quality of the applicant's plan to use grant funds for this purpose.

(6) For projects that plan to reserve funds for technical assistance, dissemination, or personnel, the quality of the applicant's plan to use grant funds for these purposes.

(c) *The grant project team* (15 points).

(1) The qualifications, including relevant training and experience, of the project manager and other members of the grant project team, including employees not paid with grant funds, consultants, and subcontractors.

(2) The adequacy and appropriateness of the applicant's staffing plan for the grant project.

(d) *The budget* (15 points).

(1) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the proposed grant project.

(2) The extent to which the costs are reasonable in relation to the number of students served and to the anticipated results and benefits.

(3) The extent to which the non-Federal share exceeds the minimum percentages (which are based on the percentages under section 5205(b)(2)(C) of the ESEA), particularly in the initial years of the program.

(e) *State experience* (10 points).

The experience of the State in addressing the facility needs of charter schools through various means, including providing per-pupil aid, access to State loan or bonding pools, and the use of Qualified Zone Academy Bonds.

2. *Review and Selection Process:* Additional factors we consider in selecting an application for an award are in 34 CFR 226.13 and 226.14.

Note: As described in 34 CFR 226.14(c), the Secretary may elect to consider the points awarded under the competitive preference priorities only for proposals that exhibit sufficient quality to warrant funding under the selection criteria.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c).

4. *Performance Measures:* The performance measure for this program is the ratio of funds leveraged by States for charter school facilities to funds awarded by the Department under the State Charter School Facilities Incentive Program.

VII. Agency Contacts

FOR FURTHER INFORMATION CONTACT: Valarie Perkins or Ann Margaret Galiatsos, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. Telephone: (202) 260–1924 or by e-mail: *charter.facilities@ed.gov.*

If you use a TDD, call the FRS, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.*, braille, large print, audiotape, or computer diskette) on request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: January 9, 2009.

Amanda L. Farris,

Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. E9–772 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Innovation and Improvement; Women's Educational Equity Act Program

Catalog of Federal Domestic Assistance (CFDA) Number: 84.083A.

ACTION: Notice inviting applications for new awards for fiscal year (FY) 2009; correction.

SUMMARY: The Department of Education is correcting the notice inviting applications for new awards for FY 2009 for the Women's Educational Equity Act Program (WEEA) that was published in the **Federal Register** on January 2, 2009 (74 FR 101). On page 105, in the third column, second line, the e-mail address is corrected to read "*oii.weea@ed.gov.*"

FOR FURTHER INFORMATION CONTACT: Beverly A. Farrar, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4W242, Washington, DC 20202–5950. *Telephone:* (202) 205–3145.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under this section.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: January 8, 2009.

Amanda L. Farris,

Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. E9–744 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC09–587–000]

Commission Information Collection Activities (FERC–587); Comment Request; Extension

January 9, 2009.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed information collection and request for comments.

SUMMARY: In compliance with the requirements of section 3506(c) (2) (a) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104–13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

DATES: Comments in consideration of the collection of information are due Monday, March 23, 2009.

ADDRESSES: An example of this collection of information may be obtained from the Commission's Web site (at *http://www.ferc.gov/docs-filing/elibrary.asp*). Comments may be filed either electronically or in paper format, and should refer to Docket No. IC09–587–000. Documents must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines at *http://www.ferc.gov/help/submission-guide.asp.*

Comments may be filed electronically via the eFiling link on the Commission's Web site at *http://www.ferc.gov.* First time users will have to establish a user name and password (*http://www.ferc.gov/docs-filing/eregistration.asp*) before eFiling. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments through eFiling.

these products, stakeholders have a better understanding of what NIDRR does and what new information and products are available.

V. References

Carlson, D., & Ehrlich, N. (2005). *Assistive technology and information technology use and need by persons with disabilities in the United States, 2001.* Washington, DC: National Institute on Disability and Rehabilitation Research, U.S. Department of Education [On-line]. Available: *http://www.ed.gov/rschstat/research/pubs/at-use/at-use-2001.pdf.*

Erickson, Tammy. (2008). The Project-Based Workforce. *BusinessWeek.* January 31, 2008.

Field, M., & Jette, A.M. (Eds.). (2007). *The future of disability in America.* Washington, DC: The National Academies Press.

National Council on Disability. (2007). *Empowerment for Americans with disabilities: Breaking barriers to careers and full employment.* Washington, DC: Author.

National Institute on Disability and Rehabilitation Research. (2006). *Long-range plan for fiscal years 2005 through 2009 [On-line].* Available: *http://www.ed.gov/legislation/FedRegister/other/2006-1/021506d.pdf.*

Ross, C.E, & Mirowsky, J. (1995). Does employment affect health? *Journal of Health and Social Behavior, 36*(3), 230–243.

United States Census Bureau. (2006). *Calculations using the 2006 American Community Survey via the Census Bureau's DataFerret System.* American Community Survey. Available: *http://www.census.gov/hhes/www/disability/2006acs.html.*

World Health Organization. (2001). *ICF: International classification of functioning, disability and health.* Geneva: Author.

[FR Doc. E9–741 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Innovation and Improvement; Overview Information: State Charter School Facilities Incentive Grants Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2009

Catalog of Federal Domestic Assistance (CFDA) Number: 84.282D.

DATES: *Applications Available:* January 15, 2009.

Deadline for Transmittal of Applications: July 1, 2009.

Deadline for Intergovernmental Review: August 31, 2009.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: This program provides grants to eligible States to help them establish or enhance, and administer, per-pupil facilities aid programs for charter schools. States eligible for these grants are those with per-pupil aid programs that assist charter schools with their school facility costs.

Priorities: In accordance with 34 CFR 75.105(b)(2)(ii), these priorities are from the regulations for this program (34 CFR 226.13 and 226.14).

Competitive Preference Priorities: For FY 2009 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 40 points to an application, depending on how well the application meets these priorities.

These priorities are:

Competitive Preference Priority 1. The Secretary will award up to 20 points to an application under competitive preference priority 1. The applicant must meet all of the following requirements ((a) through (d)) in order to receive the full 20 points. The requirements are:

(a) *Periodic Review and Evaluation.*

The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter and is meeting or exceeding the student academic performance requirements and goals for charter schools as set forth under State law or the school's charter.

(b) *Number of High-Quality Charter Schools.*

The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which the State applies for a grant under this competition.

(c) *One Authorized Public Chartering Agency Other than an LEA, or an Appeals Process.*

The State—

(1) Provides for one authorized public chartering agency that is not a local educational agency (LEA), such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(2) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

(d) *High Degree of Autonomy.*

The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

Competitive Preference Priority 2. The Secretary may award up to 10 points to an application under a competitive preference priority regarding the capacity of charter schools to offer public school choice in those communities with the greatest need for this choice based on—

(1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for improvement, corrective action, or restructuring under title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), 20 U.S.C. 7221a(e);

(2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform poorly on State academic assessments; and

(3) The extent to which the applicant would target services to communities with large proportions of low-income students.

Competitive Preference Priority 3. The Secretary may award up to 10 points to an application under a competitive preference priority for applicants that have not previously received a grant under the program.

Program Authority: 20 U.S.C. 7221d(b).

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 97, 98, and 99. (b) The regulations for this program in 34 CFR part 226.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested $14,782,000 for new awards for this program for FY 2009. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process before the end of the current fiscal year,

if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2010 from the list of unfunded applications from this competition.

Estimated Range of Awards: $2,000,000–$10,000,000.

Estimated Average Size of Awards: $3,695,500.

Estimated Number of Awards: 4.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* States that have enacted a State law authorizing per-pupil facilities aid for charter schools.

2. a. *Cost Sharing or Matching:* Under section 5205(b)(2)(C) of the ESEA, as amended by the NCLB, States, or parties that are closely collaborating with them, are required to provide matching funds. The minimum non-Federal share of the total cost of the project increases each year of the grant, from 10 percent the first year to 80 percent in the fifth year.

Applicants that are initially selected to receive grants will not receive grant funds unless they demonstrate, by July 15, 2009, that they will be able to fund the non-Federal share of the matching funds required under this program. The Department reserves the right to reject an application if an initial recipient does not demonstrate that it will have the required non-Federal funding by this date.

b. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements under section 5205(b)(3)(C) of the ESEA (20 U.S.C. 7221d(b)(3)(C)).

Funds under this program must be used to supplement, and not supplant, State and local public funds expended to provide per pupil facilities aid programs, operations, financing programs, or other programs, for charter schools. Therefore, the Federal funds provided under this program, as well as the matching funds provided by the grantee, must be in addition to the State and local funds that would otherwise be used for this purpose in the absence of this Federal program. The Department generally considers that State and local funds would be available for this purpose at least in the amount of the funds that was available in the preceding comparison year and that the Federal funds and matching funds under this program would supplement that amount.

3. *Other:* The charter schools that a grantee selects to benefit from this program must meet the definition of a charter school, as defined in the Charter Schools Program authorizing statute in section 5210(1) of the ESEA. The definitions of *charter school* and *authorized public chartering agency* are in the application package.

IV. Application and Submission Information

1. *Address To Request Application Package:* Valarie Perkins, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. Telephone: (202) 260–1924 or by e-mail: *Valarie.Perkins@ed.gov.*

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (*e.g.*, braille, large print, audiotape, or computer diskette) by contacting the program contact person listed in this section.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this program.

Page Limit: We have found that reviewers are able to conduct the highest-quality review when applications are concise and easy to read. Applicants are encouraged to limit their applications to no more than 30 double-spaced pages (not including the required forms and tables), to use a 12-point or larger-size font with one-inch margins at the top, bottom, and both sides, and to number pages consecutively. Furthermore, applicants are strongly encouraged to include a table of contents that specifies where each required part of the application is located.

3. *Submission Dates and Times:*

Applications Available: January 15, 2009.

Deadline for Transmittal of Applications: July 1, 2009.

Applications for grants under this program must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV.6. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: August 31, 2009.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

5. *Funding Restrictions:* We specify unallowable costs in 34 CFR 75.533. We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the State Charter School Facilities Incentive Grants Program, CFDA number 84.282D, must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for State Charter School Facilities Incentive Grants Program at

www.Grants.gov. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (*e.g.*, search for 84.282, not 84.282D).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at *http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf.*
- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see *www.grants.gov/applicants/get_registered.jsp*). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see *http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf*). You also must provide on your application the same D–U–N–S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.
- You must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.
- You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.
- Your electronic application must comply with any page-limit requirements described in this notice.
- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).
- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues With the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; *and*
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked

no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Valarie Perkins, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. FAX: (202) 205–5630.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education,
Application Control Center,
Attention: (CFDA Number 84.282D)
LBJ Basement Level 1, 400 Maryland Avenue, SW., Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education,
Application Control Center,
Attention: (CFDA Number 84.282D)
550 12th Street, SW., Room 7041,
Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from the program regulations in 34 CFR 226.12. The maximum score for all of the selection criteria is 100 points. The maximum score for each criterion is indicated in parentheses. Each criterion also includes the factors that the reviewers will consider to determine how well an application meets the criterion. We encourage applicants to make explicit connections to the selection criteria and factors in their applications.

(a) *Need for facility funding* (30 points).

(1) The need for per-pupil charter school facility funding in the State.

(2) The extent to which the proposal meets the need to fund charter school facilities on a per-pupil basis.

(b) *Quality of plan* (30 points).

(1) The likelihood that the proposed grant project will result in the State either retaining a new per-pupil facilities aid program or continuing to enhance such a program without the total amount of assistance (State and Federal) declining over a five-year period.

(2) The flexibility charter schools have in their use of facility funds for the various authorized purposes.

(3) The quality of the plan for identifying charter schools and determining their eligibility to receive funds.

(4) The per-pupil facilities aid formula's ability to target resources to charter schools with the greatest need and the highest proportions of students in poverty.

(5) For projects that plan to reserve funds for evaluation, the quality of the applicant's plan to use grant funds for this purpose.

(6) For projects that plan to reserve funds for technical assistance, dissemination, or personnel, the quality of the applicant's plan to use grant funds for these purposes.

(c) *The grant project team* (15 points).

(1) The qualifications, including relevant training and experience, of the project manager and other members of the grant project team, including employees not paid with grant funds, consultants, and subcontractors.

(2) The adequacy and appropriateness of the applicant's staffing plan for the grant project.

(d) *The budget* (15 points).

(1) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the proposed grant project.

(2) The extent to which the costs are reasonable in relation to the number of students served and to the anticipated results and benefits.

(3) The extent to which the non-Federal share exceeds the minimum percentages (which are based on the percentages under section 5205(b)(2)(C) of the ESEA), particularly in the initial years of the program.

(e) *State experience* (10 points).

The experience of the State in addressing the facility needs of charter schools through various means, including providing per-pupil aid, access to State loan or bonding pools, and the use of Qualified Zone Academy Bonds.

2. *Review and Selection Process:* Additional factors we consider in selecting an application for an award are in 34 CFR 226.13 and 226.14.

Note: As described in 34 CFR 226.14(c), the Secretary may elect to consider the points awarded under the competitive preference priorities only for proposals that exhibit sufficient quality to warrant funding under the selection criteria.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c).

4. *Performance Measures:* The performance measure for this program is the ratio of funds leveraged by States for charter school facilities to funds awarded by the Department under the State Charter School Facilities Incentive Program.

VII. Agency Contacts

FOR FURTHER INFORMATION CONTACT: Valarie Perkins or Ann Margaret Galiatsos, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W258, Washington, DC 20202–5970. Telephone: (202) 260–1924 or by e-mail: *charter.facilities@ed.gov.*

If you use a TDD, call the FRS, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.*, braille, large print, audiotape, or computer diskette) on request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: January 9, 2009.

Amanda L. Farris,

Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. E9–772 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Innovation and Improvement; Women's Educational Equity Act Program

Catalog of Federal Domestic Assistance (CFDA) Number: 84.083A.

ACTION: Notice inviting applications for new awards for fiscal year (FY) 2009; correction.

SUMMARY: The Department of Education is correcting the notice inviting applications for new awards for FY 2009 for the Women's Educational Equity Act Program (WEEA) that was published in the **Federal Register** on January 2, 2009 (74 FR 101). On page 105, in the third column, second line, the e-mail address is corrected to read "*oii.weea@ed.gov.*"

FOR FURTHER INFORMATION CONTACT: Beverly A. Farrar, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4W242, Washington, DC 20202–5950. *Telephone:* (202) 205–3145.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under this section.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: January 8, 2009.

Amanda L. Farris,

Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. E9–744 Filed 1–14–09; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC09–587–000]

Commission Information Collection Activities (FERC–587); Comment Request; Extension

January 9, 2009.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed information collection and request for comments.

SUMMARY: In compliance with the requirements of section 3506(c) (2) (a) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104–13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

DATES: Comments in consideration of the collection of information are due Monday, March 23, 2009.

ADDRESSES: An example of this collection of information may be obtained from the Commission's Web site (at *http://www.ferc.gov/docs-filing/elibrary.asp*). Comments may be filed either electronically or in paper format, and should refer to Docket No. IC09–587–000. Documents must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines at *http://www.ferc.gov/help/submission-guide.asp.*

Comments may be filed electronically via the eFiling link on the Commission's Web site at *http://www.ferc.gov.* First time users will have to establish a user name and password (*http://www.ferc.gov/docs-filing/eregistration.asp*) before eFiling. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments through eFiling.

4/6/2009

U.S. DEPARTMENT OF EDUCATION
OFFICE OF INNOVATION AND IMPROVEMENT
WASHINGTON, D.C. 20202

THE STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS PROGRAM

CFDA Number: 84.282D

GUIDANCE

Purpose of the Guidance

The purpose of this guidance is to provide information to States, local educational agencies, and charter schools on the State Charter School Facilities Incentive Grants program. The guidance provides the U.S. Department of Education's interpretation of various statutory and regulatory provisions and does not impose any requirements beyond those included in the Elementary and Secondary Education Act of 1965, as amended, its implementing regulations, and other applicable laws and regulations. In addition, it does not create or confer any rights for or on any person.

This guidance supersedes the 2004 guidance on the State Charter School Facilities Incentive Grants Program.

If you are interested in commenting on this guidance, please send your comments to Ann Margaret Galiatsos at ann.galiatsos@ed.gov.

Purpose of the State Charter School Facilities Incentive Grants Program

The purpose of the State Charter School Facilities Incentive Grants program (the "program") is to provide matching funds to States to establish or enhance and administer per-pupil facilities aid programs in order to help charter schools obtain adequate facilities. These grants thus provide an incentive for States to share in the costs of funding charter school facilities, as they often do in funding the capital costs of regular public schools. The program is authorized under section 5205(b) of the Elementary and Secondary Education Act of 1965 (ESEA) 20 U.S.C. 7221d(b), as amended. The regulations for this program are in 34 CFR part 226.

The following Questions and Answers are designed to clarify different aspects of the program.

A. Eligible Grantees

A.1. Who is eligible to apply for and receive a grant under this program?

States are eligible to apply for and receive grants under this program if they have:

- enacted a State law authorizing per-pupil facilities aid for charter schools by the deadline for submitting applications indicated in the application notice; and

- funded, or contingently funded upon receipt of an award, the non-Federal share of the cost of a program that provides annual per-pupil aid for charter school facilities.

20 U.S.C. 7221d(b)(4)(B).

1046

A.2. What constitutes "annual per-pupil facilities funding"?

For a State to be eligible, the State's program of annual per-pupil facilities funding must provide funds to charter schools on a formula basis (although, as discussed in subsequent questions, the formula does not have to provide a flat amount per child or reach every charter school). The formula must take into account the number of pupils in a charter school. Applicants must assure in their applications that they intend to provide charter school facility funding on an annual basis. Grantees must provide the non-Federal funds in a given year in order to receive the Federal funds in that same year. The per-pupil facilities aid must be dedicated solely or have a portion of which is dedicated solely for charter school facilities. 20 U.S.C. 7221d(b).

A.3. How is a State selected to receive grants under the program?

Applicants are selected to receive a grant in accordance with 34 CFR 226.11-226.14 and based on any other requirements described in the application notice that is published in the Federal Register.

A.4. Must a State per-pupil facilities aid program serve every charter school in the State in order to be eligible for a grant?

No, a State does not need to serve every charter school in the State to be eligible for a grant. For instance, a State could choose not to fund charter schools that are on probation. As a second example, a State might provide funds only to schools with high proportions of students in poverty. (See discussion under B.1.)

A.5. Must every student have the same weight in the State formula?

No, every student need not be assigned the same weight in the formula. For instance, students with disabilities and students from low-income families might be assigned relatively higher weights than other students. Furthermore, applicants that assign greater weight to students in charter schools with high proportions of students with disabilities or students in poverty could potentially score higher under the selection criteria than applicants that do not.

A.6. May charter schools apply for these funds directly?

No, charter schools may not apply for these funds directly. Only States may apply.

A.7. May programs that provide funds for facilities to both charter schools and regular public schools qualify for Federal matching funds?

Yes, such a program can qualify for Federal matching funds. However, the Federal match would be based on the portion of non-Federal funds provided for charter school facilities.

A.8. If a State is newly creating a per-pupil facilities financing program, how far along in the legislative process must a State be to become eligible for these funds?

To be eligible to receive funds, a program must be authorized or enacted into law by the deadline for transmitting applications indicated in the application notice. In addition, a State applicant needs to demonstrate by July 15, 2009, for example, that its non-Federal match funds will be available for the upcoming State fiscal year in order for an applicant to be eligible to receive the ED grant funds in FY 2009.

B. Match

B.1. What funds can a State use that will qualify as matching funds?

A State has several options for what it may use to qualify as non-Federal matching funds. The types of funds that would qualify as matching funds are regular State appropriations, funds in an account generated by a State bonding agency, surplus funds from a prior year, or foundation funds.

The matching funds must be in addition to the State and local public funds that would otherwise be used to provide per-pupil facilities aid programs, operations, financing programs, or other programs, for charter schools in absence of this Federal program. 20 U.S.C. 7221d(b)(3)(C). The Department generally considers that State and local funds would be available for this purpose at least in the amount that was available in the preceding comparison year and that the Federal funds and matching non-Federal funds under this program would supplement that amount.

B.2. How is the match calculated?

The Federal share and Non-Federal share (State share) of each grant's requisite match must meet the following percentages for each year of the grant:

	Non-Federal share	Federal share (maximum)
Year 1	10%	90%
Year 2	20%	80%
Year 3	40%	60%
Year 4	60%	40%
Year 5	80%	20%

20 U.S.C. 7221d(b)(2)(C).

As noted in more detail in B.1, matching funds must be in addition to the State and local funds that would otherwise be used to provide per-pupil facilities aid programs. In order to calculate its match, the State needs to

determine which State fiscal year will serve as the base comparison year for all match calculations. The State will typically choose its most recent fiscal year for its comparison year, but in some circumstances may be able to use its current fiscal year.

Once the base year has been selected, the required match will be determined based on the increase in the facility funding from the base comparison year to the next appropriate corresponding year.

For example, if a State used its prior State fiscal year as its base comparison year for a FY 2009 ED grant, the State's facility funding for FY 2008 (July 1, 2007 to June 30, 2008) will be used in calculating the match in subsequent years. Once the match has been calculated, we will determine the percentage of the Federal grant award in each fiscal year (Federal share) in comparison to the available Non-Federal share (State share).

*Please note that the dates are only examples and will be dependent on the individual State's fiscal dates.

C. Eligible charter schools

C.1. What is a "charter school" for the purposes of this program?

The definition of a charter school under this program is the same as the definition used by the U.S. Department of Education's Charter Schools Program (CSP). 20 U.S.C. 7221i(1). Under that definition:

(1) A charter school is a public school that--

(A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph [the paragraph in the statute that defines the term charter school];

(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(C) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(D) provides a program of elementary or secondary education, or both;

(E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school

or religious institution;

(F) does not charge tuition;

(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;

(H) is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

(I) agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program [the CSP] ;

(J) meets all applicable Federal, State, and local health and safety requirements;

(K) operates in accordance with State law; and

(L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

Charter schools must meet each element of this definition in order to be eligible to receive Federal and non-Federal funding under the State Charter School Facilities Incentive Grants Program. Consequently, a school that meets its State's definition of a charter school, but, for example, does not:

- provide an elementary or secondary education program (as defined under State law) or

- admit students based on a lottery if more students apply for admission than can be accommodated

cannot receive funding from a grantee under the program. For further information, consult the guidance for CSP at http://www.ed.gov/policy/elsec/guid/cspguidance03.doc.

C.2. Does a charter school need to have a charter or be operating to receive assistance from a grantee?

So long as the charter schools served meet the definition specified in C.1., applicants may determine the requirements a charter school must meet, such as the date by which charter schools must have a charter or be open, to receive assistance through their proposed grant projects.

C.3. Is the use of the facility limited to operation of a charter school?

Operating a charter school (or schools) must be the primary use of the facility. However, there may be cases where a charter school rents out either all of the facility for part of the time or a portion of its facility all of the time for other uses. After factoring in these other uses, the primary purpose of the facility must be for operating the charter school(s).

C.4. May a charter school use program funds to lease a religious organization's facility?

A charter school may use these grant funds to lease a religious organization's facility. Charter schools may use the facilities of a religious organization to the same extent that other public schools may use these facilities. Generally, this means that a charter school may lease space from a religious organization so long as the charter school remains non-religious in all its programs and operations. Therefore, the religious landlord may not exercise any control over what is taught in the charter school.

Space constraints can be a major challenge facing charter schools. A charter school should select space based on its logistical and educational needs, not because the space is located in or near a religious school or institution or because officials of the charter school are connected to a particular religious organization. On the other hand, it is important that charter school operators have the flexibility to examine a range of options in their community. The Department strongly recommends that any space used by a charter school be free of religious symbols and under the full control of the charter school during school hours and during all charter school activities.

D. Use of grant funds

D.1. How may a grantee use these funds?

Grantees may use these funds to:

- establish new per-pupil facilities aid programs;
- enhance (increase the funding level of) existing per-pupil facilities aid programs; and
- administer per-pupil facilities aid programs.

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20 U.S.C. 7221d(b)(3)(A); 34 CFR 226.1.

D.2. How may charter schools use these grant funds?

Charter schools that receive these Federal grant funds through their State must use the funds for their facilities. Allowable expenditures include:

- paying rent;
- purchasing a school building;
- purchasing land, subject to the restrictions described in D.4;
- constructing a school building;
- renovating an existing school facility;
- making leasehold improvements; and
- paying debt service on a school facility (see next question).

34 CFR 226.21(a).

D.3. May these grant funds be used for debt service? Can they be used to make payments to trustees?

Unless restricted by State or local law, yes, these funds may be used for debt service. Furthermore, they may be paid into the account of a third party or trustee who in turn makes debt service payments for facilities on behalf of charter schools.

D.4. May a charter school use grant funds under this program to purchase land?

Yes, if the land is included in an allowable building purchase or if the charter school has immediate plans to construct a building on the land. Because charter schools are permitted to use these grant funds for acquiring facilities, a charter school may use grant funds to purchase a building and the land on which it is located. However, charter schools may not use these grant funds for purchasing land when they have no immediate plans to construct a building on that land because land alone does not meet a charter school's building infrastructure needs. 34 CFR 226.21(b).

D.5. What costs may be included as administrative costs? Are they limited?

For States, administrative costs include indirect costs, evaluation, technical assistance, dissemination, personnel, and any other costs involved in administering the State's per-pupil facilities aid program. These costs may not exceed five percent of the grant award for each fiscal year for which funds are received. 34 CFR 226.22.

Please note however that 34 CFR 75.564 specifically prohibits grantees from charging indirect costs to construction grants. Therefore, to the extent that a

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charter school recipient uses these grant funds for renovation, remodeling, construction, or debt service, they may not charge indirect costs to the cost of that portion of their grant.

In addition, an approved restricted indirect cost rate is required in order to recover appropriate indirect costs.

D.6. How long do grantees and subgrantees have to obligate funds?

Grantees and their subgrantees both must obligate funds before the end of the grant funding period specified in the grant award documents. 34 CFR 80.23. For FY 2009 grantees, the funding period will be up to five years, which means that all funds must be obligated by grantees and subgrantees within five years from when a grant is awarded. Because subgrantees will often take longer to obligate their funds because they have State and local bidding procedures to follow before they can issue contracts for certain facilities construction or improvements, it is essential that State grantees obligate the funds to the charter schools as soon as possible. Our expectation is that States will obligate funds to charter schools within the first six months of their receipt of the Federal grant funds.

D.7. How long do grantees and subgrantees have to expend or liquidate funds?

States and local governments/charter schools must expend or liquidate all obligations not later than 90 days after the end of the funding period but no later than September 30 of the last year of the funding period. We anticipate that the funding period for this program will be up to five years. So, for FY 2009 State grantees, this means that all funds must be liquidated within 90 days after the conclusion of their grant funding period, which will be specified in the grant award documents and likely will be within calendar year 2014. However, for FY 2009 grants, all grant funds must be **obligated and liquidated** before September 30, 2014.

For example, if a State receives an FY 2009 grant and its grant period runs from August 30, 2009, to August 30, 2014, both the State and its charter school recipients must obligate their funds before the end of August 2014. States and charter schools must typically liquidate these funds within 90 days after the end of the grant period; however, in this case, grantees would need to liquidate all FY 2009 grant funds before September 30, 2014, after which time those funds for FY 2009 grants will no longer be available.

D.8. How does the "supplement not supplant" requirement work?

<u>At the State level</u>:

All State applicants, but in particular those that are enhancing existing charter school facilities programs, must ensure that neither they nor their charter school recipients violate this program's statutory non-supplanting

requirements. A State may use these grant funds only to the extent that the grant funds and the required non-Federal match would supplement the total amount of funding provided to charter schools for any type of cost, including operating and capital costs.

Example of supplanting: If a State has been providing $100 million per year on behalf of charter schools for their facility expenses and operating expenses and intends to continue that level of funding in future years, it would be supplanting if it reduced the level of its financial contribution to charter schools after it received the Federal grant.

At the local level:

At the local level, charter schools may use these grant funds only to the extent that the grant funds and the required non-Federal match would supplement the total amount of State and local funding provided to charter schools.

Example of supplanting: If a school district has been providing $1 million per year on behalf of a charter school for its facility expenses and operating expenses and intends to continue that level of funding in future years, it would be supplanting if it reduced the level of its financial contribution to the charter school after it received grant funds from the State.

E. Conflicts of Interest

E.1. What are the rules governing "conflicts of interest" in the administration of grants?

Grantees must avoid apparent and actual conflicts of interest when administering grants from the U.S. Department of Education. Department regulations at 34 CFR 75.525(a) prohibit a person from participating in an administrative decision regarding a project if (a) the decision is likely to benefit that person or his or her immediate family member; and (b) the person is a public official or has a family or business relationship with the grantee. 34 CFR 75.525(b) provides further that a grantee may not permit any person participating in a project to use his or her position for a purpose that is -- or gives the appearance of being -- motivated by a desire for a private or financial gain for that person or for others.

E.2. What procedures must a grantee follow in order to avoid a conflict of interest when making a procurement?

When using Federal funds to enter into a contract, a State or local entity receiving a grant must comply with 34 CFR 80.36. These standards require Federal grant recipients to develop written procurement procedures and to conduct all procurement transactions in a manner that provides, to the maximum extent possible, open and free competition. No employee, officer,

or agent of the grantee may participate in the selection, award, or administration of any contract supported by Federal funds if a real or apparent conflict of interest exists.

F. Federal requirements

Do Davis-Bacon prevailing wage requirements apply to these funds?

When funds under this program are used for construction-related activities costing over $2,000, such as constructing a school building, renovating an existing school facility, or making leasehold improvements, any laborers and mechanics employed by contractors or subcontractors on the projects assisted with these Federal funds must be paid in accordance with prevailing wage requirements as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40 of the United States Code (commonly called "Davis-Bacon and related acts"). (*See also* 20 U.S.C. 1232b Labor Standards). You can also find additional Davis-Bacon and other related acts prevailing wage information at http://www.gpo.gov/davisbacon/ and the following DOL website: http://www.dol.gov/esa/whd/programs/dbra/faqs.htm.

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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF INNOVATION AND IMPROVEMENT

July 29, 2009

Paul Prussing
Acting Director
801 West 10th Street
Suite 200 / P.O. Box 110500
Juneau, AK 99811-0500

Dear Mr. Prussing:

Thank you for your application for funds under the Charter Schools Program (CSP) competition that closed on February 25, 2009. The CSP authorizes the Secretary to award grants to those States that have enacted a State charter law to enable them to conduct Charter School Programs in their States.

This letter is to inform you that your application under the Charter Schools Program (CSP) has not been recommended for funding.

A peer review of applications was conducted March 16 through March 24, 2009. The CSP CFDA No. 84.282A received 10 SEA applications for funding as e-Applications. Applications were reviewed using the selection criteria contained in the statute authorizing this program and published in the Federal Register on December 15, 2008. The top five (5) ranked applications were recommended for funding. Your application did not rank high enough to be included with those recommended for funding.

A copy of the reviewer's comments about your application is enclosed with this letter.

We appreciate the time and thought that went into the planning and preparation of this application. If you have any questions concerning the review, please feel free to contact me directly. Thank you.

Sincerely,

Dean Kern
Director
Parental Options and Information

Enclosures

RECEIVED

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Status: Submitted
Last Updated: 04/03/2009 12:46 PM

Technical Review Coversheet

Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Reader #1:

	POINTS POSSIBLE	POINTS SCORED
Summary Comments		
1. Summary Comments	N/A	N/A
Selection Criteria		
1. The contribution the charter schools grant program will make.....	30	20
2. The degree of flexibility afforded by the SEA	30	10
3. The number of high-quality charter schools to be created	30	12
4. The quality of the management plan...	30	15
5. The quality of the evaluation plan	30	16
TOTAL	150	73

Technical Review Form

Non Dissemination: 84.282A
Reader #1:
Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Summary Comments

1. Summary Comments

Alaska's three main objectives of this grant to improve and increase the number of high-quality schools and secure financial stability for charter schools are clear, concise and necessary when looking at the state's demographics. The unique situation of Alaska when dealing with the spread out population and the large Native Alaskan population was not discussed enough in the application. These unique circumstances could have been incorporated in many sections and a program or meetings could have been created to really target this audience. Charters in Alaska have been successful academically, and this grant could help continue that improvement. The performance measures listed were clear and measurable, using various qualitative and quantitative data. While the application touched on all the various sections required, the management plan and evaluation could have been more detailed. Many of the sections to discuss dissemination or how charters are aware of funds were not addressed in a comprehensive way.

Selection Criteria

1. The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards.

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths

On pages 24 through 26, the application clearly discusses the three unique objectives of the grant program. The performance measures, discussed in the evaluation section are clear, measurable and relevant to the overall objectives. The objectives are focusing heavily on improving student achievement for charter school students, and data is shown that demonstrates success they have had so far. Objective number three focusing on financial stability is important based on the demographics and unique issues the state of Alaska face regarding such a dispersed population (p. 26). Charters are performing at a

higher level than conventional public schools (p. 15).

Weaknesses

Some of the activities listed are very broad and encompass a few different activities. These could've been separated out into more concise activities for staff members. With a large population of Native Alaskans (p. 6), the applicant really did not take advantage of using this resource and research to its advantage. There was no real discussion of how the current and new charters will continue to help disadvantaged students, and there was no achievement data to highlight progress. Currently, only 3 of the 25 charters are targeting at-risk students (p. 9). There is a very weak discussion on how the SEA will inform others of the grant program, and doesn't go beyond posting information on their web site and making a few calls. No discussion of dissemination.

Reader's Score: 20

2. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law.

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Strengths

The state law gives charter schools the option of some flexibility in numerous categories, such as curriculum, employment, scheduling, and the formation of nonprofit status (p. 33). The charter does have control over their annual budget, in accordance with their contract.

Weaknesses

The degree of flexibility afforded to charter schools in Alaska is dependent on the written contract between the local school district and the charter school (p. 33). Depending on the attitude of the school board towards a charter, a charter's autonomy could be challenged and they might not be given autonomy. Charter schools are not their own LEA's and funding does go through the district to the school, which depending on the contract, could create problems.

Reader's Score: 10

3. The number of high-quality charter schools to be created in the State.

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

Strengths

Opening approximately three new schools a year is in line with Alaska's previous charter history (p. 35), and given Alaska's population it is reasonable and would not flood the market. There is a comprehensive discussion on how the per pupil allocation is calculated (p. 23) and proposed enrollment drives funding for the first year.

Weaknesses

Opening only a total of six to nine schools over three years is not an ambitious goal. With a cap of 60 schools, there is room to push to open more schools in this time period. Local school boards and the state board both have to approve a charter school application (p. 20), and the state board will not approve without the local school board doing so first. There does also not seem to be any appeals process in place. The department has the final say. Because operating revenues are provided to the charter based on the contract, there is no assurance charters would receive all their funding. There also was not a strong discussion on how charters would be informed about funds for which they are eligible.

Reader's Score: 12

4. The quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Note: In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps to be taken by the SEA to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process the SEA will use to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

Strengths

The management plan chart on pages 37 through 39 contains sufficient details on the variety of activities that will be accomplished to meet each objective, a timeline, resources, responsibilities and milestones. With a main goal being to improve academic achievement, the applicant discusses the assistance the district and state will provide to

schools that fail to make AYP (p. 36). There is an overview of how the SEA will award subgrant funds, and the application attached shows how the SEA will measure the quality of applicants (p. 40-41).

Weaknesses

There could have been more activities in objective 2, because the applicant clearly considers academic achievement to be very important and there are only two main activities for an objective that is very broad. There was not enough detail about the peer review process as far as how they will be chosen, and there was not a strong timeline of when the awards will be funded.

Reader's Score: 15

5. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that has agreed to serve as evaluator for the project and to describe the qualifications of that evaluator. We also encourage the applicant to describe, in its application, the evaluation design, indicating: (1) the types of data that will be collected; (2) when various types of data will be collected; (3) the methods that will be used; (4) the instruments that will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths

The evaluation model contains a useful logic model, which shows the inputs, outputs and short, middle and long-term goals of each activity related to the three objectives. The performance measures attached to each objective are concise and measurable. The performance measures for academics are high to be attainable, but not easy, and were based on the current public school proficiency levels (p. 47). The evaluation also discusses the organization that has agreed to assist in the evaluation and the qualifications of potential reviewers. The applicant discusses each of the seven required sections of the evaluation in an organized manner. The section on type of data to be collected is very detailed and looks at more than just student achievement (p. 51). Surveys and focus groups will be a part of the evaluation and the applicant discusses how

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Status: Submitted
Last Updated: 04/03/2009 3:08 PM

Technical Review Coversheet

Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Reader #2:

	POINTS POSSIBLE	POINTS SCORED
Summary Comments		
1. Summary Comments	N/A	N/A
Selection Criteria		
1. The contribution the charter schools grant program will make.....	30	18
2. The degree of flexibility afforded by the SEA	30	14
3. The number of high-quality charter schools to be created	30	10
4. The quality of the management plan...	30	10
5. The quality of the evaluation plan	30	14
TOTAL	150	66

Technical Review Form

Non Dissemination: 84.282A
Reader #2:
Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Summary Comments

1. Summary Comments

Alaska provides clear and relevant objectives for the grant program and explicitly ties performance measures and outcomes to each objective. The number of schools Alaska proposes to open is reasonable and the state demonstrates a strong history of good charter school performance, which indicate the potential for increasing the number of high quality charter schools in the future.

The performance measures tend to focus more on the performance of schools without an adequate discussion of how the grant program will be used strategically to improve school performance, particularly for educationally disadvantaged students. In general, the management and evaluation plans contain vague activities that will be difficult to measure, and at times focus on inputs rather than outcomes

Selection Criteria

1. The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards.

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths

The application states that it will encourage charter schools to increase opportunities for educationally disadvantaged students and improve access through the approval process, thereby addressing the grant's focus on these students. The application also outlines clear and relevant objectives for the grant program and describes strategies for notifying parents, teachers and community groups of the grant opportunity (p. 23 - 24). The application also provides objectives for strengthening the fiscal sustainability of Alaska's charter schools. The application provides compelling evidence of the strong performance

of current charter schools, indicating that future charter schools are also likely to be high-performing. It also provides evidence that these charter schools serve a larger proportion of native students

Weaknesses

The application relies on the standard charter application and review process to produce more charter schools focused on serving educationally disadvantaged students and to improve student achievement, without indicating that the Department of Education will engage in additional activities to promote these two goals. The objectives do not provide specific targets as to how many new charter schools will serve educationally disadvantaged students. There is little discussion of dissemination strategies beyond the hope that successful charter schools will spur additional success.

Reader's Score: 18

2. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law.

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Strengths

The application makes clear that charter schools are exempt from regulations in a few key areas, such as curriculum, textbooks, and scheduling. The charter school has control over principal hiring and the principal has control over other staffing decisions, addressing charter schools' flexibility over personnel decisions.

Weaknesses

Additional charter school flexibility must be negotiated with the LEA during charter review. The application does not give evidence of the extent to which existing charter schools have been able to negotiate freedom from regulations, leaving it unclear as to whether the ability to negotiate flexibility is useful. The regulations limiting a charter schools' ability to enter into long-term fiscal contracts without the approval of the district could potentially hinder charter schools' ability to invest in facilities or other infrastructure to support their educational program. The requirement that charter schools negotiate their annual budget with the district seems like it would be a hindrance to charter schools' autonomy over their budget and expenditures.

1064**Reader's Score: 14**

3. The number of high-quality charter schools to be created in the State.

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

Strengths

The application states that Alaska intends to continue its current trajectory of charter school growth by opening an additional 6 to 9 schools over the three-year grant period. The application also describes the reasoning behind the planning and implementation grant amounts.

Weaknesses

The goal of opening 6 to 9 charter schools is not particularly ambitious and seeks to only continue what Alaska has done previously. The application lists a few methods for informing charter schools of available grant funds later in the application (p. 40), but does not provide any detail, and there is no discussion of how charter schools will receive a commensurate share of funds.

Reader's Score: 10

4. The quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Note: In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps to be taken by the SEA to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process the SEA will use to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

Strengths

The application includes a clear management plan that directly addresses the objectives outlined at the beginning of the grant. The application states that certain criteria, such as geographic location, types of students served, and type of educational program will be considered in the grant review process, indicating an interest in supporting a diversity of charter schools. The application provides, in the appendix, additional details about the

charter review process through the rubric used to evaluate charter schools.

Weaknesses

The management plan does not include a specific timeline with months or dates when activities will be completed and many of the activities are listed as 'on-going' when there could be more specific information about completion. For example, the technical assistance workshops are listed as on-going, but there could be more clarity as to when in the grant administration process these will be offered. The milestones do not provide much additional information on how the Department of Education plans to achieve its activities and objectives. Some of the activities are not fully described in the grant narrative and are too vague to effectively assess outcomes. While the application lists certain priorities based on school type and students served, it does not provide sufficient detail to understand how these considerations might impact the outcomes of the charter school program.

Reader's Score: 10

5. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that has agreed to serve as evaluator for the project and to describe the qualifications of that evaluator. We also encourage the applicant to describe, in its application, the evaluation design, indicating: (1) the types of data that will be collected; (2) when various types of data will be collected; (3) the methods that will be used; (4) the instruments that will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths

The evaluation plan clearly links the outcomes to the stated objectives. Some performance measures include measurable goals that can be evaluated and provide a timeframe to monitor progress. The identification of the Northwest Regional Education Laboratory as an evaluator is a solid choice, with a qualified, independent evaluator. The application provides an overview of the type of data that will be included in the evaluation.

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Status: Submitted
Last Updated: 04/03/2009 7:32 PM

Technical Review Coversheet

Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Reader #3:

	POINTS POSSIBLE	POINTS SCORED
Summary Comments		
1. Summary Comments	N/A	N/A
Selection Criteria		
1. The contribution the charter schools grant program will make.....	30	20
2. The degree of flexibility afforded by the SEA	30	14
3. The number of high-quality charter schools to be created	30	17
4. The quality of the management plan...	30	16
5. The quality of the evaluation plan	30	15
TOTAL	150	82

Technical Review Form

Non Dissemination: 84.282A
Reader #3:
Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Summary Comments

1. Summary Comments

The state of Alaska has unique challenges and is committed to using charter schools as a strategy for meeting its needs. This proposal has a strong logic model linking its activities to its objectives. A more detailed management plan and a stronger evaluation plan would improve the proposal. Additionally more information about the state's technical assistance would be useful. Charter schools are held to a higher standard and may need more support.

Selection Criteria

1. The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards.

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths

In general, charter schools in Alaska were better than traditional public schools (abstract) and an increase in their number is likely to increase the state's capacity to assist educationally disadvantaged students. For this program, the applicant has selected three clear goals supported by appropriate activities (p.24-25) The table on pages 44 through 49 clearly shows the applicant's logic model linking its activities with its outcomes.

Weaknesses

The application states that the program will encourage charter schools to increase opportunities for students in need of improvement, but does not state how it will do this (p.31).
The state has minimal outreach activities to encourage the opening of new schools that will serve educationally disadvantaged students.

Reader's Score: 20

2. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law.

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Strengths

In Alaska, charter schools are exempt from the school district's textbook, curriculum, and scheduling requirements (p.34). The charter school board has the liberty to hire a principal and the principal then hires and supervises other personnel (p.34).

Weaknesses

There are several features in the Alaska school law that appear to limit charter school flexibility. A charter school application must receive both state and local approval to open (p.21). The school's budget must be approved by the school district (p.22). It is not clear how much flexibility charter schools have over personnel regarding dismissal, contracts, unionization, or pay schedules. Charter schools have little flexibility in contracting.

Reader's Score: 14

3. The number of high-quality charter schools to be created in the State.

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in

which the school's enrollment expands significantly.

Strengths

The applicant estimates that the state will open six to nine charter schools during the grant period (p.35). This number seems reasonable given the state's history and experience opening charter schools.

The department notifies charter schools about grant opportunities through its website, e-mail
and direct mail (p.28).

Weaknesses

While the department identifies funding opportunities for charter schools, it does not appear to take a role in ensuring charter schools receive their commensurate level of federal funds from the district. For example, it does not appear to require assurances from the district or conduct monitoring.

The application states that the subgrant program will be competitive (p.40). With only two to three schools created each year, it is difficult to see how such a program could be competitive. Likewise the application states that consideration will be given for diversity and geographic location but with only two to three schools applying, it is difficult to imagine what that consideration would be.

The requirement that charter schools receive approval from both the district and the state could be an impediment to the opening schools.

Reader's Score: 17

4. The quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Note: In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps to be taken by the SEA to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process the SEA will use to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

Strengths

The management plan provides information about each activity including a basic timeline (p.37-39). The application provides information on how it will conduct its subgrant program including the amounts and process (p.40-41).

Weaknesses

The management plan is not sufficiently detailed. It does not provide details about responsibilities of individual staff. The timeline is very general. A more detailed management plan would provide a stronger roadmap and assurance that activities will be completed on time and result in the intended outcomes.

The proposal does not provide details about the technical assistance and guidance it intends to provide (p.36). Little attention is given to the financial technical assistance to support school fiscal viability.

Reader's Score: 16

5. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that has agreed to serve as evaluator for the project and to describe the qualifications of that evaluator. We also encourage the applicant to describe, in its application, the evaluation design, indicating: (1) the types of data that will be collected; (2) when various types of data will be collected; (3) the methods that will be used; (4) the instruments that will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths

The applicant has selected the Northwest Regional Educational Laboratory to conduct its evaluation (p.50). The application includes a description of the kinds of data the evaluator will collect and how (p.51-53).

Weaknesses

The evaluation plan is entirely focused on the performance of charter schools. It does not

address the goals of the application and the performance of the charter school office in accomplishing these tasks. While it is appropriate to focus some of the plan on charter school performance because there are multiple performance measures regarding school achievement, the evaluation plan should also measure how well the applicant performs its duties in the program. As written, it does not assess the success of the applicant in meeting goals, timetables and benchmarks. The evaluation plan does not describe how the applicant will use the evaluation to improve its performance.

Reader's Score: 15

Status: Submitted

Last Updated: 04/03/2009 7:32 PM

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Status: Submitted
Last Updated: 04/03/2009 12:20 PM

Technical Review Coversheet

Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Reader #4:

	POINTS POSSIBLE	POINTS SCORED
Summary Comments		
1. Summary Comments	N/A	N/A
Selection Criteria		
1. The contribution the charter schools grant program will make.....	30	20
2. The degree of flexibility afforded by the SEA	30	15
3. The number of high-quality charter schools to be created	30	18
4. The quality of the management plan...	30	15
5. The quality of the evaluation plan	30	17
TOTAL	150	85

Technical Review Form

Non Dissemination: 84.282A
Reader #4:
Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Summary Comments

1. Summary Comments

The applicant should concentrate on improving the recommended weaknesses of the application. Once the weaknesses are addressed the applicant will have a clearer picture of the overall grant application process needed to address the criteria listed in the application.

Selection Criteria

1. The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards.

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths

The applicant has three secondary charter schools in Alaska that target and serve at-risk secondary students. pp-9

The applicant's Charter Expansion Program will continue to focus on increasing the numbers of secondary students served through the current application process. pp-9

The applicant state is one of 10 states that have been approved by the U.S. Department of Education to use a Student Growth Model in conjunction with the required AYP calculations. This allows the state to monitor student growth with a district, school, and subgroup on a yearly basis. pp 10

Weaknesses

The applicant's goals are reasonable but not innovative.

The applicant's activities were too broad to determine how much change would take place.

The goals and objective were not linked to performance measures of the project.

Reader's Score: 20

2. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law.

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Strengths

The applicant will use the Alaska Performance Incentive Program to determining individual student growth. The Performance Incentive Program is a new program authorized by Alaska statute and regulation in 2006.

The applicant's program will provide an incentive payment to the school employees where the students have demonstrated growth in academic achievement based on the Standards Based Assessments given annually in April. Essentially, the staff at schools which show the largest gains in student growth receive cash bonuses for achieving such growth. In 2007, six charter schools received PIP awards for outstanding, excellent, and high academic growth in student achievement.

The applicants program will track individual student growth from year to year. For the first time in the state's history, the department will be able report all student's yearly growth each year.

Weaknesses

The applicant does not clearly show all the ramifications of full autonomy in the state;s charter school.

The applicant does not detail how the State's charter school law establishes an administrative or board relationship between the charter school and the authorized public chartering agency.

The applicant does not clearly specify a description of the degree of autonomy charter

schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

The district's regular public school's appear to have more autonomy than charter schools in the district.

Reader's Score: 15

3. The number of high-quality charter schools to be created in the State.

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

Strengths

The applicant's Charter schools will be monitored on an individual basis by a site visits on a five year cycle, which is dependent upon the opening of the school. During site visits, EED staff will
meet with teachers, principles, and members of the Academic Policy Committee, the governing body of the charter school. Official documentation is requested in each monitoring visit. All
monitoring visits seek to evaluate the charter schools not just on student achievement but also by reference to statutory and regulatory adherence. pp15

Weaknesses

The applicant does not clearly detail how the SEA will inform the schools in the state about federal funds.

The applicant does not specify how the state's charter schools will expand their enrollment.

The applicant states that there are are tremendous accomplishments for the state however does not detail the accomplishments that have been made.pp 19

The applicant does not detail or clearly stipulate how the funds in the state's charter schools will be evenly distributed to increase the enrollment or expansion of charter schools in the district.

Reader's Score: 18

1076 **4. The quality of the management plan for the proposed project. In determining the quality of**

the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Note: In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps to be taken by the SEA to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process the SEA will use to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

Strengths

The applicant will Provide at least two technical assistance workshops as well as ongoing assistance for charter school operators on governance, leadership, and financial management. pp e-38

The applicant will Review annual performance reports,
audits, and grant progress reports, conduct visits, and provide recommendations for improvement.pp e-38

The applicant will Evaluate the program's effectiveness in supporting schools to become fiscally solvent for long-term sustainability.

Weaknesses

The applicant's school districts appears to have most of the control over the charter school' and appears to grant little autonomy as it relates to fiscal and academics matters to the charter schools in the district. pp19

The management plan does not specify how it will evaluate the effectiveness of the charter school program. pp 37

The applicant does not detail how they will evaluate the program's effectiveness in supporting schools to become fiscally solvent for long-term sustainability. pp e-38

The applicant does not clearly define the responsibilities, time lines, and milestones for accomplishing project tasks.

Reader's Score: 15

5. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that has agreed to serve as evaluator for the project and to describe the qualifications of that evaluator. We also encourage the applicant to describe, in its application, the evaluation design, indicating: (1) the types of data that will be collected; (2) when various types of data will be collected; (3) the methods that will be used; (4) the instruments that will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths

The applicant will enlist the Alaska Department of Education & Early Development Program to assist in seeking an outside entity to perform a solid evaluation of the effectiveness of the project, and activities, and expected outcomes. Northwest Regional Educational Laboratory has agreed to do the evaluation for Alaska's Department of Education & Early Development. pp e-49

The applicant will use both qualitative and quantitative data sources and the means to collect these data will be identified. pp 50

Weaknesses

The applicant did not provide adequate information on the roles, responsibilities, and qualifications of the evaluators for the project.

The overall evaluation plan was vague and lacked details that would have enhanced the project's accountability.

The applicant states that both qualitative and quantitative data will be used but does not identify the means by which this data will be collected. pp 50

The applicant does not specify in detail the benchmarks to be used or identify who will monitor the progress toward specific project objectives and outcome measures to assess and determine the impact on teaching and learning or other important outcomes for project participants.

The applicant did not detail which resources would be used to enhance the project's evaluation plan.

Reader's Score: 17

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Status: Submitted
Last Updated: 04/03/2009 12:58 PM

Technical Review Coversheet

Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Reader #5:

	POINTS POSSIBLE	POINTS SCORED
Summary Comments		
1. Summary Comments	N/A	N/A
Selection Criteria		
1. The contribution the charter schools grant program will make.....	30	15
2. The degree of flexibility afforded by the SEA	30	10
3. The number of high-quality charter schools to be created	30	15
4. The quality of the management plan...	30	10
5. The quality of the evaluation plan	30	15
TOTAL	150	65

Technical Review Form

Non Dissemination: 84.282A
Reader #5:
Applicant: State of Alaska Department of Education & Early Development - Alaska Department of Education Teaching and Learning Support (U282A090004)

Summary Comments

1. Summary Comments

The application is complete and demonstrates good opportunities for charter school growth in the state. It would have been helpful to see more information about the existing student/parent/community demand for this growth, in order to determine how feasible and ambitious the state's goals for new charter opening might be. The limited amount of flexibility and autonomy for charter schools is a concern, as are the methods and plans for communicating about these schools and weaving them into the larger educational structure.

Overall the application is technically complete, but it would have been helpful to see more strategic thought incorporated.

Selection Criteria

1. The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards.

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths

Alaska charter schools appear to be serving a large number of native populations, which have unique needs and concerns. The opportunity to create high-performing charters in service of these students is a positive.

The program objectives (found earlier in the application - on page 24) appear to be sound. It is especially interesting to see the development of five indicators of financial viability (page 27).

Activities to notify parents, teachers and communities are found later in the application

(page 37).

Weaknesses

Objectives related to academic growth and financial viability could include more explicity-stated targets and starting points. It is difficult to see how much growth will occur, or how much improvement is needed or how it will be attained in a measurable, meaningful way. Ambitiousness is difficult

The need among native populations is clear, but given the small student population statewide it is not immediately obvious where the charter schools would be placed or how badly they are needed/demanded by those to be served.

More evidence is needed to show that charters provide a substantially different approach to meeting student needs than the existing schools already in place. Given the structure of these schools and their relationship to the LEAs that authorize them, it is not obvious how these schools will provide a substantially different alternative.

It would be helpful for the applicant to include or reference all relevant information in the section in which it is requested, to prevent grant reviewers from having to search.

Reader's Score: 15

2. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law.

Note: The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

Strengths

Charter schools are freed from specific district-level regulations and operate as separate non-profit entities.

Weaknesses

There is actually very little freedom in place here. The charter school is tied so closely to the district - even unable to enter into multi-year fiscal obligations without prior express written approval by the district - that no meaningful flexibility or autonomy appears to exist. No contracts may be entered into without approval of the authorizing district; this effectively gives control over many curriculum and programming decisions to the

authorizing district.

The charter school budget is established in the charter contract, which means that it must be negotiated and therefore is not in the complete and autonomous control of the school.

The administrative relationship between the district authorizer and the charter school is not described in such a way as to imply anything other than that the district has a tremendous amount of control over the charter school.

Little freedom appears to exist. No evidence of accountability for failure to perform is provided. It is curious, however, why a number of these schools have chosen to convert back to traditional schools.

Reader's Score: 10

3. The number of high-quality charter schools to be created in the State.

Note: The Secretary considers the SEA's reasonable estimate of the number of new charter schools to be authorized and opened in the State during the three-year period of this grant.

The Secretary also considers how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

Strengths

The state took time to research the national averages on planning and implementation grants.

Growth plans appear to be realistic based on past experience.

Federal funds questions are answered beginning on page 27 and appear to be consistent with the state's legal structure. Opportunities for verification exist.

Weaknesses

Growth targets do not appear to account for any evidenced levels of demand in the state. It would be helpful to have some stronger sense for parent and community interest in charter schools, or perhaps account for charter schools as part of a broader state plan for educational service delivery.

Growth levels do not appear to be particularly ambitious. Diversity is not realistically going to be ensured given the small number of schools to open.

It is not clear how the federal funds flow through the authorizing district. It would appear that the local district is responsible for equitable distribution to its charter schools,

which could prove problematic. Timing of the arrival of funds is also not addressed.

Reader's Score: 15

4. The quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Note: In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps to be taken by the SEA to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process the SEA will use to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

Strengths

The management plan is well organized and includes milestones.

Activities appear to be reasonable to accomplish the specified goals.

Weaknesses

No staffing descriptions are provided.

Inadequate methods of communications are described, particularly given the unique communications challenges posed by the enormous geographic size of the state. More is needed in this area.

Academic achievement improvement is an ambitious goal and needs a great deal more attention than two action steps. It would be useful for the state to discuss the approaches it will use, and how will they differ for charter schools than they do for all districts statewide.

There are similar concerns around the discussion of financial sustainability. A more complete and thorough description of how the state will work to encourage and sustain this effort is required. In addition, the five indicators of financial viability (page 27) was omitted from this list. This is an activity that deserves considerably more exploration.

Reader's Score: 10

5. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that has agreed to serve as evaluator for the project and to describe the qualifications of that evaluator. We also encourage the applicant to describe, in its application, the evaluation design, indicating: (1) the types of data that will be collected; (2) when various types of data will be collected; (3) the methods that will be used; (4) the instruments that will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths

The use of a logic model is a positive.

The external evaluator appears to be experienced and qualified.

Planning around the collection of data, the types of data to be used, and the timelines for each are provided.

Weaknesses

It would be helpful to include interim benchmarks to determine how progress is made throughout duration of project period.

Growth in all three objectives is not particularly ambitious. On page 49, for example, having fewer than 10% of schools in a financial emergency is not as strong as having zero schools in financial emergency. Fewer than ten percent could be incidental to the life of the schools themselves and is not tied directly back to the impact of the proposed project. Similarly, other measures could be strengthened to make the program evaluation more compelling. The AYP goals stated on page 45 are similarly situated; more ambition relative to these goals and a more clear relationship back to project activities would be useful.

on page 45 the applicant indicates 100% of students will be assessed. This is an input or tool relative to the evaluation itself, not a measurable outcome.

The state's performance is never really addressed according to its measures; only the school performance and outcomes are discussed. While it is important to consider the

outcomes of the grant project in terms of the school success being achieved, it is equally important for the state to assess and evaluate itself and its activities in a rigorous and objective fashion. This is a significant issue relative to the proposed evaluation plan.

Reader's Score: 15

Status: Submitted

Last Updated: 04/03/2009 12:58 PM

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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MEMORANDUM March 30, 2010

SUBJECT: Effect of charter school construction aid on liabilities and local funding mechanisms (HB 393, Work Order No. 26-LS1550\A)

TO: Representative Paul Seaton
Chair, House Education Committee
Attn: Louie Flora

FROM: Jean M. Mischel
Legislative Counsel

You have asked whether the above bill allows for construction of a school without a vote and therefore violates requirements for issuing general obligation bonds. You have concerns about the various mandates in the bill. You have further asked for a description of the nature of the obligation for construction of a school in a regional educational attendance area (REAA) if the school is owned or leased by the REAA, the state, or another entity.

The bill as currently written does not presuppose the building, maintenance, or lease of a charter school by any particular local funding mechanism, including bonding. Further, the bill does not limit or eliminate a local funding mechanism. Instead, the bill requires the department to establish a grant program, to apply for available federal funding and to provide that funding, along with state aid on a $1 per pupil basis if appropriated by the legislature, for "approved projects for charter school facilities construction, lease, or major maintenance."

The district, including an REAA, must apply for the grant using the existing grant procedure at AS 14.11.011 and the application must be approved by the department under existing review procedures. The district must also provide a local contribution that is based on the difference between the combined available federal and state money and the allowable costs of the project.

The last sentence of Art. II, sec. 19 of the Alaska Constitution prohibits "local acts" that necessitate appropriations by a political subdivision without a majority vote of qualified voters. I know of no case interpretation of this provision but the bill's local contribution requirement could certainly be put to a vote. Nothing in the bill otherwise circumvents or "violates" bonding requirements or even specifies whether bonding may or may not be used as for state aid under AS 14.11.100 even if the district is a municipal school district.

As in other grant programs, the source of the local contribution is unspecified. In an REAA, the source of a participating share for school construction grants under AS 14.11.008(c) may be satisfied by money from federal impact aid or from "local or other sources."

With regard to the nature of the legal obligation for construction of a school in an REAA, the bill is also silent. In a general legal sense, the state is otherwise constitutionally obligated to construct and maintain a school if the school is found to be necessary to provide an adequate education in that REAA. An REAA may elect under AS 14.11.020 and the implementing regulations to assume all responsibility by vote of the assembly or council and acceptance by the department of the assumption.[1] If the school district does not make that election, the state retains all obligations associated with ownership. If the school is constructed or maintained under a lease agreement, the agreement will describe the obligations of the lessee. Normally, that does not release the state or district from liabilities associated with ownership and operation.

If I may be of further assistance, please advise.

JMM:lmb
10-016.lmb

[1] AS 14.11.020(a) provides:

> The assembly or council of a municipality that is a school district or a regional school board may, by resolution or majority vote of the body, assume the responsibilities relating to the planning, design, and construction of a school or an education-related facility located within the boundaries or operating area of the municipality or regional educational attendance area. After receipt of a request by an assembly or council under this subsection, the department shall provide for the assumption of the responsibilities requested. After receipt of a request by a regional school board under this subsection, the department may provide for the assumption of the responsibilities requested.

Charter Schools
APPLICATION
for

FY 08-09

Alaska Department of Education & Early Development
801 W 10th Street, Suite 200
P.O. Box 110500
Juneau, AK 99811-0500

September 2008

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Application for Charter

This application may be filled in or used as a guideline.

This application must be used and all headings and subheadings addressed for approval by the State Board of Education. It contains all criteria that must be addressed.

After local school board approval, your application and signed charter contract with the district shall be sent to the Department of Education & Early Development for review. Upon receipt of the application, the Department's Charter School Technical Review Team will identify any deficiencies in the application, or determine if any modifications or additional information are necessary. Once the technical review team and the commissioner's office deem that the application is acceptable, it will be sent to the State Board of Education for approval.

The charter school will need to properly address the question(s) under each criterion. For instance, number "1." concerns the "Academic Policy Committee". There are two questions in this section that need to be addressed. Under the question in each section are guidelines regarding "what the reviewers will look for," followed by "suggested sources of evidence". These two review guidelines should assist the charter school in properly submitting information that the technical review team and State Board require for the state's review process. If this is a first application, there may not be enough data available to support an answer to certain questions. However, they must be addressed with comments for future plans to deal with the specific issue. These questions are highlighted in yellow.

Your application should not leave to the reader any responsibility for deciphering the explanation or interpreting the evidence presented. Successful applicants will also identify weaknesses, as well as strengths, and will explain why the weaknesses do not outweigh the school's strengths. The application is a response to questions about the school's performance and to questions about the school's future. In conclusion, the charter school's application should be looked upon favorably by the State Board of Education and Early Development if the fifteen criteria are adequately addressed.

If you have any questions related to matters of law, please check the Alaska Statutes and Alaska Administrative Code. Links to these laws can be found on the Charter Schools web page at: www.eed.state.ak.us/Alaskan_Schools/Charter/.

Requirements

Timeline:

(a) An initial charter application (after local school board approval) for a new or conversion school may not be submitted to the Department of Education & Early Development sooner than twelve (12) months prior to the start-up of the school.

(b) An existing charter school cannot apply for reapplication to the state sooner than twelve (12) months before the expiration date of their charter.

(c) The completed application materials shall be presented to the local school board, which will then forward the application to the Alaska Department of Education & Early Development's charter school program manager as required by AS 14.03.250(c).

(d) *Mail to:*

Alaska Department of Education & Early Development
Attn: Charter School Program Manager
801 W. 10th Street, Suite 200
P.O. Box 110500
Juneau, Alaska 99811-0500

(e) 4 AAC 33.110(g) states: "No later than 20 working days after a local school board's decision to approve or deny an application for a charter school, the local school board shall mail to the Department of Education & Early Development the application and the decision, including the supporting documents required by (a) of this section, and the minutes of the local school board meeting at which the charter school was approved or denied...."

(f) The completed application must be in the hands of the charter school program manager no later than 90 days before the next regular scheduled meeting of the State Board of Education & Early Development. See schedule at: www.eed.state.ak.us/State_Board/

Required Format:

1. Not more than 200 pages single-sided, *unbound*, in 12 point font.
2. ALL pages numbered in consecutive order (i.e. 1, 2, 3, ...200).
3. A table of contents.
4. Follow in numerical order the numbered headings of the application.
5. ALL numbered headings and subheadings must be addressed.

Application will not be read if any of the above five requirements are not met.

Charter Schools Application

Name of Charter School: _____

Date of Application: _____

District: _____

School Contact: _____

Phone Number: _____

E-Mail Address: _____

1. ACADEMIC POLICY COMMITTEE

(a) Has the school's independent academic policy committee operated at an acceptable level?

(b) Is there an independent academic policy on file?

What Reviewers Will Look For: *Evidence that the school is meeting the objectives as stated in the independent academic policy.*

Suggested Sources of Evidence: *The number of academic policy sessions and the minutes from those committee meetings.*

INSERT INFO HERE →

2. LAW PROVISIONS

(a) To be valid, the application must include a separate, signed, charter school contract with the district, addressing the fourteen provisions as listed under AS 14.03.255(c)(1 – 14).

(b) Have the responsibilities of the academic policy committee regarding provisions of the law been fully addressed?

(c) Is the charter school within the bounds of the most current applicable statutory and regulatory requirements?

What Reviewers Will Look For: *Evidence that the school complies with applicable federal, state, and local laws and regulations in regards to the academic policy.*

Suggested Sources of Evidence: *Charter contract, charter school bylaws, and minutes of meetings where committee has adopted bylaws, etc.*

INSERT INFO HERE ➔

3. EDUCATION PROGRAMS

(a) Has the school made reasonable progress in meeting its academic goals?

(b) Has the school demonstrated progress, where applicable, on the statewide assessment?

(c) Has the school demonstrated progress, where applicable, on other assessments?

(d) Does the school use its assessment data to drive decision-making in curriculum and instruction?

(e) Where performance-based assessments are used, does the school have clear criteria?

What Reviewers Will Look For: *Evidence that the school is providing an instructional program that meets or exceeds the academic standards, including assessments set by the state.*
Suggested Sources of Evidence: *Promotion & graduation requirements & results of assessments that determine whether students are achieving standards.*

INSERT INFO HERE →

4. PROGRAM ACHIEVEMENT

(a) Is the school implementing a well-conceived plan to ensure equal and bias-free access for all students, for all facilities, courses, programs, activities, and services?

(b) Is the school systematically addressing the needs of students who do not perform at acceptable levels of proficiency in the statewide assessment program?

(c) Is the school systematically informing parents of their child's performance and progress?

(d) Did the charter school provide student assessment participation rates?

(e) Has the charter school made a comparison between their assessment scores and the district's assessment data?

(f) Has the charter school made a comparison between their assessment scores and the state's assessment data?

(g) Has the charter school shown disaggregated scores across all categories?

(h) Does the school provide professional development that is goal-based and driven, in large part, by the student assessment data?

(i) Is the school implementing a well-conceived plan to demonstrate progress over time?

What Reviewers Will Look For: *Evidence that the school is meeting the objectives agreed to for program achievement, particularly assessment data comparisons, student assessment participation rates, and disaggregated scores across all categories.*

Suggested Sources of Evidence: *Implementation of approved plans for special education, relevant data regarding enrollment & services provided to special needs & bilingual students, school schedule & calendar, and student records of statewide assessment performance. Also, student report card/progress report & description of staff development activities.*

INSERT INFO HERE →

5. ADMISSION PROCEDURES

(a) Does the school have admission procedure criteria?

(b) Are eligible students specifically defined?

(c) What are the provisions for accommodating additional students, if necessary?

(d) Is there a lottery or other type of provision for random drawing for enrollment when applicants exceed the school's capacity?

What Reviewers Will Look For: *Evidence that the school is viable in terms of student admissions, and has adequate provisions for accommodating additional students and a plan for random drawing for enrollment when applicants exceed capacity.*

Suggested Sources of Evidence: *Enrollment data, turnover data, waiting list data, exit interviews or surveys, and written admissions enrollment procedures.*

INSERT INFO HERE →

6. ALTERNATIVE OPTION

(a) Is there a provision in place for students who do not wish to attend the charter school, even though it's the only option?

What Reviewers Will Look For: *Evidence through a local written provision that there are alternative choices for students who choose not to attend the local charter school, even though it is the only local school available.*

Suggested Sources of Evidence: *Check local provision.*

INSERT INFO HERE ➔

1098

7. ADMINISTRATIVE POLICIES

(a) Is there an administrative policy that follows charter school law?

(b) Does the school present evidence that there is a full and abiding understanding of the obligations of the administration in providing for the control and supervision of the charter school?

(c) Is there compelling evidence that the school's leadership is strong?

(d) Is there compelling evidence that the school has handled organizational challenges effectively and competently?

(e) Are the mechanisms in place;(e.g. an advisory grievance committee) to respond to, and, where indicated, resolve complaints?

What Reviewers Will Look For: *Evidence that the school is administered in an efficient and effective manner. Evidence that there is clear governance and administrative structures and problems are addressed adequately when they arise*

Suggested Sources of Evidence: *Written evaluations, formal complaints, leadership changes, board turnover, and examples of governance issues & how they are addressed, and the administrative policy manual.*

INSERT INFO HERE →

8. FUNDING ALLOCATION

(a) Is a charter school budget summary in place that designates the funding allocation from the local school board in addition to a summary of the charter school budget?

(b) Is the school district going to implement indirect costs? If so, what services are provided to the charter school for this indirect fee?

(c) Will the charter school be eligible for the additional local revenue over the 4-mills required in the foundation program?

(d) Has the charter school met the requirement to achieve a positive or zero ending fund balance?

What Reviewers Will Look For: *Evidence of an understanding of the financial management and reporting requirements associated with operating a school per the charter school budget summary.*

Suggested Sources of Evidence: *A clear concise narrative statement providing sufficient evidence that the school has competently & effectively managed its finances. Evidence of an approved budget procedure for amending the budget, and procedures for amending budget minutes of meetings where the budget is adopted or amended.*

INSERT INFO HERE ➔

9. FISCAL SOLVENCY

(a) Has the charter school, over the course of the initial charter, implemented a well-conceived financial plan to ensure the fiscal solvency of the charter school?

(b) Do the audit reports to date indicate that the school has met its obligation to ensure the fiscal integrity of the school's financial operation?

(c) Has the school achieved efficiencies in its operation?

What Reviewers Will Look For: *Evidence of sound fiscal management and fiscal viability of the charter school as confirmed by a balanced budget.*

Suggested Sources of Evidence: *Financial audits & financial statements.*

INSERT INFO HERE ➔

10. FACILITY PLANS

(a) Does the school present a clear and detailed plan for maintaining the present site or, if indicated, acquiring a suitable and adequate education facility?

What Reviewers Will Look For: *Evidence of how the charter school is in compliance with and is meeting their detailed facility plan.*

Suggested Sources of Evidence: *A drawn schematic of the physical plant.*

INSERT INFO HERE ➔

11. TEACHER TO STUDENT RATIO

(a) Is there a plan which adequately addresses teacher-to-student ratio?

(b) Is the plan reasonably based on projected enrollment figures?

What Reviewers Will Look For: *Evidence that the school has a workable plan that addresses teacher to student ratio including projected enrollment figures.*

Suggested Sources of Evidence: *Minutes of board meeting where staffing ratio was approved and evidence of deployment for determining enrollment projections.*

INSERT INFO HERE ➔

12. ENROLLMENT

(a) Has the student enrollment been stable?

(b) Has the school's enrollment been at a maximum?

What Reviewers Will Look For: *Evidence that the school is viable in terms of student enrollment, has an adequate student recruitment process to attract students, and is successful enough to retain the number of students it projected in the charter application.*

Suggested Sources of Evidence: *A written statement that is a reflective self-appraisal of strengths & weaknesses of the school's charter with credible & compelling plans for building on success, maintaining or increasing student enrollment & momentum, & making necessary changes for improvement of the school.*

INSERT INFO HERE →

13. TEACHING METHOD/CURRICULUM

(a) Does the school have a plan that addresses explicit teaching methods that will benefit an age group, grade level, or specific type of student?

(b) Does the school have a systematic plan in place to monitor curriculum implementation and curriculum quality?

(c) Has the school undertaken curriculum review and revision?

(d) Is there evidence to support effective intervention with students who are "at risk?"

(e) Is the school addressing the needs of students with educational disabilities?

(f) Where applicable, does the school address the needs of students with limited English proficiency?

What Reviewers Will Look For: *Evidence that the school utilizes various teaching methods that would benefit specific age groups, grade levels, or explicit types of students. Evidence that the charter school has a written systematic plan to monitor curriculum implementation and quality, including curriculum review and revision. Evidence that the school is attracting and accommodating at-risk students and special education students and meeting their needs. Evidence that the school is complying with federal and state laws and regulations regarding these populations.*

Suggested Sources of Evidence: *Check written plans on monitoring curriculum implementation, check that laws regarding special needs students are being adhered to. Evidence of an adopted curriculum/course of study, regular monitoring and updating of curriculum/course of study.*

INSERT INFO HERE →

14. COLLECTIVE BARGAINING

(a) Where applicable, does a collective bargaining contract exist that alludes to contract exemptions that are agreed to by both the school district and bargaining unit?

(b) If no contract exemptions are agreed to, are the employees of the charter school subject to all provisions of the collective bargaining agreements enforced in the school district?

What Reviewers Will Look For: *Evidence that a written collective bargaining contract exists, if applicable, regarding contract exemptions. In the event of no contract exemptions, evidence that the employees of the charter school are subject to all provisions of the school district's collective bargaining agreements.*

Suggested Sources of Evidence: *Written collective bargaining unit contract, and board approval of exemptions from the collective bargaining agreement.*

INSERT INFO HERE →

15. CONTRACT TERMINATION

(a) Is there a charter school contract termination clause currently in effect?

What Reviewers Will Look For: *Evidence that a written charter school contract termination clause is present.*

Suggested Sources of Evidence: *Check for written charter school termination clause.*

INSERT INFO HERE →

Charter Schools Rating Template

for

FY 08 - 09

Alaska Department of Education & Early Development
801 W 10th Street, Suite 200
P.O. Box 110500
Juneau, AK 99811-0500

May 2008

1108

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Rating Template for Application

This Rating Template is a guideline of criteria to be addressed in an application for a charter. Please see the directions included in the application for more information.

Upon receipt of an application to operate a charter school, the Department's Charter School Technical Review Team will evaluate the application using this Rating Template. The team will identify any deficiencies in the application and determine if any modifications or additional information are necessary. Once the Technical Review Team deems that the application is acceptable, it will be sent to the State Board of Education for approval.

The rating template is in a scoring guide format and will be used by the EED Charter School Technical Review Team to evaluate applications received. Each item on the rating template corresponds to one of the fifteen criteria in the application.

The charter school will need to properly address the question(s) under each criterion. For instance, number "1." concerns the "Academic Policy Committee". There are two questions in this section that need to be addressed. Under the question in each section are guidelines regarding "what the reviewers will look for," followed by "suggested sources of evidence". These two review guidelines should assist the charter school in properly submitting what the technical review team and State Board want in the review process. If a question in one of the criteria is not applicable, please write that in your application. For example, if this is a first application (a new charter school), the shaded N/A check boxes indicate the question may not apply, but must be addressed with comments for future plans to deal with the specific issue.

The application should not leave to the reader any responsibility for deciphering the explanation or interpreting the evidence presented. Successful applicants will also identify weaknesses, as well as strengths, and will explain why the weaknesses do not outweigh the school's strengths. The application and rating template is a response to questions about the school's performance and to questions about the school's future. In conclusion, the charter school's application should be looked upon favorably by the State Board of Education and Early Development if the fifteen criteria are adequately addressed.

Requirements

Timeline:

(a) An initial charter application (after local school board approval) for a new or conversion school may not be submitted to the Department of Education & Early Development sooner than twelve (12) months prior to the start-up of the school.

(b) An existing charter school cannot apply for reapplication to the state sooner than twelve (12) months before the expiration date of their charter.

(c) The completed application materials shall be presented to the local school board, which will then forward the application to the Alaska Department of Education & Early Development's charter school program manager as required by AS 14.03.250(c).

(d) *Mail to:*

Alaska Department of Education & Early Development
Attn: Charter School Program Manager
801 W. 10th Street, Suite 200
P.O. Box 110500
Juneau, Alaska 99811-0500

(e) 4 AAC 33.110(g) states: "No later than 20 working days after a local school board's decision to approve or deny an application for a charter school, the local school board shall mail to the Department of Education & Early Development the application and the decision, including the supporting documents required by (a) of this section, and the minutes of the local school board meeting at which the charter school was approved or denied...."

(f) The completed application must be in the hands of the charter school program manager no later than 90 days before the next regular scheduled meeting of the State Board of Education & Early Development. See schedule at: www.eed.state.ak.us/State_Board/

Required Format:

1. Not more than 200 pages single-sided, *unbound*, in 12 point font.
2. ALL pages numbered in consecutive order (i.e. 1, 2, 3. ...200).
3. A table of contents.
4. Follow in numerical order the numbered headings of the application.
5. ALL numbered headings and subheadings must be addressed.

Application will not be read if any of the above five requirements are not met.

Charter Schools
Rating Template

A= Adequate
IA= Inadequate
N/A= Not Applicable

Name of Charter School: _____
Date of Application and Rating Template: _____
District: _____

1.	RATING			COMMENTS
ACADEMIC POLICY COMMITTEE	A	IA	N/A	
(a) Has the school's independent academic policy committee operated at an acceptable level?				
(b) Is there an independent academic policy on file?				
What Reviewers Will Look For: Evidence that the school is meeting the objectives as stated in the independent academic policy				
Suggested Sources of Evidence: *The number of academic policy sessions and the minutes from those committee meetings.*				

2.	RATING			COMMENTS
LAW PROVISIONS	A	IA	N/A	
(a) To be valid, the application must include a separate, signed, charter school contract with the district, addressing the fourteen provisions as listed under AS 14.03.255(c)(1 14).				
(b) Have the responsibilities of the academic policy committee regarding provisions of the law been fully addressed?				
(c) Is the charter school within the bounds of the most current applicable statutory and regulatory requirements?				
What Reviewers Will Look For: Evidence that the school complies with applicable federal, state, and local laws and regulations in regards to the academic policy				
Suggested Sources of Evidence: *Charter contract, charter school bylaws, and minutes of meetings where committee has adopted bylaws, etc*				

3.	RATING			COMMENTS
EDUCATION PROGRAMS	A	IA	N/A	
(a) Has the school made reasonable progress in meeting its academic goals?				
(b) Has the school demonstrated progress, where applicable, on the statewide assessment?				
(c) Has the school demonstrated progress, where applicable, on other assessments?				
(d) Does the school use its assessment data to drive decision-making in curriculum and instruction?				
(e) Where performance-based assessments are used, does the school have clear criteria?				
What Reviewers Will Look For: *Evidence that the school is providing an instructional program that meets or exceeds the academic standards, including assessments set by the state.*				
Suggested Sources of Evidence: *Promotion & graduation requirements & results of assessments that determine whether students are achieving standards.*				

4.	RATING			COMMENTS
PROGRAM ACHIEVEMENT	A	IA	N/A	
(a) Is the school implementing a well-conceived plan to ensure equal and bias-free access for all students, for all facilities, courses, programs, activities, and services?				
(b) Is the school systematically addressing the needs of students who do not perform at acceptable levels of proficiency in the statewide assessment program?				
(c) Is the school systematically informing parents of their child's performance and progress?				
(d) Did the charter school provide student assessment participation rates?				

4. (*CONT.*)	RATING			COMMENTS
PROGRAM ACHIEVEMENT	A	IA	N/A	
(e) Has the charter school made a comparison between their assessment scores and the district's assessment data?				
(f) Has the charter school made a comparison between their assessment scores and the state's assessment data?				
(g) Has the charter school shown disaggregated scores across all categories?				
(h) Does the school provide professional development that is goal-based and driven, in large part, by the student assessment data?				
(i) Is the school implementing a well-conceived plan to demonstrate progress over time?				
What Reviewers Will Look For: *Evidence that the school is meeting the objectives agreed to for program achievement, particularly assessment data comparisons, student assessment participation rates, and disaggregated scores across all categories*				
Suggested Sources of Evidence: *Implementation of approved plans for special education, relevant data regarding enrollment & services provided to special needs & bilingual students, school schedule & calendar, and student records of statewide assessment performance. Also, student report card progress report & description of staff development activities.*				

5.	RATING			COMMENTS
ADMISSION PROCEDURES	A	IA	N/A	
(a) Does the school have admission procedure criteria?				
(b) Are eligible students specifically defined?				
(c) What are the provisions for accommodating additional students, if necessary?				
(d) Is there a lottery or other type of provision for random drawing for enrollment when applicants exceed the school's capacity?				
(e) Is there a provision for accommodating vacancies that may occur mid year?				
What Reviewers Will Look For: *Evidence that the school is aware of issues of student admissions and has adequate provisions for accommodating additional students and a fair and random process when applicants exceed capacity*				
Suggested Sources of Evidence: *Enrollment data, turnover data, waiting list data, exit interviews or surveys, and written admissions enrollment procedures*				

6.	RATING			COMMENTS
ALTERNATIVE OPTION	A	IA	N/A	
(a) Is there a provision in place for students who do not wish to attend the charter school, even though it's the only option?				
What Reviewers Will Look For: Evidence through a local written provision that there are alternative choices for students who choose not to attend the local charter school, even though it is the only local school available				
Suggested Sources of Evidence: *Check local provision.*				

7.	RATING			COMMENTS
ADMINISTRATIVE POLICIES	A	IA	N/A	
(a) Is there an administrative policy that follows charter school law?				
(b) Does the school present evidence that there is a full and abiding understanding of the obligations of the administration in providing for the control and supervision of the charter school?				
(c) Is there compelling evidence that the school's leadership is strong?				
(d) Is there compelling evidence that the school has handled organizational challenges effectively and competently?				
(e) Are the mechanisms in place; (e.g. an advisory grievance committee) to respond to, and, where indicated, resolve complaints?				
What Reviewers Will Look For: Evidence that the school is administered in an efficient and effective manner. Evidence that there is clear governance and communicative structures and problems are addressed adequately when they arise.				
Suggested Sources of Evidence: *Written evaluations, formal complaints, leadership changes, board turnover, and examples of governance issues & how they are addressed, and the administrative policy manual.*				

8.	RATING			COMMENTS
FUNDING ALLOCATION	A	IA	N/A	
(a) Is a charter school budget summary in place that designates the funding allocation from the local school board in addition to a summary of the charter school budget?				
(b) Is the school district going to implement indirect costs? If so, what services are provided to the charter school for this indirect fee?				
(c) Will the charter school be eligible for the additional local revenue over the 4-mills required in the foundation program?				
(d) Has the charter school met the requirement to achieve a positive or zero ending fund balance?				
What Reviewers Will Look For: *Evidence of an understanding of the financial management and reporting requirements associated with operating a school per the charter school budget summary.*				
Suggested Sources of Evidence: *A clear concise narrative statement providing sufficient evidence that the school has competently & effectively managed its finances. Evidence of an approved budget procedure for amending the budget, and procedures for amending budget minutes of meetings where the budget is adopted or amended.*				

9.	RATING			COMMENTS
FISCAL SOLVENCY	A	IA	N/A	
(a) Has the charter school, over the course of the initial charter, implemented a well-conceived financial plan to ensure the fiscal solvency of the charter school?				
(b) Do the audit reports to date indicate that the school has met its obligation to ensure the fiscal integrity of the school's financial operation?				
(c) Has the school achieved efficiencies in its operation?				
What Reviewers Will Look For: *Evidence of sound fiscal management and fiscal viability of the charter school as confirmed by a balanced budget.*				
Suggested Sources of Evidence: *Financial audits & financial statements.*				

10.	RATING			COMMENTS
FACILITY PLANS	A	IA	N/A	
(a) Does the school present a clear and detailed plan for maintaining the present site or, if indicated, acquiring a suitable and adequate education facility?				
What Reviewers Will Look For: *Evidence of how the charter school is in compliance with and is meeting their detailed facility plan.*				
Suggested Sources of Evidence: *A drawn schematic of the physical plant.*				

11.	RATING			COMMENTS
TEACHER TO STUDENT RATIO	A	IA	N/A	
(a) Is there a plan which adequately addresses teacher to student ratio?				
(b) Is the plan reasonably based on projected enrollment figures?				
What Reviewers Will Look For: *Evidence that the school has a workable plan that addresses teacher to student ratio including projected enrollment figures.*				
Suggested Sources of Evidence: *Minutes of board meeting where staffing ratio was approved and evidence of deployment for determining enrollment projections.*				

12.	RATING			COMMENTS
ENROLLMENT	A	IA	N/A	
(a) Has the student enrollment been stable?				
(b) Has the school's enrollment been at a maximum?				
What Reviewers Will Look For: *Evidence that the school is stable in terms of student enrollment, has an adequate student recruitment process to attract students, and is successful enough to retain the number of students it projected in the charter application.*				
Suggested Sources of Evidence: *A written statement that is a reflective self-appraisal of strengths & weaknesses of the school's charter with credible & compelling plans for building on success, maintaining or increasing student enrollment & momentum, & making necessary changes for improvement of the school.*				

13.	RATING			COMMENTS
TEACHING METHOD/CURRICULUM	A	IA	N/A	
(a) Does the school have a plan that addresses explicit teaching methods that will benefit an age group, grade level, or specific type of student?				
(b) Does the school have a systematic plan in place to monitor curriculum implementation and curriculum quality?				
(c) Has the school undertaken curriculum review and revision?				
(d) Is there evidence to support effective intervention with students who are "at risk?"				
(e) Is the school addressing the needs of students with educational disabilities?				
(f) Where applicable, does the school address the needs of students with limited English proficiency?				
What Reviewers Will Look For: *Evidence that the school utilizes various teaching methods that would benefit specific age groups, grade levels, or explicit types of students. Evidence that the charter school has a written systematic plan to monitor curriculum implementation and quality, including curriculum review and revision. Evidence that the school is attracting and accommodating at-risk students and special education students and meeting their needs. Evidence that the school is complying with federal and state laws and regulations regarding these populations.*				
Suggested Sources of Evidence: *Check written plans on monitoring curriculum implementation, check that laws regarding special needs students are being adhered to. Evidence of an adopted curriculum course of study, regular monitoring and updating of curriculum course of study.*				

14.	RATING			COMMENTS
COLLECTIVE BARGAINING	A	IA	N/A	
(a) Where applicable, does a collective bargaining contract exist that alludes to contract exemptions that are agreed to by both the school district and bargaining unit?				
(b) If no contract exemptions are agreed to, are the employees of the charter school subject to all provisions of the collective bargaining agreements enforced in the school district?				
What Reviewers Will Look For: *Evidence that a written collective bargaining contract exists if applicable regarding contract exemptions. In the event of no contract exemptions, evidence that the employees of the charter school are subject to all provisions of the school district's collective bargaining agreements.*				
Suggested Sources of Evidence: *Written collective bargaining unit contract, and board approval of exemptions from the collective bargaining agreement.*				

15.	RATING			COMMENTS
CONTRACT TERMINATION	A	IA	N/A	
(a) Is there a charter school contract termination clause currently in effect?				
What Reviewers Will Look For: *Evidence that a written charter school contract termination clause is present.*				
Suggested Sources of Evidence: *Check for written charter school termination clause.*				

ALASKA STATUTES

Article 2. Charter Schools

250. Establishment of charter schools

255. Organization and operation of a charter school

260. Funding for charter school

265. Admission

270. Teacher or employee transfers, evaluations, and negotiated agreements.

275. Contracts; duration

280. Regulations

290. Definitions

Sec. 14.03.250. Establishment of charter schools.

(a) A charter school may be established as provided under AS 14.03.250 - 14.03.290 upon the approval of the local school board and the state Board of Education and Early Development of an application for a charter school. The state Board of Education and Early Development may not approve more than 60 charter schools to operate in the state at any one time.

(b) A local school board shall prescribe an application procedure for the establishment of a charter school in that school district. The application procedure must include provisions for an academic policy committee consisting of parents of students attending the school, teachers, and school employees and a proposed form for a contract between a charter school and the local school board, setting out the contract elements required under AS 14.03.255 (c).

(c) A local school board shall forward to the state Board of Education and Early Development applications for a charter school that have been approved or denied by the local board.

Sec. 14.03.255. Organization and operation of a charter school.

(a) A charter school operates as a school in the local school district except that the charter school (1) is exempt from the local school district's textbook, program, curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130 (c); the principal of the charter school shall be selected by the academic policy committee and shall select, appoint, or otherwise supervise employees of the charter school; and (3) operates under the charter school's annual program budget as set out in the contract between the local school board and the charter school under (c) of this section. A local school board may exempt a charter school from other local school district requirements if the exemption is set out in the contract. A charter school is subject to secondary school competency testing as provided in AS 14.03.075 and other competency tests required by the department.

(b) A charter school shall

(1) keep financial records of the charter school;

(2) oversee the operation of the charter school to ensure that the terms of the contract required by (c) of this section are being met;

(3) meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; and

(4) meet with the academic policy committee at least once each year to monitor progress in achieving the committee's policies and goals.

(c) A charter school shall operate under a contract between the charter school and the local school board. A contract must contain the following provisions:

(1) a description of the educational program;

(2) specific levels of achievement for the education program;

(3) admission policies and procedures;

(4) administrative policies;

(5) a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget;

(6) the method by which the charter school will account for receipts and expenditures;

(7) the location and description of the facility;

(8) the name of the teacher, or teachers, who, by agreement between the charter school and the teacher, will teach in the charter school;

(9) the teacher-to-student ratio;

(10) the number of students served;

(11) the term of the contract, not to exceed a term of 10 years;

(12) a termination clause providing that the contract may be terminated by the local school board for the failure of the charter school to meet educational achievement goals or fiscal management standards, or for other good cause;

(13) a statement that the charter school will comply with all state and federal requirements for receipt and use of public money;

(14) other requirements or exemptions agreed upon by the charter school and the local school board.

(d) A charter school may be operated in an existing school district facility or in a facility within the school district that is not currently being used as a public school, if the chief school administrator determines the facility meets requirements for health and safety applicable to public buildings or other public schools in the district.

Sec. 14.03.260. Funding for charter school.

(a) A local school board shall provide an approved charter school with an annual program budget. The budget shall be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the Department of Education and Early Development. The "amount generated by students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district.

(b) The program budget of a charter school is to be used for operating expenses of the educational program of the charter school, including purchasing textbooks, classroom materials, and instructional aids.

(c) The charter school shall provide the financial and accounting information requested by the local school board or the Department of Education and Early Development and shall cooperate with the local school district or the department in complying with the requirements of AS 14.17.910 .

(d) The expenses of housing nonresident students who attend the charter school, including room, board, and other reasonable housing expenses, may not be paid for with state money but may be paid for with funds contributed by sources other than the state.

Sec. 14.03.263. Charter school grant program. [Repealed, Sec. 1 ch 100 SLA 2003].

Repealed or Renumbered

Sec. 14.03.265. Admission.

(a) The program of a charter school may be designed to serve

(1) students within an age group or grade level;

(2) students who will benefit from a particular teaching method or curriculum; or

(3) nonresident students, including providing domiciliary services for students who need those services, if approved by the board.

(b) A charter school shall enroll all eligible students who submit a timely application, unless the number of those applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess of those applications, the charter school and the local school board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teachers from the district to the charter school. If it is not possible to accommodate all eligible students who submit a timely application, students shall be accepted by random drawing. A school board may not require a student to attend a charter school.

(c) In addition to other requirements of law, a charter school shall be nonsectarian.

Sec. 14.03.270. Teacher or employee transfers, evaluations, and negotiated agreements.

(a) A teacher or employee may not be assigned to a charter school unless the teacher or employee consents to the assignment.

(b) All provisions of an existing negotiated agreement or collective bargaining agreement applicable to a teacher or employee of a district apply to that teacher or employee if employed at a charter school in that district, unless the district and the bargaining unit representing the teacher or employee agree to an exemption.

(c) A teacher in a charter school shall be evaluated in an equivalent manner as all other teachers in the district, except that if there is no administrator assigned to the charter school, the local school board, with the agreement of the charter school, shall designate a school district administrator in that district to evaluate a teacher in a charter school.

Sec. 14.03.275. Contracts; duration.
A contract for a charter school may be for a term of no more than 10 years.
Sec. 14.03.280. Regulations.
The state Board of Education and Early Development may adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to implement AS 14.03.250 - 14.03.290.

Sec. 14.03.290. Definitions.
In AS 14.03.250 - 14.03.290
(1) "academic policy committee" means the group designated to supervise the academic operation of a charter school and to ensure the fulfillment of the mission of a charter school;
(2) "charter school" means a school established under AS 14.03.250 - 14.03.290 that operates within a public school district;
(3) "local school board" means a borough or city school board or a school board of a regional educational attendance area;
(4) "parent" means a biological, adoptive, or foster parent, or an adult who acts as guardian of a child and makes decisions related to the child's safety, education, and welfare;
(5) *[Repealed, Sec. 102 ch 21 SLA 2000].*
(6) "teacher" means a person who serves a school district in a teaching, counseling, or administrative capacity and is required to be certificated in order to hold the position.

4 AAC 33.110. Charter schools

(a) A local school board shall prescribe the application procedure described in AS 14.03.250 (b). 4 AAC 33.110. Charter schools

(a) A local school board shall prescribe the application procedure described in AS 14.03.250 (b). The procedure must be in writing and must be available upon request at the local school board's central office. The local school board shall include each document necessary to conduct a thorough review of the charter school, including

(1) a copy of the charter;

(2) a list of the members of the academic policy committee and their qualifications;

(3) the length of term of the charter;

(4) the charter school's bylaws;

(5) education programs to be offered at the charter school, including promotion and graduation requirements;

(6) a written instructional program that addresses academic standards, including the statewide student assessment system under 4 AAC 06.710 - 4 AAC 06.790;

(7) written objectives for program achievement, including assessment, staff development activities, and a school schedule and calendar;

(8) plans for serving special education, vocational education, gifted, and bilingual students;

(9) written admissions procedures;

(10) if the charter school is the only school in the community, an alternative option for students not wishing to attend the charter school;

(11) a written administrative policy manual;

(12) a written budget summary and financial plan;

(13) a written plan for the charter school's facility;

(14) a written plan that addresses the teacher-to-student ratio, including projected enrollment figures;

(15) a written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity;

(16) any written collective bargaining contract with teachers or employees;

(17) the written termination clause that must appear in the contract between the charter school and the local school board; and

(18) proof of compliance with applicable law.

(b) Repealed 3/31/2002.

(c) Repealed 3/31/2002.

(d) Repealed 3/31/2002.

(e) Repealed 3/31/2002.

(f) Repealed 3/31/2002.

(g) No later than 20 working days after a local school board's decision to approve or deny an application for a charter school, the local school board shall mail to the commissioner the application and the decision, including the supporting documents required by (a) of this section, and the minutes of the local school board meeting at which the charter school was approved or denied. The State Board of Education and Early Development will not approve an application that contains insufficient information to determine compliance with applicable law.

(h) The State Board of Education and Early Development will review applications for charter schools in the order that they are received under (g) of this section.

(i) The State Board of Education and Early Development will approve an application for a charter school if the

(1) local school board has approved the application; and

(2) application and other information available to the State Board of Education and Early Development demonstrate, to the satisfaction of the State Board of Education and Early Development, that the local school board and the charter school have complied with, and will continue to comply with, state and federal law, including AS 14.03.250 - 14.03.290 and this section.

(j) Repealed 3/31/2002.

(k) A decision of the State Board of Education and Early Development under (i) of this section is a final agency action for purposes of an appeal to the superior court.

(l) The department may audit the charter school's program during the charter period, and may take any action necessary to ensure compliance with federal and state law, including the withholding of money under AS 14.07.070 .

(m) Complaints involving the operation of a charter school shall be initially referred to the local school board for investigation. The local school board shall provide any relevant document concerning the complaint to the commissioner upon request.

(n) Repealed 8/6/2004.

(o) In this section,

(1) "charter school" has the meaning given that term in AS 14.03.290 ;

(2) "commissioner" means the commissioner of education and early development;

(3) "department" means the Department of Education and Early Development;

(4) "local school board" has the meaning given that term in AS 14.03.290 .

History: Eff. 4/27/96, Register 138; am 3/31/2002, Register 161; am 7/26/2002, Register 163; am 8/6/2004, Register 171

Authority: AS 14.03.250
AS 14.03.280
AS 14.07.020
AS 14.07.060

Editor's note: The address for mailing the application and decision described in 4 AAC 33.110(g) is Commissioner, Department of Education and Early Development, 801 West Tenth Street, Suite 200, P.O Box 110500, Juneau, Alaska 99811-0500.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.

Article 2. CHARTER SCHOOLS

Section
250. Establishment of charter schools.
255. Organization and operation of a charter school.
260. Funding for charter school.
263. Charter school grant program. [Repealed, 1 ch 100 SLA 2003.]
265. Admission.
270. Teacher or employee transfers, evaluations, and negotiated agreements.
275. Contracts; duration.
280. Regulations.
290. Definitions.

Administrative Code. - For regulation relating to charter schools, see 4 AAC 3.110.

Sec. 14.03.250. Establishment of charter schools.

(a) A charter school may be established as provided under AS 14.03.250 - 14.03.290 upon the approval of the local school board and the state Board of Education and Early Development of an application for a charter school. The state Board of Education and Early Development may not approve more than 60 charter schools to operate in the state at any one time.

(b) A local school board shall prescribe an application procedure for the establishment of a charter school in that school district. The application procedure must include provisions for an academic policy committee consisting of parents of students attending the school, teachers, and school employees and a proposed form for a contract between a charter school and the local school board, setting out the contract elements required under AS 14.03.255(c).

(c) A local school board shall forward to the state Board of Education and Early Development applications for a charter school that have been approved or denied by the local board.

((1 ch 77 SLA 1995; am 1 ch 70 SLA 2001))

Revisor's notes. Enacted as 1, ch. 77, SLA 1995 and codified in 1995, at which time "AS 14.03.250 - 14.03.290" was substituted for "this Act" in subsection (a), and "AS 14.03.255(c)" was substituted for "sec 2(c) of this Act" in subsection (c).

In 2000, "state Board of Education and Early Development" was substituted for "state Board of Education" in accordance with sec. 104, ch. 21, SLA 2000.

Administrative Code. - For special schools, see 4 AAC 33, art. 1.

Sec. 14.03.255. Organization and operation of a charter school.

(a) A charter school operates as a school in the local school district except that the charter school (1) is exempt from the local school district's textbook, program, curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the principal of the charter school shall be selected by the academic policy committee and shall select, appoint, or otherwise supervise employees of the charter school; and (3) operates under the charter school's annual program budget as set out in the contract between the local school board and the charter school under (c) of this section. A local school board may exempt a charter school from other local school district requirements if the exemption is set out in the contract. A charter school is subject to secondary school competency testing as provided in AS 14.03.075 and other competency tests required by the department.

(b) A charter school shall

(1) keep financial records of the charter school;

(2) oversee the operation of the charter school to ensure that the terms of the contract required by (c) of this section are being met;

(3) meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; and

(4) meet with the academic policy committee at least once each year to monitor progress in achieving the committee's policies and goals.

(c) A charter school shall operate under a contract between the charter school and the local school board. A contract must contain the following provisions:

(1) a description of the educational program;

(2) specific levels of achievement for the education program;

(3) admission policies and procedures;

(4) administrative policies;

(5) a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget;

(6) the method by which the charter school will account for receipts and expenditures;

(7) the location and description of the facility;

(8) the name of the teacher, or teachers, who, by agreement between the charter school and the teacher, will teach in the charter school;

(9) the teacher-to-student ratio;

(10) the number of students served;

(11) the term of the contract, not to exceed a term of 10 years;

(12) a termination clause providing that the contract may be terminated by the local school board for the failure of the charter school to meet educational achievement goals or fiscal management standards, or for other good cause;

(13) a statement that the charter school will comply with all state and federal requirements for receipt and use of public money;

(14) other requirements or exemptions agreed upon by the charter school and the local school board.

(d) A charter school may be operated in an existing school district facility or in a facility within the school district that is not currently being used as a public school, if the chief school administrator determines the facility meets requirements for health and safety applicable to public buildings or other public schools in the district.

((2 ch 77 SLA 1995; am 2 - 4 ch 70 SLA 2001))

Revisor's notes. Enacted as 2, ch. 77, SLA 1995. Codified in 1995.

Sec. 14.03.260. Funding for charter school.

(a) A local school board shall provide an approved charter school with an annual program budget. The budget shall be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the Department of Education and Early Development. The "amount generated by students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district.

(b) The program budget of a charter school is to be used for operating expenses of the educational program of the charter school, including purchasing textbooks, classroom materials, and instructional aids.

(c) The charter school shall provide the financial and accounting information requested by the local school board or the Department of Education and Early Development and shall cooperate with the local school district or the department in complying with the requirements of AS 14.17.910.

(d) The expenses of housing nonresident students who attend the charter school, including room, board, and other reasonable housing expenses, may not be paid for with state money but may be paid for with funds contributed by sources other than the state.

((3 ch 77 SLA 1995; am 1 ch 113 SLA 1997; am 11 ch 83 SLA 1998))

Revisor's notes. Enacted as 3, ch. 77, SLA 1995. Codified in 1995.

In 1999, "Department of Education" was changed to "Department of Education and Early Development" in (a) and (c) of this section in accordance with 89, ch. 58, SLA 1999.

Cross references. For provisions relating to funding of charter schools having small student population counts, with average student memberships of not more than 150 students, see AS 14.17.450(c), (d), and (f).

Sec. 14.03.263. Charter school grant program. [Repealed, 1 ch 100 SLA 2003.].

Sec. 14.03.265. Admission.

(a) The program of a charter school may be designed to serve

(1) students within an age group or grade level;

(2) students who will benefit from a particular teaching method or curriculum; or

(3) nonresident students, including providing domiciliary services for students who need those services, if approved by the board.

(b) A charter school shall enroll all eligible students who submit a timely application, unless the number of those applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess of those applications, the charter school and the local school board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teachers from the district to the charter school. If it is not possible to accommodate all eligible students who submit a timely application, students shall be accepted by random drawing. A school board may not require a student to attend a charter school.

(c) In addition to other requirements of law, a charter school shall be nonsectarian.

((4 ch 77 SLA 1995; am 2 ch 113 SLA 1997))

Revisor's notes. Enacted as 4, ch. 77, SLA 1995. Codified in 1995.

Editor's notes. Under 9, ch. 77, SLA 1995, this section would have been repealed July 1, 2005; however, 9, ch. 77, SLA 1995, was itself repealed by 8, ch. 70, SLA 2001, effective July 1, 2001, which had the effect of continuing AS 14.03.265 in effect.

Sec. 14.03.270. Teacher or employee transfers, evaluations, and negotiated agreements.

(a) A teacher or employee may not be assigned to a charter school unless the teacher or employee consents to the assignment.

(b) All provisions of an existing negotiated agreement or collective bargaining agreement applicable to a teacher or employee of a district apply to that teacher or employee if employed at

a charter school in that district, unless the district and the bargaining unit representing the teacher or employee agree to an exemption.

(c) A teacher in a charter school shall be evaluated in an equivalent manner as all other teachers in the district, except that if there is no administrator assigned to the charter school, the local school board, with the agreement of the charter school, shall designate a school district administrator in that district to evaluate a teacher in a charter school.
((5 ch 77 SLA 1995))

Revisor's notes. Enacted as 5, ch. 77, SLA 1995. Codified in 1995.

Sec. 14.03.275. Contracts; duration.

A contract for a charter school may be for a term of no more than 10 years.
((6 ch 77 SLA 1995; am 6 ch 70 SLA 2001))

Revisor's notes. Enacted as 6, ch. 77, SLA 1995. Codified in 1995.

Sec. 14.03.280. Regulations.

The state Board of Education and Early Development may adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to implement AS 14.03.250 - 14.03.290.
((7 ch 77 SLA 1995))

Revisor's notes. Enacted as 7, ch. 77, SLA 1995. Codified in 1995, at which time "AS 14.03.250 - 14.03.290" was substituted for "this Act."

In 2000, "state Board of Education and Early Development" was substituted for "state Board of Education" in accordance with sec. 104, ch. 21, SLA 2000.

Administrative Code. - For special schools, see 4 AAC 33, art. 1.

Sec. 14.03.290. Definitions.

In AS 14.03.250 - 14.03.290,

(1) "academic policy committee" means the group designated to supervise the academic operation of a charter school and to ensure the fulfillment of the mission of a charter school;

(2) "charter school" means a school established under AS 14.03.250 - 14.03.290 that operates within a public school district;

(3) "local school board" means a borough or city school board or a school board of a regional educational attendance area;

(4) "parent" means a biological, adoptive, or foster parent, or an adult who acts as guardian of a child and makes decisions related to the child's safety, education, and welfare;

(5) "teacher" means a person who serves a school district in a teaching, counseling, or administrative capacity and is required to be certificated in order to hold the position.
((8 ch 77 SLA 1995; am 102 ch 21 SLA 2000))

Revisor's notes. Enacted as 8, ch. 77, SLA 1995. Codified in 1995, at which time "AS 14.03.250 - 14.03.290" was substituted for "this Act" in the introductory language and paragraph (2) to reflect the codification, and "school board of a regional educational attendance area" was substituted for "regional school board" in paragraph (3) to correct a manifest error in ch. 77, SLA 1995.

Paragraph (5) was formerly (6); renumbered in 2008 to reflect the repeal of former paragraph (5).

Administrative Code. - For correspondence study programs, see 4 AAC 33, art. 4.

AAC 33.110. Charter schools

(a) A local school board shall prescribe the application procedure described in AS 14.03.250(b). The procedure must be in writing and must be available upon request at the local school board's central office. The local school board shall include each document necessary to conduct a thorough review of the charter school, including

(1) a copy of the charter;

(2) a list of the members of the academic policy committee and their qualifications;

(3) the length of term of the charter;

(4) the charter school's bylaws;

(5) education programs to be offered at the charter school, including promotion and graduation requirements;

(6) a written instructional program that addresses academic standards, including the statewide student assessment system under 4 AAC 06.710 - 4 AAC 06.790;

(7) written objectives for program achievement, including assessment, staff development activities, and a school schedule and calendar;

(8) plans for serving special education, vocational education, gifted, and bilingual students;

(9) written admissions procedures;

(10) if the charter school is the only school in the community, an alternative option for students not wishing to attend the charter school;

(11) a written administrative policy manual;

(12) a written budget summary and financial plan;

(13) a written plan for the charter school's facility;

(14) a written plan that addresses the teacher-to-student ratio, including projected enrollment figures;

(15) a written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity;

(16) any written collective bargaining contract with teachers or employees;

(17) the written termination clause that must appear in the contract between the charter school and the local school board; and

(18) proof of compliance with applicable law.

(b) Repealed 3/31/2002.

(c) Repealed 3/31/2002.

(d) Repealed 3/31/2002.

(e) Repealed 3/31/2002.

(f) Repealed 3/31/2002.

(g) No later than 20 working days after a local school board's decision to approve or deny an application for a charter school, the local school board shall mail to the commissioner the application and the decision, including the supporting documents required by (a) of this section, and the minutes of the local school board meeting at which the charter school was approved or denied. The State Board of Education and Early Development will not approve an application that contains insufficient information to determine compliance with applicable law.

(h) The State Board of Education and Early Development will review applications for charter schools in the order that they are received under (g) of this section.

(i) The State Board of Education and Early Development will approve an application for a charter school if the

(1) local school board has approved the application; and

(2) application and other information available to the State Board of Education and Early Development demonstrate, to the satisfaction of the State Board of Education and Early Development, that the local school board and the charter school have complied with, and will continue to comply with, state and federal law, including AS 14.03.250 - 14.03.290 and this section.

(j) Repealed 3/31/2002.

(k) A decision of the State Board of Education and Early Development under (i) of this section is a final agency action for purposes of an appeal to the superior court.

(*l*) The department may audit the charter school's program during the charter period, and may take any action necessary to ensure compliance with federal and state law, including the withholding of money under AS 14.07.070.

(m) Complaints involving the operation of a charter school shall be initially referred to the local school board for investigation. The local school board shall provide any relevant document concerning the complaint to the commissioner upon request.

(n) Repealed 8/6/2004.

(o) In this section,

(1) "charter school" has the meaning given that term in AS 14.03.290;

(2) "commissioner" means the commissioner of education and early development;

(3) "department" means the Department of Education and Early Development;

(4) "local school board" has the meaning given that term in AS 14.03.290.

History: Eff. 4/27/96, Register 138; am 3/31/2002, Register 161; am 7/26/2002, Register 163; am 8/6/2004, Register 171

Authority: AS 14.03.250

AS 14.03.280

AS 14.07.020

AS 14.07.060

Editor's note: The address for mailing the application and decision described in 4 AAC 33.110(g) is Commissioner, Department of Education and Early Development, 801 West Tenth Street, Suite 200, Juneau, Alaska 99801-1894.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.

Charter School Reapplication

Is your charter about to expire? If your answer to this question is yes, then please read carefully. Your charter needs to be reapplied for BEFORE it expires. This means you need to go through the reapplication process both locally and on the state level before your charter expires.

There are several steps that need to be taken to complete the reapplication process. First, you must obtain approval from your local school board. This process is identical to the initial application process (see 'Thinking of Becoming a Charter School'). It was the decision of the State Board of Education & Early Development that this process is not a renewal but a reapplication process, meaning you are not renewing your school's charter, but you are reapplying for a new charter. Obtain approval from local school board with the contract/negotiated agreement that is required by your district. (This may or may not be the same application required by the state.)

Once you have obtained local approval, the completed information as listed in the EED Charter Schools Application must be submitted to the Department of Education & Early Development within 20 working days. The application will be reviewed by a technical review committee, forwarded to the commissioner's office and then a recommendation is made to the State Board of Education & Early Development.

Important factors to keep in mind when going through the reapplication process:

- Present your application to the local school board for approval (via a simple majority vote).
- Then use the "Charter Schools Application" as a guide to submit your reapplication packet to the Department. The application may be filled out or used as a guide but all headings must be addressed.
- The critical point is to complete the entire process before your charter expires. This means you have to plan accordingly.
- Plan for enough time for the reapplication to be reviewed by the local school board, the technical review committee and commissioner and put on the State Board of Education & Early Development docket.
- Please review the Charter Schools Application.
- The Rating Template is used during the review process of the application by the review committee. It is posted on the web for your information only.

Timeline:

(a) *Anytime during the process of planning the application, technical assistance is available from the charter school program office at the Department of Education & Early Development.*

(b) *After local school board approval of contract/negotiated agreement with the district, an existing charter school must send the state's application (including required documents with original signatures where necessary) and the approved school board minutes to the department within 20 working days. This is required by AS 14.03.250(c) and 4 AAC 33.110(g).*

(c) *Mail to: Alaska Department of Education & Early Development, Attn: Charter School Program Manager, 801 W. 10th Street, Suite 200, P.O. Box 110500, Juneau, Alaska 99811-0500.*

(d) *The completed application must be in the hands of the charter school program manager no later than 90 days before the next regular scheduled meeting of the State Board of Education & Early Development. See schedule at: http://www.eed.state.ak.us/State_Board/*

If you have any questions please feel free to contact:
Paul Prussing at (907) 465-8689, e-mail *paul.prussing@alaska.gov*

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB 393**
() Publish Date:

Identifier (file name): HB393-EED-ESS-3-09-10
Title "An Act relating to charter school approval and funding"
Sponsor Representative Keller
Requester House Education Committee

Dept. Affected: Education and Early Development
RDU Education Support Services
Component School Finance & Facilities
Component Number 2737

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services	300.0		150.0	154.5	159.1	163.9	168.8
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**300.0**	**0.0**	**150.0**	**154.5**	**159.1**	**163.9**	**168.8**
CAPITAL EXPENDITURES	**1.0**		**1.0**	**1.0**	**1.0**	**1.0**	
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	301.0		151.0	155.5	160.1	164.9	168.8
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**301.0**	**0.0**	**151.0**	**155.5**	**160.1**	**164.9**	**168.8**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time	**1.0**		1.0	1.0	1.0	1.0	1.0
Part-time	0.5		0.5	0.5	0.5	0.5	0.5
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

Sec. 1, removes limit on number of charter schools that can operate in the state. As there are only 25 operating charter schools in the state currently, there is no anticipated fiscal impact resulting from this provision.

Sec. 2, Establishes charter school construction program based on charter school enrollment. Establishing regulations will require an estimated $150,000. Management of the program will require 1.5 FTE, one full-time grant administrator (Range 17), and a half-time administrative assistant (Range 14), to assist with the required reporting paperwork. The personnel costs are escalated at 3% per year to approximate cost of living increases. While it is difficult to say how much state funding might be required, the department has estimated that the program will impact 40% of the Charter schools in each year of the program. The bill reqiures the legislature to appropriate at least a dollar for each pupil enrolled in the charter school recieving funding which amounts to approximately $1,000 per year.

Sec. 3, Sunsets the charter school construction grant program on July 1, 2015, however, the department's finanical reporting and project oversight obligations will continue beyond sunset of the program.

Prepared by: Sam Kito III, P. E. , School Facilities Engineer — Phone (907) 465-6906
Division School Finance/Facilities Section — Date/Time 3.9.2010
Approved by: Larry LeDoux, Commissioner — Date 3/9/2010

(Revised 10/13/2009 OMB)

From: Kern, Dean [Dean.Kern@ed.gov]

To: barbara.gerard@matsuk12.us

Subject: Charter Facilities Programs

Hi Barbara,

It was great talking with you today. Information about the State Charter School Facilities Incentive grant program can be found at http://www2.ed.gov/programs/statecharter/index.html. As you are aware, States that have enacted a state law authorizing per-pupil facilities aid for charter schools may apply. The program provides grants to eligible states to help them establish or enhance, and administer, per-pupil facilities aid programs for charter schools. States eligible for these grants are those with per-pupil aid programs to assist charter schools with their school facility costs. Federal funds are used to match programs funded with nonfederal dollars that make payments, on a per-pupil basis, to provide charter schools with facilities financing.

Priority is given to states that meet the criteria in section 5202(e) which include states that provide for a periodic review and evaluation by the authorized public chartering agency, at least once every 5 years and do all of the following: demonstrate progress in increasing the number of high-quality charter schools; provide for an authorized public chartering agency that is not a local educational agency or, if local educational agencies are the only authorized pubic chartering agencies, allow for an appeals process; and ensure that charter schools have a high degree of autonomy over the charter school's budget and expenditures.

This program is a five-year program and conducted a competition during FY09 for a new five-year cohort. The next competition is not scheduled until FY13.

State and local officials have the responsibility for determining per pupil funding and facilities funding formulas and the administration of these programs. We strongly encourage all states to provide equitable facilities funding and participation for all students attending public schools, including public charter schools, for purposes of construction, modernization, renovation, or repair of public schools.

Please feel free to contact me if you have questions or need further assistance.

Dean Kern
Director, Office of Charter Schools Program
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., SW
LBJ-4W231
Washington, D.C. 20202

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Funding Status

2009

Appropriation: $216,031,000
Number of New Awards Anticipated: 6-10 for SEAs; 20-25 for non-SEAs
Average New Award: $5,000,000 for SEAs; $150,000 for non-SEAs
Range of New Awards: $500,000-$10,000,000 for SEAs; $10,000-$150,000 for non-SEAs
Number of Continuation Awards: 41
Average Continuation Award: $5,410,000 for SEAs; $137,342 for non-SEAs

2008

Appropriation: $190,000,000
Number of New Awards Anticipated: 10-12 for SEAs; 20-25 for non-SEAs
Average New Award: $5,000,000 for SEAs; $150,000 for non-SEAs
Range of New Awards: $500,000-$20,000,000 for SEAs; $10,000-$150,000 for non-SEAs
Number of Continuation Awards: 41
Average Continuation Award: $5,410,000 for SEAs; $137,342 for non-SEAs

2007

Appropriation: $200,000,000
Number of New Awards Anticipated: 10-12 for SEAs; 20-25 for non-SEAs
Average New Award: $5,000,000 for SEAs; $150,000 for non-SEAs
Range of New Awards: $500,000-$20,000,000 for SEAs; $10,000-$150,000 for non-SEAs
Number of Continuation Awards: 54
Average Continuation Award: $5,410,000 for SEAs; $137,342 for non-SEAs

2006

Appropriation: $214,782,480

2005

Appropriation: $216,952,384

2004

Appropriation: $218,702,000

2003

Appropriation: $198,700,000

2002

Appropriation: $200,000,000

2001

Appropriation: $190,000,000

2000

Appropriation: $145,000,000

Note: The Department is not bound by any estimates in this Guide.

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2010

C							D													F		
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3	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**	**31**	**32**	**33**	**34**	**35**	**36**	**37**	**38**	**39**	**40**
5	26	26	23	30	25	25	9	16	18.5	16	17	16	15	14	13	12	12	11	10	9	8	2
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	326	108	26	72	38	35	387	98	7	21	92	11	34	38	13	27	21	32	4	39	4	10

department of education interpretation and actual implementation have all been factored into the rankings. The total amount of points a state could veness of their law and the number of schools currently operating. Produced and published by The Center for Education Reform, December 2009.

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Purpose

CFDA Number: 84.282D
Program Type: Discretionary/Competitive Grants
Also Known As: Per-Pupil Facilities Aid Program

ED PROGRAMS

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MORE RESOURCES

Summaries of State Charter School Facility Laws

PROGRAM DESCRIPTION

This program provides grants to eligible states to help them establish or enhance, and administer, per-pupil facilities aid programs for charter schools. States eligible for these grants are those with per-pupil aid programs to assist charter schools with their school facility costs. Federal funds are used to match programs funded with nonfederal dollars that make payments, on a per-pupil basis, to provide charter schools with facilities financing. States pay an increasing share of the cost of the program.

ADDITIONAL INFORMATION

The purpose of the State Charter School Facilities Incentive Grants program is to assist charter schools with school facility costs by providing Federal funds to states to establish or enhance and administer per-pupil facilities aid programs. The program is intended to encourage states to develop and expand per-pupil facilities aid programs and to share in the costs associated with charter schools facilities funding. The program was created under section 5205 (b) of the Elementary and Secondary Education Act as amended by the No Child Left Behind Act of 2001.

Charter Schools often have a difficult time financing charter school facilities. A 2000 National Study of Charter Schools found that inadequate facilities are one of the major obstacles to implementation. Charter schools, unlike traditional public schools, do not typically receive facilities funding and generally cannot raise funds through taxes. Furthermore, charter schools have difficulty securing funding because they are considered risky by conventional lenders.

Some states have established per-pupil facilities aid programs that provide charter schools with facilities funding based on a per-pupil basis. These programs have the potential to help eliminate the facility problems charter schools typically face.

Under the State Charter School Facilities Incentive Grants program, the Department can award competitive grants of up to 5-years to states. States can use these funds to establish or enhance and administer per-pupil facilities aid programs for charter schools.

The term "per-pupil facilities aid program" refers to a program in which a state makes payments, on a formula basis that takes into account the number of pupils, to charter schools to provide the schools with financing that must include, or be dedicated solely for, the funding of facilities. For a state to be eligible to receive a grant, the state's program must be specified in state law and provide annual funding on a per-pupil basis for charter school facilities.

The maximum Federal share of funds decreases each year (from 90 percent in the first year to 20 percent in year 5) and phases out entirely after 5 years. The state may reserve up to 5 percent of its grant to carry out evaluations, to provide technical assistance, and to disseminate information.

Priority is given to states that meet the criteria in section 5202(e) which include states that provide for a periodic review and evaluation by the authorized public chartering agency, at least once every 5 years and do all of the following: demonstrate progress in increasing the number of high-quality charter schools; provide for an authorized public chartering agency that is not a local educational agency or, if local educational agencies are the only authorized pubic chartering agencies, allow for an appeals process; and ensure that charter schools have a high

degree of autonomy over the charter school's budget and expenditures.

Funding for this program is made available when the total appropriation for the Public Charter Schools program exceeds $200,000,000. When the program receives more than $200,000,000 but less than $300,000,000, all funds over $200,000,000 support the per-pupil facilities financing program. Of funds appropriated in excess of $300 million, 50 percent must be used for the State Charter School Facilities Incentive Grants program and 50 percent for other authorized activities.

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Last Modified: 01/22/2010

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Purpose

CFDA Number: 84.282
Program Type: Discretionary/Competitive Grants
Also Known As: Charter Schools, Public Charter Schools Program, CSP

ED PROGRAMS

Search or print all Department programs.

MORE RESOURCES

Join Our Listserv

A Commitment to Quality National Charter School Policy Forum Report
PDF (1.28MB)

PROGRAM DESCRIPTION

This program provides financial assistance for the planning, program design, and initial implementation of charter schools, and the dissemination of information on charter schools. Grants are available, on a competitive basis, to SEAs in states that have charter school laws; SEAs in turn make subgrants to developers of charter schools who have applied for a charter. If an eligible SEA elects not to participate or if its application for funding is not approved, the Department can make grants directly to charter school developers.

TYPES OF PROJECTS

An eligible applicant that receives a grant or subgrant may use the funds only for post-award planning and design of the education program of a charter school. It may carry out such activities as the refinement of the desired education results, the refinement of the methods for measuring progress toward achieving those results, and the initial implementation of the charter school. Implementation may include informing the community about the charter school and acquiring necessary equipment, materials, and supplies. Other eligible operational costs that cannot be met by state and local sources also may be covered. A state may reserve up to 10 percent of its allocation to support eligible charter schools for dissemination activities.

ADDITIONAL INFORMATION

The Public Charter Schools Program supports the planning, development, and initial implementation of charter schools. Charter schools provide enhanced parental choice and are exempt from many statutory and regulatory requirements. In exchange for increased flexibility, charter schools are held accountable for improving student academic achievement. The objective is to replace rules-based governance with performance-based accountability, thereby stimulating the creativity and commitment of teachers, parents, and citizens.

States--and specifically their State educational Agencies (SEAs)-- are eligible to compete for grants if they have a charter school law in place. If an eligible SEA does not participate, charter schools from the State may apply directly to the U.S. Department of Education. Grantees receive up to 3 years of assistance, of which the charter school may use not more than 18 months for planning and program design and not more than 2 years for the initial implementation of a charter school.

In awarding grants, the Department must give preference to States that have multiple chartering agencies (or an appeals process for prospective charter schools that initially fail to be approved by a single agency), that ensure accountability of public charter schools for reaching clear and measurable objectives, and that give public charter schools a high degree of autonomy over their budgets and expenditures.

In addition, States may reserve up to 10 percent of their grant for dissemination sub-grants to spread lessons learned form high-quality charter schools with a demonstrated history of success to other public schools, including other public charter schools, about how to create and sustain high-quality, accountable schools.

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Eligibility

Who May Apply: (by category) State Education Agencies

Who May Apply: (specifically) SEAs in states with a state statute specifically authorizing the establishment of charter schools may apply. After SEAs receive awards, they make competitive grants to charter schools. If an eligible SEA chooses not to compete for PCSP funding, then charter schools in that state may apply directly to the secretary.

(a) State educational agencies (SEAs) in States with a specific State statute authorizing the establishment of charter schools may apply for funding. The Secretary awards grants to SEAs to enable them to conduct charter school programs in their States. SEAs use their PCSP funds to award sub-grants to "eligible applicants," as defined in this notice, for planning, program design, and initial implementation of a charter school; and to support the dissemination of information about, including successful practices in, charter schools. A charter school may apply to an SEA for funds to carry out dissemination activities, whether or not the charter school has applied for or received funds under the PCSP for planning or implementation, if the charter school has been in operation for at least three consecutive years and has demonstrated overall success, including--

1. Substantial progress in improving students achievement;
2. High levels of parent satisfaction; and
3. The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

(b) Non-SEA eligible applicants may apply for funding directly from the U.S. Department of Education (Department) if the SEA in the State elects not to participate in the PCSP or does not have an application approved under the program. An "eligible applicant" is defined as a developer that has applied to an authorized public chartering authority to operate a charter school and has provided to that authority adequate and timely notice, and a copy of its PCSP application, except that the Secretary or the SEA may waive these requirements in the case of a pre-charter planning grant. If an SEA's application is approved in this competition, applications received from non-SEA eligible applicants in that State will be returned to the applicants. In such a case, the non-SEA eligible applicant should contact the SEA for information related to the State's subgrant competition.

Note: The Department plans to hold separate competitions for non-SEA eligible applicants under CFDA # 84.282B and # 84.282C.

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Awards

Number of New Awards Anticipated
4-6 for SEAs; 50-75 for others.

Average Award
$3,000,000 for SEAs; $150,000 for others.

Range of Awards
$500,000 - $8,000,000 for SEAs; $10,000 - $150,000 for others.

STATES WITH CURRENT APPROVED APPLICATIONS

The following States currently have approved applications under this program:

- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- District of Columbia
- Florida
- Georgia
- Hawaii
- Idaho
- Illinois
- Indiana
- Louisiana
- Massachusetts
- Michigan
- Minnesota
- Missouri
- Nevada
- New Jersey
- New York
- North Carolina
- Ohio
- Oklahoma
- Oregon
- Rhode Island
- Tennessee
- Texas
- Utah
- Wisconsin

Charter schools and charter school planning groups in these states may not apply directly to the U.S. Department of Education for funds, but must apply to the SEA in their state.

EXAMPLES OF FUNDED PROGRAM ABSTRACTS

These abstracts are taken from the grant applications submitted to the U.S. Department of Education in 2002.

State Education Agencies

New Jersey--New Jersey's Charter School Program Act of 1995 became the nation's twentieth charter school law, thereby stimulating development of an important model for innovation in the State's system of public education. As amended in November 2000, the Charter School Program Act has enabled a flourishing charter school movement to take hold in New Jersey by providing a balance of flexibility, autonomy, and accountability. The number of charter schools in the state has grown from 13 in the first cohort to 50 charter schools currently in operation, serving nearly 13,000 students. Six additional charter schools are scheduled to open in September 2002. Forty of these 56 schools, or 71 percent of New Jersey's charter schools are located in the poorest urban districts in the state and provide service to educationally disadvantaged students. Forty-eight percent of all students in charter schools meet the definition of economically disadvantaged (eligible for free lunch). This percentage is equal to the percentage of students who are economically disadvantaged in the districts in which they are located, and is significantly higher than in New Jersey's traditional public schools. Charter schools serve predominantly minority students. Overall, minority students account for 89 percent of the students in the 50 operating schools.

The New Jersey Charter Schools Grant Program seeks to promote high student academic achievement and attainment of New Jersey's Core Curriculum Content Standards through the design and implementation of viable new charter schools, and the dissemination of successful charter school practices and innovations that show promise of effecting broader reforms in our traditional system of public education. The goals of this grant program parallel the state's overall objectives for the charter school initiative.

- To improve student learning and achievement;
- To increase the availability of choice to parents and students when selecting a learning environment;
- To establish a new system of accountability for schools; to make the school the unit for educational improvement;
- To establish new professional opportunities for teachers and school leaders.

Assessing the achievement of the objectives of the charter school grant program is closely aligned with evaluating the success of our charter school initiative as a whole. Specific assessment tools have been developed for both programs: required quarterly program and fiscal reports and on-site monitoring to track achievement of charter school grant program objectives; and a three-phase evaluation procedure consisting of the Annual Report, Program Review, and Renewal Process for tracking the success and viability of operating charter schools.

New Jersey's charter school program has a proven track record of success beginning with the first cohort of schools that commenced operations in the 1997-98 school year. The New Jersey Charter School Grant Program, by supporting the planning and implementation of new charter schools, has significantly contributed to this success. Going forward, the New Jersey Department of Education anticipates improved results based on refinement of programs as we incorporate lessons learned in the first six years of the charter school initiative.

New Jersey Charter School Grant Program awards will be made in two categories: Planning and Implementation Grants targeted to new charter schools; and Dissemination Grants, aimed at assisting "veteran" charter schools in adapting and sharing their successful programs with other schools, and enabling the dissemination of information about the charter school. The New Jersey Department of Education anticipates providing assistance to an estimated 30-35 new charter schools over the next 3 years through the New Jersey Charter Schools Grant Program. Dissemination grants are expected to become an increasingly important component of New Jersey's charter school initiative, and are projected at 6 grants per year over the next 3 years. The Office of Innovative Programs and Schools, Charter School Unit, is dedicated to providing administrative oversight of the charter school grant program to ensure that objectives are achieved in a timely and efficient manner.

Wisconsin--Wisconsin has 101 operating charter schools and anticipates an increase of 40 percent by the year 2005. Wisconsin Charter School growth is the result of a strong and flexible Wisconsin charter school law and the Wisconsin Charter School Program (WCSP) subgrant awards for planning, start up, implementation, and dissemination activities. Our charter schools are exempt from most state regulations. There is no limit on the number of schools to be chartered, the chartering authority and planners are given great flexibility in designing the schools, and our state law has recently expanded chartering authority. No state approval is required. However, an appeal process for denied charters is in place for a portion of our state. Our law works in concert with federal charter school statutes. The WCSP Dissemination grant program that was begun in 1999-2000, has enhanced the growth of and interest in charter schools by sharing best practices and by providing innovative models and ideas for charter school planners and developers.

The Wisconsin Charter School Program is aligned to our state content standards, the state accountability system and our state plan. The New Wisconsin Promise, which promotes early learning opportunities, educator quality, career and technology education, increased parent and community involvement, and building reading skills to close the achievement gap for minorities, children in poverty, and other children at-risk of school failure. The goals of this project are to increase the number of high quality charter schools, increase the availability of and access to resources and expertise for operators, planners and authorizers, and to award planning subgrants to groups establishing strong, innovative charter schools which support state priorities; by awarding implementation subgrants to new charter schools, and by expanding our dissemination program to share best and promising practices.

Local Education Agency

Avondale Learning, located in the suburbs of Maricopa County west of Phoenix, is a college preparatory high school for 150 students of all backgrounds and learning abilities in grades 9-12. It is based on a program the charter holder created and led for three years for a Phoenix-based charter school. Under this program, upper class students successfully attended nearby community colleges and did exceptionally well on the state's writing test Avondale Learning is a Local Educational Agency according to Arizona State law.

Avondale Learning features instruction that is student-centered. Extended lectures and worksheets are discouraged; rather, students do various projects, many of which are interdisciplinary. Required courses include four years each of English and Social Studies and three years each of Math and Science. Also, students take the sequences of career and Life Success, Leadership, and Internship courses. Leadership includes two hours minimum per week of community service, and Internship enables students to practice professional skills in a paid or nonpaid off-campus job. Students also study speech, fine arts, technology, a second language, and College Prep. College Prep improves reading comprehension and vocabulary, reduces the unknown about college life, and prepares students for standardized tests.

The mission of Avondale Learning is to help students prepare for postsecondary education and entry into careers. Our

goals are to have a strong instructional focus for all students; help establish a positive school climate; meet individual student needs; offer ongoing, relevant staff development, vary school assessment, and encourage strong parental involvement. Being accredited by North Central Association is a priority.

Juniors and seniors are encouraged to take one course each semester at nearby community colleges. Advisors and instructors from the colleges will visit our campus to ease the students' way into the college environment. Our school will provide tuition reimbursement and set the calendar to accommodate the colleges' schedule of classes.

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Sponsored by: Assemblymember Colver
Adopted: 12/15/09

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 09-123

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTING CHANGES IN STATE LAW TO ALLOW CHARTER SCHOOLS IN ALASKA TO APPLY FOR FEDERAL FACILITY GRANTS.

WHEREAS, Alaska has many successful charter schools excelling in academics; and

WHEREAS, charter schools in Alaska have not been able to apply for Federal grants to provide for charter school classrooms and facilities; and

WHEREAS, the limit on the number of charter schools in Alaska needs to be repealed to be eligible to apply for Federal grants; and

WHEREAS, the State of Alaska needs to establish a matching fund with a minimal amount of funding per pupil to be eligible to apply for Federal charter school facility grants; and

WHEREAS, a matching fund will have a minimal fiscal impact;

WHEREAS, without the charter schools in the Mat-Su School District, the District would not have adequate space to house all of the students; and

WHEREAS, the Matanuska Susitna Borough Assembly supports legislation to change state law to allow Alaskan charter schools to comply with federal requirements to apply for facility grant.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Assembly respectfully requests of Governor Parnell and the Alaska State Legislature a change in State law allowing charter schools in Alaska to apply for federal facility grants.

ADOPTED by the Matanuska-Susitna Borough Assembly this 15 day of December, 2009.

TALIS J. COLBERG, Borough Mayor

ATTEST:

LONNIE MCKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Woods, Houston, Arvin, Ewing, Bettine, Colver, and Halter.

Academy Charter School Advisory Board

Palmer, Alaska

A Resolution from Academy Charter School's Advisory Board Supporting new Alaska State Charter School Law ✠ Sec. 14.03.250. Establishment of charter schools to eliminate caps on the number of charter schools allowed and to include language for a per pupil allotment for facility funding.

WHEREAS, the Academy Charter School Advisory Board invites support of changing Alaska State Law and

WHEREAS, removing language from the state law that limits the number of charter schools allowed in the state.

WHEREAS, charter schools give opportunities outside of traditional public schools for innovative programs to be implemented; and

WHEREAS, charter schools gain momentum and interest to meet the needs of the children of the community; and

WHEREAS, removing caps limiting the number of charter schools will allow the state of Alaska to pursue other avenues for federal funding not previously allowed due to limits.

WHEREAS adding per-pupil facility funding for charter schools,

WHEREAS, recognizing charter schools operate using funds allocated for use with students to pay for facilities,

WHEREAS, Charter schools allotted a per pupil facility fund gives economic relief by bringing a great dollar amount to the school allowing for adequate funding for students,

WHEREAS, adding an allotment for per pupil facility funding will allow the state of Alaska to pursue other avenues for federal funding not previously allowed due to lack of language.

THEREFORE BE IT RESOLVED that the Advisory Board of Academy Charter School, supports changing ✠ Sec. 14.03.250. Establishment of charter schools to remove caps on charter schools and adds state mandated per pupil facility funding.

David Dahms, Advisory Board President

Loretta Nardi 12-2-09

Loretta Nardi, Advisory Board Secretary

Thunderbird Early College Charter School, Inc.

A Resolution from Thunderbird Early College Charter School, Inc, APC Directors, supporting new Alaska State Charter School Law ✣ Sec. 14.03.250.

WHEREAS, Thunderbird Early College Charter School, Inc. was organized as a nonprofit entity in 2008, to establish, develop, and oversee a Grade 5-12 public early college charter school in compliance with a five year contract with Matanuska Susitna Borough School District and the State of Alaska, proposing to open for the 2011-2012 School Year;

NOTING THAT, charter schools are nonsectarian public schools of choice that operate with freedom from many of the regulations that apply to traditional public schools. The "charter" establishing each such school is a performance contract detailing the school's mission, program, goals, students served, methods of assessment, and ways to measure success;

FURTHER NOTING, charter schools are accountable to their sponsor, usually a state and local school board, to produce positive academic results and adhere to the charter contract ;

FURTHER NOTING, the basic concept of charter schools is that they exercise increased autonomy in return for this accountability and they are accountable for both academic results and fiscal practices to several groups: the sponsor that grants them, the parents who choose them, and the public that funds them;

EXPRESSING APPRECIATION, that charter schools increase new opportunities for learning and quality education for all students; they are established for a variety of reasons and have many benefits; they create choice for parents and students within the public school system; they provide a system of accountability for results in public education; they encourage innovative teaching practices; they create new professional opportunities for teachers and encourage community and parent involvement in public education;

WHEREAS, Thunderbird Early College Charter School, Inc., APC Directors support the changing of Alaska State Law and removing caps limiting the number of charter schools as it will allow the state of Alaska to pursue other avenues for federal funding not previously allowed due to limits;

NOTING WITH REGRET, that charter schools in our state currently operate using funds allocated for use with students to pay for facilities;

APPROVING, that if Charter schools are allotted a per pupil facility fund it provides economic relief by bringing a great dollar amount to the school allowing for adequate funding for students;

FURTHER APPROVING, that by adding an allotment for per pupil facility funding the state of Alaska will be able to pursue other avenues for federal funding not previously allowed due to lack of language;

THEREFORE BE IT RESOLVED that Thunderbird Early College Charter School, Inc. APC Directors,

1 .Support the changing ✣ Sec. 14.03.250. Establishment of charter schools, by removing language from the state law that limits the number of charter schools allowed in the state and adding language requiring state mandated per pupil facility funding.

electronic signatures on file

Anna Wilbur Roys, President

Heather Pelletier, Treasurer

Partnership for Alaska Charter Schools

Dear Education Committee,

I ask for your support of SB 235. Charter schools throughout Alaska offer families a choice in public school education. While charter schools differ from one to the other, from curriculum to immersion in different languages, we all share a common issue: facilities. SB 235 offers solutions to our facility issues because it will provide an avenue for eligibility in federal charter school facility grants. Alaska charter schools are currently eliminated from consideration for federal charter school facility grants due to the current language in the law. The new language in SB 235 that removes the caps and allows a per pupil facility allotment would allow Alaska charter schools to compete nationally for the numerous federal charter school grants.

Generally, charter schools are relegated to leasing their facilities. Often times, our charter schools use their Basic Needs funds allocated by the state for use with students to pay for their leased facilities. When charter schools can start participating in federal facility grants, the money intended for the students can go to the students. The new language of SB 235 removes the road blocks and allows the State of Alaska to pursue other avenues of federal funding to provide facilities to charter schools.

Everyone wins with the new language of SB 235. These changes in the charter school law rates high on federal grading rubrics thereby allowing for higher scores for other School District's projects. So, not only will charter schools benefit, but Alaska's local School Districts will have a higher success in seeking federal grants for traditional public schools. The language of SB 235 also creates a funding stream for new charter schools allowing for eligibility for federal start up grants. Currently, new charter schools do not receive any additional funding to open their doors. SB 235 would meet criteria for $400,000 of federal grant start up money.

On behalf of the members of Partnership for Alaskan Charter Schools, we support SB 235. It's essential for the growth and success of Alaska's charter schools. It's good for Alaska.

Sincerely,

Loretta Nardi
Partnership for Alaskan Charter Schools (PACS)
President

Jomo Stewart

From: Josh Applebee
Sent: Friday, February 05, 2010 8:28 AM
To: Jomo Stewart
Subject: FW: SB 235, please add to public testimony for Feb. 8th

-----Original Message-----
From: Roger & Contessa Gossett [mailto:messa@gci.net]
Sent: Friday, February 05, 2010 8:33 AM
To: Sen. Kevin Meyer
Subject: Re: SB 235, please add to public testimony for Feb. 8th

Dear Senator Meyer, we am writing you regarding SB 235 that is being considered.

Alaska Charter Schools are currently eliminated from consideration for federal charter school facility grants due to caps on the number of charter schools and no language for per pupil facility funding.

The new language proposed in SB 235 will remove the caps and allow a per pupil facility allotment. With that new language, Alaska charter schools will be able to compete nationally for the numerous federal facility grants that are available to charter schools.

Please consider these proposed changes. This will remove the road bloaks and allow the State of Alaska to pursue other avenues of federal funding.

In addition, this new language will open the door to eligibility in 90/10 splits where the federal government would pay 90 % of the costs for facilities for charter schools.

As parents of a charter school 5th grader, we respectfully request that SB 235 be considered.

Thank you, Roger and Contessa Gossett, Palmer, Alaska

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 08, 2010 7:21 AM
To: Jomo Stewart
Subject: FW: SB 235

From: Kim & Brent Taylor [mailto:taylorkb@gcl.net]
Sent: Sunday, February 07, 2010 6:02 PM
To: Sen. Kevin Meyer
Subject: SB 235

Dear Sir,
I am writing this letter to ask for your support of SB 235. As a parent of two charter school children, I can attest to the need for better facilities. I believe investing in successful educational programs benefits us all.

Sincerely,

Brent Taylor

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 08, 2010 7:23 AM
To: Jomo Stewart
Subject: FW: Senate Bill 235

-----Original Message-----
From: clph28@gci.net [mailto:clph28@gci.net]
Sent: Sunday, February 07, 2010 9:42 PM
To: Sen. Kevin Meyer
Subject: Senate Bill 235

Greetings Senator Meyer,

I am writing to you in support of Senate Bill 235 and beneficial charter school legislation. Currently, starting and running a charter school in Alaska is a very challenging task with the limited funding
available from school districts and other government agencies.
Charter schools need access to state and federal financial support and start up grants, which will be instrumental in the growth and sustenance of healthy charter school options. Charter schools provide a unique educational format and/or curriculum, allowing students and their families a choice in the scope of their education. The roadblocks for charter school education need to be removed. Our public education system should encourage new models to reach the greatest number of students with quality education that meets student needs as well as public demand.

I urge you to pass this Bill and show the state and the country that we all can benefit from charter schools as a part of our public education system. Without the ability to use the money that is out there for this purpose, charter schools now in existence, are not able to operate to their fullest potentials. In addition, it is much more difficult for new charter schools to begin.

Thank you for your careful consideration of the positive impact this Bill can have.
Sincerely,

Alysia Loughlin-Bushey
Wasilla, Alaska

Please include this letter in the public testimony packet. Thank you.

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 08, 2010 7:25 AM
To: Jomo Stewart
Subject: FW: SB 235
Attachments: image001.gif

From: Ryan and Erin [mailto:eleaders@mtaonline.net]
Sent: Sunday, February 07, 2010 11:12 PM
To: Sen. Kevin Meyer
Subject: SB 235

Senator Meyer,

I would like to request my name be added to the Public Testimony packet in support of SB 235.

Regards,

Erin Leaders
eleaders@mtaonline.net

From: Nancy Hiney [mailto:hineynancy@gmail.com]
Sent: Monday, February 08, 2010 6:38 PM
To: Sen. Kevin Meyer
Subject: Senate Bill 235

Dear Kevin
I apologize for not having researched your position on this bill. I am a teacher who works for Family Partnership and was informed recently about this bill. I believe that the benefits of passing this bill will allow ASD to apply for federal money which will directly benefit those of us who work for homeschooled students. As you may or may not know the face of homeschooled students is vast. It is often the traditional stay at home mom but more often than we would like, it is a child who really likes regular school but because they had a broken leg or the H1N1 virus and missed two months of school can no go to school because they are too far behind and are brought home to catch up for the year. Sometimes bringing these students together for a small class can be a life-saver for them. This is just one example of why being able to access facilities would be helpful for our school.
Thanks.
Nancy Hiney
522-2838

Jomo Stewart

From: Josh Applebee
Sent: Thursday, February 04, 2010 12:54 PM
To: Jomo Stewart
Subject: FW: In support of SB 235

From: Monica G. [mailto:wisdomak@hotmail.com]
Sent: Thursday, February 04, 2010 12:54 PM
To: Sen. Joe Thomas; Sen. Kevin Meyer
Subject: In support of SB 235

Dear Sirs:
My name is Monica Gilpin of Wasilla and I am in support of SB235. Charter schools are critical in providing exceptional educational opportunities to the public at large. Thank you for considering my testimony.

Hotmail: Powerful Free email with security by Microsoft. Get it now.

Jomo Stewart

From: rustyandliz@gci.net on behalf of rustyandliz [rustyandliz@gci.net]
Sent: Wednesday, February 03, 2010 12:35 AM
To: Jomo Stewart
Subject: Expediting SB 235

Dear Senators and Representatives,

I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval.

Please put this attached letter in the file as public testimony.

Sincerely,

Elizabeth D. Thatcher

Dear Senators and Representatives,

February 3, 2010

I am the Father of two charter school students. Charter Schools provide an important parent choice option in public school education! The education my children are receiving is very impressive. After 13 years, the majority of Academy's students still attend class in old, worn out portables. I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval. Successful passage of SB 235 will give Alaska charter schools a chance to compete for grants to obtain funding for a permanent facility.

Thank you for your support and assistance.

Please put this in the file as public testimony.

Sincerely,

Russell R. Thatcher

Russell R. Thatcher
1950 N. Spruce Dr.
Wasilla, Alaska 99654

Jomo Stewart

From: Josh Applebee
Sent: Tuesday, February 02, 2010 2:29 PM
To: Jomo Stewart
Subject: FW: SB 235
Attachments: image001.jpg; image002.gif

From: Heather R.S. Oberholtzer [mailto:heather@crystalcreeklodge.com]
Sent: Tuesday, February 02, 2010 1:33 PM
To: Sen. Kevin Meyer
Subject: SB 235

Hello Senator Meyer,

I am writing to you today to state my support for SB 235. Currently, charter schools in Alaska use their Basic Needs funds allocated by the state for use with students to pay for leased facilities. When charter schools start participating in federal facility grants, the money intended for the students can go to the students.

Federal Facility grants were created for this reason.

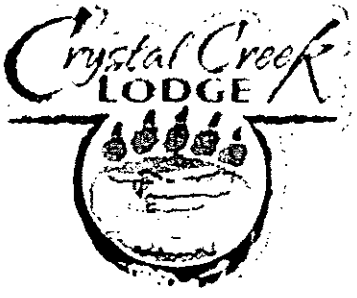
Please take my voice into consideration when you vote.
Thank you.

Heather Oberholtzer
Palmer, Alaska

Sincerely,

Heather R. S. Oberholtzer
Guest Relations Manager
907.357.3153

Please save my new email address to your Address Book and Spam filter
heather@crystalcreeklodge.com



If you are actively reducing your environmental footprint, we are happy to send all invoices receipts brochures and trip information electronically

Jomo Stewart

From: Josh Applebee
Sent: Tuesday, February 02, 2010 12:45 PM
To: Jomo Stewart
Subject: FW: Please support SB 235

-----Original Message-----
From: Lisa Leeper [mailto:lleeper@nomeschools.com]
Sent: Tuesday, February 02, 2010 11:33 AM
To: Sen. Kevin Meyer
Subject: Please support SB 235

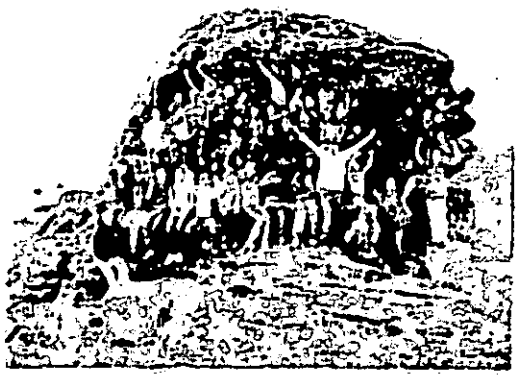
Dear Senator Meyer,

I am a teacher at Anvil City Science Academy. Our school is over ten years old and is offering a unique program for 5th through 8th grade students. The program is project based learning with an emphasis in math and science. It is proven that we have helped most students increase their scores in all areas on the Standards Based Assessments.

Our school is housed in facility that needs major upgrades. We've been provided spare space, but we have a vision of building our own school to better fit our basic needs. We do not have the funds to build or relocate, but federal assistance could change this.

Please support SB235 so that we may be eligible to access federal grants for charter schools. In addition, having new charter schools throughout the state is good for kids. More options means more kids will succeed in school.

Thank you for considering my request and for your dedicated service, Lisa Leeper Teacher, Anvil City Science Academy



Anvil City Science Academy

Nome, Alaska

Senator Meyer,

On behalf of the Anvil City Science Academy's Academic Policy Committee, I would like to express our thanks for your support for SB 57 during the last legislative session. At this time, we would request your support for the passage of SB 235. Currently, charter schools all over Alaska are using a substantial portion of their funding from the student based allocation to pay for the facilities they use, since they are unable to compete for federal grants due to the cap on the number of charter schools that can operate in Alaska. SB 235 would eliminate this restriction, allowing charter schools to compete for the grants, thus getting more dollars into the classroom.

The Charter School Act has allowed parents, community members, and teachers to take the lead in developing unique educational programs and to be involved in the decision making for school policies. The result of which is a flexible education process, which provides for the needs of students and parents alike. Charter schools can create a distinctive school culture in which everyone takes ownership in the program.

Anvil City Science Academy was created twelve years ago by parents, teachers, and community members interested in a family oriented school characterized by high academic standards and a well-rounded curriculum, with an emphasis in science and math. In that time, ACSA has been able to meet the needs of its fifth through eighth grade students who come to the program with a wide variety of backgrounds, learning styles, experiences, and needs.

ACSA is currently housed in a building, which is over forty years old. The building has a roof that leaks and has past issues with Radon. If we chose to remodel, asbestos abatement could be an issue. Passage of SB 235 would allow our APC to pursue federal dollars to help finance the construction of a safe, new, permanent facility, a benefit to the students and families we serve.

In a small community such as Nome, a program such as ACSA is valuable resource to the city by providing an alternative education program. A safe, new, permanent facility would be a guarantee that our dedicated staff and parent volunteers would be able to continue serving the community of Nome for years to come.

Thank you for you time and consideration on this matter,

Todd Hindman, Lead Teacher
Anvil City Science Academy
Nome, Alaska

Jomo Stewart

From: Josh Applebee
Sent: Tuesday, February 02, 2010 9:40 AM
To: Jomo Stewart
Subject: FW: support of SB 235

-----Original Message-----
From: Greg Miller [mailto:Greg.Miller@matsuk12.us]
Sent: Tuesday, February 02, 2010 9:35 AM
To: Sen. Kevin Meyer
Subject: support of SB 235

Senator Meyer,
I wanted to convey my support for SB 235.....an important step in securing charter school facilities for our students. Because Districts do not provide funding or facilities, most of our charter schools must lease. At Twindly Bridge Charter School we lease an old strip mall with nine separate exit doors for our students., not the best environment for teaching our kids. Also, the fact that we lease means we will never have our own building....and that lease money from our budget always goes to a landlord instead of our students' education.

Thanks for your support of this bill.
Greg Miller
Palmer, Alaska

Jomo Stewart

From: Josh Applebee
Sent: Tuesday, February 02, 2010 9:39 AM
To: Jomo Stewart
Subject: FW: I support SB 235

-----Original Message-----
From: Janigo_Melissa [mailto:janigo_melissa@asdk12.org]
Sent: Tuesday, February 02, 2010 9:25 AM
To: Sen. Kevin Meyer
Subject: I support SB 235

Dear Senator Meyer,
My name is Melissa Janigo, I live in Anchorage and I am one of the four founders of Winterberry Charter School. I am writing to you to pledge my support of SB 235. Winterberry Charter School is currently in its fifth year. The birth and growth of Winterberry has been a very difficult but worthwhile endeavor, it's success is due to the devotion and hard work of many volunteer parents and teachers. Our biggest challenge has been, and continues to be in finding and funding adequate space to house our school. We are currently outgrowing our space and are having great difficulty in finding an adequate facility that is affordable and does not compromise the integrity of our educational program. I believe SB 235 is a step forward in supporting the success of Charter Schools. Please add my pledge of support to the public testimony.

Sincererly,
Melissa Janigo
Founder and Board Chair of
Winterberry Charter School
Anchorage, Alaska

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 01, 2010 3:49 PM
To: Jomo Stewart
Subject: FW: SB 235

From: Tom Adams [mailto:tomisty@mtaonline.net]
Sent: Monday, February 01, 2010 2:49 PM
To: Sen. Kevin Meyer
Subject: SB 235

Dear Senator Meyer,
As a registered voter, and parent of two children who have attended a Charter school from k-8th grade and one child who will attend a Charter school in two years, I am writing to you asking that you work hard to push through SB235. This is a huge opportunity for Alaska Charter Schools that have proven to be successful an avenue to secure a permanent facility at minimal cost to the state. While my first two children received an excellent educational opportunity, I can only imagine what it could be like if our school no longer had to worry about maintaining a poor facility and focus only on education. I appreciate your support.
Misty Adams

Jomo Stewart

From: Lanissa Grogan [lilsu@mtaonline.net]
Sent: Monday, February 01, 2010 2:49 PM
To: Jomo Stewart
Subject: SB235

Dear Senators and Representatives,

I am a parent of 3 charter school students. Charter Schools provide an important parent choice option in public school education! After 13 years, the majority of Academy's students still attend class in old, worn out portables. I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval. Successful passage of SB 235 will give Alaska charter schools a chance to compete for grants to obtain funding for a permanent facility.

Thank you for your support and assistance.

Please put this in the file as public testimony.

Sincerely,

Rob and Lanissa Grogan
961 E McAdoo Way
Wasilla, Alaska 99654

Jomo Stewart

From: Dawn Robinson [Dawn.Robinson@matsuk12.us]
Sent: Monday, February 01, 2010 2:16 PM
To: Jomo Stewart

Dear Senators and Representatives,

I am a parent of a charter school student. My daughter Claire has attended Academy Charter school for 3 years now. Charter Schools provide an important parent choice option in public school education! After 13 years, the majority of Academy's students still attend class in old, worn out portables. I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval. Successful passage of SB 235 will give Alaska charter schools a chance to compete for grants to obtain funding for a permanent facility. They have done a wonderful job in getting a gym and main building but it sure would be nice for my 2nd grade daughter to be walking in the halls of a real school instead of running from portable to portable in all kinds of weather.

Thank you for your support and assistance.

Please put this in the file as public testimony.

Sincerely,

Dawn Robinson
1100 W. Granville St.
Palmer, AK 99645
907-746-3430

Jomo Stewart

From: Donna Button [donna@travelservicesinc.com]
Sent: Monday, February 01, 2010 1:45 PM
To: Jomo Stewart
Subject: SB 235

Dear Senators and Representatives,

I am a parent of a charter school student, for 12 years. Charter Schools provide an important parent choice option in public school education! After 13 years, the majority of Academy's students still attend class in old, worn out portables. I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval. Successful passage of SB 235 will give Alaska charter schools a chance to compete for grants to obtain funding for a permanent facility.

Thank you for your support and assistance.

Please put this in the file as public testimony.

Sincerely,

Donna Button

POBox 1892

Palmer, AK 99645

Thank you,
Donna Button
Travel Services, Inc.
PO Box 1147
WE Moved our office! Please note our new Location!
1931 N. Hemmer Rd.
Palmer, AK 99645
907-745-2148
800-478-2148
907-745-6051/FAX
www.travelservicesinc.com

Without a travel agent, you are on your own!

Jomo Stewart

From: lorettanardi@gci.net on behalf of Loretta Nardi [lorettanardi@gci.net]
Sent: Monday, February 01, 2010 1:30 PM
To: Murray Richmond; Jomo Stewart
Subject: Support SB 235 Public Testimony

To: Senate Education Committee
Re: SB 235
Note: Please add to the Public Testimony Packet

Dear Senator Meyers and Senator Thomas,

My children attend a k-8 charter school in Palmer. My daughter graduated from 8th grade after attending Academy Charter School since kindergarten. My youngest son just started at Academy in the fall. His class room is the same old temporary portable class room that was my daughter's old temporary portable class room in the fall of 2000. This is the case for all the grades at Academy Charter School. My husband and I drive our children almost 15 miles to school each day where they attend class in old temporary portable class rooms. We do this because we love the education that our children receive.

SB 235 will answer our prayers. SB 235 would enable Alaska charter schools to be eligible for federal charter school facility grants for the first time in 13 years, since Alaska first allowed charter schools. Changing the language of the current Alaska Charter School Law and adopting SB 235 will open doors to a funding stream of federal grants that were previously closed to us.

I urge your support for SB 235 so our state can pursue federal charter school facility grants that will give my kindergartner the chance to attend classes in a real school with inside doors and hallways.

Thank you,

Loretta Nardi
Palmer, Alaska
907-373-6032

Jomo Stewart

From: Tracy Adams [tadams@mta-telco.com]
Sent: Monday, February 01, 2010 1:17 PM
To: Jomo Stewart
Subject: SB 235
Attachments: image002.gif; image001.gif

Dear Senators and Representatives,

I am a parent of a charter school student. Charter Schools provide an important parent choice option in public school education! After 13 years, the majority of Academy's students still attend class in old, worn out portables. I would greatly appreciate your help in expediting SB 235 passage through the committees and on to final approval. Successful passage of SB 235 will give Alaska charter schools a chance to compete for grants to obtain funding for a permanent facility.

Thank you for your support and assistance.

Please put this in the file as public testimony.

Sincerely,

Tracy Adams
1750 E Scotwood Dr
Wasilla, AK 99654
(907)841-1345

Jomo Stewart

From: Harmon_Jennifer [harmon_jennifer@asdk12.org]
Sent: Monday, February 01, 2010 11:54 AM
To: Jomo Stewart
Subject: SB 235

Dear Representative Cissna,

I am one of your constituents in Anchorage. Thank you for your service! I am a teacher at a local charter school, and I am writing in regards to SB 235.

I am so excited to see that the charter school bill, SB 235, has been calendared in the Senate. I would greatly appreciate your help in facilitating something similar from the House. Thank you for your help in this matter.

Sincerely,

Jennifer Harmon (teacher, Winterberry Charter School)

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 01, 2010 10:16 AM
To: Jomo Stewart
Subject: FW: SB 235

-----Original Message-----
From: Mall_Shanna [mailto:Mall_Shanna@asdk12.org]
Sent: Monday, February 01, 2010 10:12 AM
To: Sen. Kevin Meyer
Subject: SB 235

Dear Senator Meyer,

Please support SB 235. Charter School's greatest challenge is finding and maintaining safe, viable facilities. Please be a strong voice in Juneau helping to lead the way in passage of this charter school bill. I greatly appreciate your help in this matter.

The State of Alaska is currently ranked 34 out of 40 states in its interpretation and practice of National Charter Law. It is within your power to assure that our great State becomes a forerunner in charter school legislation.

Sincerely,

Shanna Mall

Principal
Winterberry Charter School
508 W 2nd Avenue
Anchorage, AK 99501
907.301.1201

"I hope it will be said we taught them to stand tall and proud, even in the face of history and the future was made whole for us all,
one child at a time" -Brian Andreas

Jomo Stewart

From: Josh Applebee
Sent: Monday, February 01, 2010 8:17 AM
To: Jomo Stewart
Subject: FW: Support of SB235

-----Original Message-----
From: Joe Kennedy [mailto:kennedyfish@gmail.com]
Sent: Sunday, January 31, 2010 7:20 PM
To: Sen. Kevin Meyer
Subject: Support of SB235

Dear Senator Meyer: I am writing in support of proposed SB235. I am the parent of three elementary-school age children attending school in Nome, Alaska. One child attends a public charter school and the other two will follow in the near future. I am in favor of eliminating the caps on the number of charter schools allowed in the state of Alaska and a state appropriation to be allotted for charter school facilities. Thank you for your consideration. I look forward to hearing from you. Sincerely, Paula Kennedy, PO Box 1128, Nome, AK 99762.

Sec. 14.11.011. Grant applications.

(a) A municipality that is a school district or a regional educational attendance area may submit a request to the department for a grant under this chapter.

(b) For a municipality that is a school district or a regional educational attendance area to be eligible for a grant under this chapter, the district shall submit

(1) a six-year capital improvement plan that includes a description of the district's fixed asset inventory system and preventive maintenance program no later than September 1 of the fiscal year before the fiscal year for which the request is made; the six-year plan must contain for each proposed project a detailed scope of work, a project budget, and documentation of conditions justifying the project;

(2) evidence that the district has secured and will maintain adequate property loss insurance for the replacement cost of all facilities for which state funds are available under AS 14.11.005 or 14.11.007 or has a program of insurance acceptable to the department;

(3) evidence acceptable to the department that the proposed project should be a capital improvement project and not part of a preventive maintenance program or regular custodial care program; and

(4) evidence acceptable to the department that the district

(A) has a preventive maintenance plan that

(i) includes a computerized maintenance management program, cardex system, or other formal systematic means of tracking the timing and costs associated with planned and completed maintenance activities, including scheduled preventive maintenance;

(ii) addresses energy management for buildings owned or operated by the district;

(iii) includes a regular custodial care program for buildings owned or operated by the district;

(iv) includes preventive maintenance training for facility managers and maintenance employees;

(v) includes renewal and replacement schedules for electrical, mechanical, structural, and other components of facilities owned or operated by the district; and

(B) is adequately adhering to the preventive maintenance plan.

((6 ch 5 SLA 1990; am 5 ch 78 SLA 1993; am 1 ch 98 SLA 1998; am 4, 5 ch 3 SSSLA 2002))

Administrative Code. - For planning and construction, see 4 AAC 31, art. 1.
For loss protection, see 4 AAC 31, art. 2.

Effect of amendments. The 2002 amendment by 4, ch. 3, SSSLA 2002 effective November 29, 2002, inserted "eligible under AS 14.11.008(a)" in subsection (a). The amendment by 5, ch. 3, SSSLA 2002 effective January 1, 2005, rewrote subsection (a).

Sec. 14.17.450. School size factor.

(a) For purposes of calculating a school's ADM to determine state aid, the ADM of each school in a district shall be computed by applying the following formula:

If the student count in a school is				The	adjusted student count is			The number of students in		
At least		But less than		Base		Multiplier		excess		
10		-				20				39.6
20	-	30		39.6	+	(1.62	x	20)		
30	-	75		55.8	+	(1.49	x	30)		
75	-	150		122.85	+	(1.27	x	75)		
150	-	250		218.1	+	(1.08	x	150)		
250	-	400		326.1	+	(0.97	x	250)		
400	-	750		471.6	+	(0.92	x	400)		
750 or over			793.6	+	(0.84	x	750).			

(c) Except as provided in (d) of this section, if the student count in a charter school is less than 150, the adjusted student count for the school shall be calculated by multiplying the student count by the student rate for a school that has a student count of 400.

CHARTER SCHOOLS

written by Christopher J. Klicka, Esq.

It seems that everyone with school-aged children is talking about charter schools. Many are thinking, "This deal is too good to pass up: I can have my children educated outside of the public school system and have the government still pay the bill!" Charter schools along with educational vouchers appear to be harmless, since parents are only reclaiming their tax money.

Is it really that simple? Let's look at charter schools--especially virtual charter schools--and vouchers more closely, examining them from the perspective of freedom rather than asking, "What 'freebies' we can receive from the government?"

To accurately understand this issue, we must first define the terms.

What are charter schools?

Public schools establish a "charter" listing the school's mission, educational program, and methods of assessment. Charter schools answer to the state or local school board for assessing students and verifying academic progress. Charter schools are completely government funded.

Charter schools now exist in 37 states, the District of Columbia, and Puerto Rico. The Center for Education Reform estimates on its website that there are over 2,000 charter schools operating with more that 500,000 enrolled in these schools.1

Supporters of charter schools claim that creating competition in the education marketplace will result in more options and a higher quality education. The idea is that if public charter schools draw enough students away from regular public schools, the resulting lack of funds will force public schools to come up with creative alternatives to bring students (and the funding that comes with them) back into the system.

Additionally, proponents claim that charter schools provide an innovative alternative to traditional schooling, allowing creative approaches to teaching, free from the strict rules and regulations of the public school system. They point out that charter and virtual charter schools provide a protective environment, i.e., a smaller "private" school or home environment, where students can pursue their own styles of learning.

Charter schools operate on taxpayer dollars, so there is virtually no cost to students. Other often cited advantages are an accredited high school diploma, free computer, Internet access, software, and support by certified teachers.

So what's the problem?

With government vouchers and virtual charter schools and public schools offering all of these benefits, Home School Legal Defense Association often gets questions as to why we oppose such excellent educational options.

I believe the soul of the home schooling movement is at stake. How we respond to virtual charter schools and vouchers will determine the extent home schooling remains free from government controls in the future.

Freedom is the answer

For more than 18 years, HSLDA has been helping to win the right of families to home school with minimal regulations. Many of these battles took place in the courts and legislatures throughout the country. Many families faced fines, jail, and even the threat of the state's removing their children from the home. The families held onto their convictions and God honored them in an incredible way. It is now legal to home school in every state.

The battle to maintain this freedom continues as some school officials harass home schooling families with illegal requirements and teachers' unions and other professional education organizations have legislation introduced to restrict home school freedoms. A survey by the American School Board Journal, published in February 1997, of over 1000 public school executives found that 71% of superintendents whose state or district set standards for home schoolers did not believe home schoolers were regulated enough! Ninety-five percent of all the superintendents and principals in the survey believed anything else is better than home schooling.2

The National Education Association passes a resolution each year condemning home schooling and urging for legislation to be enacted in each state to require that home schooled children be taught by certified teachers and have their curriculum approved by the state.3 Prejudice against home schooling has not disappeared.

Despite these efforts, private home schooling, with no help from the government, is thriving. Research shows that home schoolers on average are academically above average from the elementary level all the way through college. All of this success has been achieved without government money. We have had many victories before Congress and the state legislatures because we are not asking for a handout, but simply to be left alone.

This liberty is at risk, however, if home schoolers begin drinking from the public trough. These are the same state governments that once heavily restricted or prohibited home schooling altogether. If home schooling families take government money or services through virtual charter schools, they will become dependent on government money and subject to increasing government regulation. Public schools and the state will once again acquire power to dictate home schoolers' curriculum, teacher qualifications, and methods.

This is not idle conjecture. It is already happening.

Government home schooling in Alaska

The old adage "There is no such thing as a free government service" is true. Government money always comes with strings. Governments will demand accountability for funding. States want to be assured that no fraud is involved and that the monies are not used for an improper purpose. The government has the responsibility to spend taxpayers' money frugally. For officials to give money to home schoolers to participate in charter schools without any conditions would be irresponsible.

Virtual charter schools must be accountable to the state or local school authorities. In addition to dictating the curriculum and teaching styles, virtual charter schools can impose requirements on the parents beyond that which is required by state home school laws, in order to assure that the parents are teaching the children "appropriately."

Take, for example, an Alaska program that typifies many virtual charter school programs springing up throughout the country.

On June 4, 1997, Alaska enacted the best home school law in the nation. Alaska's law has no teaching qualifications for parents, no regulation at any level of government, no notice to anyone of the parents' decision to conduct the home education, no registration with the state, no reporting to anyone of any information about the home education program, no testing of the children, no required subjects, and no evaluation of the program by anyone.

In the same month, the Galena School District launched a statewide correspondence study program known as the Interior Distance Education of Alaska (IDEA). According to Galena, school officials want "to provide educational, emotional, intellectual, and financial support to those who would like to work in partnership with a public school district."4 Despite having more freedom than any other state, a majority of home schooling families are choosing to enroll their children in IDEA.

Carol Simpson, current Alaska Department of Education home school program coordinator, said IDEA was "wildly successful, going from 0 students in mid-June 1997 to 1157 students 10 weeks later."

Families who enroll their children in IDEA are provided curriculum materials, use of a computer with access to the Internet and assistance from a certified teacher, among other services. However, public funds may not be used to purchase curriculum materials for teaching core subjects if the materials are distinctively religious in content.5

The dangers of these types of government home school programs are apparent in a September 11, 2001, letter from Carol Simpson:

When IDEA started in summer of 1997, we began from the premise that homeschooling parents know their kids best and should be free to use any curricular materials that they deemed most appropriate. We bought nearly anything anyone wanted, including Bob Jones, Alpha Omega, A

Beka, etc. By November of that year, the Department of Education (DOE) made a new regulation prohibiting school districts from purchasing religious curricular materials. . . .

The Attorney General of the State of Alaska advised us that we could not purchase anything that is an advocacy of a sectarian or denominational doctrine. . . .

Simpson then proceeded to tell a home school speaker IDEA had invited to speak at their five government home school conferences that the speaker could not sell her books at the conferences. Simpson explained,

I realize that your books are not "Christian books" and that any religious expression in them is incidental, not the focus of the book. However, we must be strict in our obedience to the letter and spirit of the law, honoring our governmental authorities . . . we must be careful not to give the appearance of promoting sectarian materials. As such, we cannot allow you to sell or promote these books in workshops that we are paying for . . . . Also, we want to avoid the appearance of promoting sectarian materials through your workshops as well. Please do not include references to faith or an emphasis on the inclusion of Biblical teaching in your presentations.

Alaska is in the process of creating an approved list of secular home school books. Notice also from the letter how gradual the changes have been. At first, the government paid for Christian home school textbooks. When 75% of home schoolers in Alaska became dependent on the government funds, the rules changed.

Simpson's letter plainly explains the danger to home schoolers' freedom posed by these government home school programs.

Some parents have told me they circumvent this in various ways and still use the state government's money to buy Christian textbooks. Dependence on government money is encouraging people to be deceptive.

Refusal to reimburse for any religious curriculum is not the only problem. Additionally, students in grades 4, 5, 7, and 9 must take the standardized tests that Alaska uses for public school students at a test site designated by public school officials, and the tests must be administered by a certified teacher approved by the Galena School District. All IDEA students are required to take the Alaska Benchmark Examination in grades 3, 6, and 8.6 As further evaluation of the student, each parent must report to Galena School District the progress of all students each semester.7

In final analysis, the 'freebies' are not free after all. The price is too high--a gradual but steady loss of freedom, control, and independence.

Home schooling in name only

Despite all of the attractions for home schoolers, virtual charter schools are supporting home schooling in name only. Parents who enroll their children in these virtual charter schools are actually creating small public schools in their home.

Recently, a Christian teacher in a large "brick and mortar" charter school program in Colorado told me that many Christian families are using the program and enrolling their children in the school. I asked her if the teachers could teach the Bible. She said, "No, but we can teach virtues."

"Are you allowed to teach the children about salvation?" I inquired.

"We are not supposed to," she replied.

In Milwaukee, Wisconsin, an educational voucher program that has been operating for several years has been touted as one of the best examples of a successful government educational program. What many do not realize is that any Christian school that enrolls students who are using the government vouchers must comply with over 300 additional regulations. Two requirements even prohibit the Christian school from mandating that these children with vouchers attend chapel or Bible class!8

Home school parents originally fought to be separate from the public schools in order to have the right to choose the curriculum that they believe would be best for their children. Many parents removed their children from the public school system because of the non-Christian curriculum. So why would they want to go back to the same humanistic material? But this is happening with home schoolers who enroll in charter schools or public school programs for home schooling.

With significant restrictions on curriculum choices, parents in charter schools also face limited ability to incorporate creative teaching methods. The specific curriculum requirements often demand parents to "stick to the schedule" dictated by the public school, rather than use creativity in complimenting their child's learning style.

HSLDA members who have participated in virtual charter schools complain of this very thing. As one California home schooler shared:

Having been in a car accident and having been limited in my physical capabilities, I found myself not as able of getting my kids out as much as I felt they needed. Home educating independently for 3 years, I was reluctant to try a charter school but I thought, "How bad could it be? I'd have access to educational materials and my children would have an opportunity to meet other home educated children." At first it was exciting, though enrolling was very institutional. Then it came time to meeting with a teacher. We sat and talked and I stated that I had been home educating independently for 3 years and was not interested in meeting weekly and that I would bring their work in monthly as they are required to turn in work at least monthly. That worked out great the first month. The next month, however, the teacher wanted to plan out what we'd be doing for the following month. After being independent, I was not interested in being told what my kids would be learning, so we agreed we'd do the work we wanted and would write up the plans retrospectively. This was not ideal, but do-able since the kids enjoyed the Monday co-op (classes) and fieldtrips.

The next time we met, I took the kids' work but left the children behind. I never read or signed anything stating that my children had to be present. To me, turning in the work was the requirement. It soon became apparent that the teachers were required to talk to the children at these visits and assess them not only on their academics, but also on their physical appearance . . . looking for signs of abuse and/or neglect at their discretion. . . .

Make no doubt about it, a charter school is a public school . . . it's home schooling in technical terms only. Enrolling in a charter school will give you more freedom than the traditional public schools, but still strips you of the independent responsibility of educating our own children. It is still an institution, which believes we need interference from trained government agents, that we are incapable of educating our own children.

When this mother finally tried to remove her children from the charter school program, she was contacted repeatedly by child welfare services, demanding that she place her children in public school!

Is government money worth it? Aren't these the same types of controls home schoolers cast off with much sacrifice and risk in the 1980s? Are we willing forge new chains to limit our liberty?

Most home school parents want to be free to educate their children without this kind of government oversight.

Top education officials have warned against vouchers

Although we differ with the philosophy of many of the former federal secretaries of education, their statements are valuable since they evidence the intent behind government funding of private education. Lamar Alexander, Secretary of Education under former President George H.W. Bush explained the transformation of private education that was publicly funded when he said, "a public school would become any school that receives students who brought with them public monies . . ."9

Richard Riley, who served as former Secretary of Education under Bill Clinton, had strong reservations about vouchers and government funding of private education. No doubt, his reason for opposing government funding of private education was mainly to protect the current public school system, but he has some interesting warnings for private schools:

You have to be accountable with public tax dollars . . . when it comes to taking federal tax dollars and giving those to parents and then having the absence of accountability as far as their children's education . . . If you have accountability, then you lose the private and parochial nature of those schools . . . It's bad, we think, for private schools and parochial schools. It takes away from them the private and parochial strength, which is being totally free from any federal regulations . . .10

[Vouchers] threaten the very nature of private and parochial schools. It makes them less private and less parochial.11

Chester Finn Jr., former Assistant Secretary of Education under Ronald Reagan, declared that government controls were inevitable: "There is no doubt in my mind that there will be some new regulations with voucher plans."12

If the highest public school bureaucrats in the nation recognize the loss of freedom government funding brings to private education, how can we deny it?

The experience of other nations

Other nations have experienced the effects of government funding. Private education has almost completely disappeared overseas.

For example, in Australia, over a period of 10 years, private school and Christian schools took more and more government funds. The regulations gradually increased until today the differences between public schools and private schools have become non-existent. Home schooling is the last bastion of educational freedom in Australia.

In South Africa, the 1996 National Education Act officially transformed all publicly funded private schools into public schools.13

In Alberta, Canada, home schoolers enjoyed more liberty than almost any of the other provinces. Then several years ago, legislation was passed giving home schoolers $500 per child in government funds. The very next year, one of the most restrictive legislative bills was passed, implementing regulations for home schoolers. When asked why, the Minister of Education stated that if they were giving money to home schoolers, they had to know who they are and have certain standards. These regulations apply to all home schoolers--not only those who receive the government funding.

Many European countries have experienced similar scenarios with government-funded private schools.

Charter schools increase government spending

Charter school proponents claim that the resulting competition between educational providers will drive education costs down, while increasing the quality of education offered.

Charter schools do not charge tuition, but are funded according to their enrollment. Charter school students may be eligible for both state and federal funding. There are over 8 million children who do not attend public schools in this country. If these children suddenly began using money from the state's treasury for their schooling, taxes would have to be raised to generate the additional revenue. It is highly unlikely that public schools would reduce their budgets in order

to provide funds for private schools. Today, non-public school parents are being double taxed--they pay tuition for both public school children and their own children. With virtual charter schools, these parents would be triple taxed. In addition to footing the bill for their own children's tuition, they would pay for the public school students and the students participating in charter schools.

According to Eddy Jeans, Finance Director at the Alaska Department of Education, Galena School District received $15,020,053 in state funds for fiscal year 2000. Of this amount, $14,093,136, or $4,104 per pupil, was received for the 3,434 students in IDEA. The balance of the funds in the amount of $926,917 was intended for the 226 students who receive classroom instruction as regular on-site students.14

Each student enrolled in IDEA receives an allotment averaging $1,600 per year to cover curriculum and related expenses. Considering the $4,104 per pupil received from the state, Galena School District enjoys a gross profit of over $2,500 per pupil in IDEA for a total of $8,585,000 for fiscal year 2000. What amount of this profit is reduced by IDEA administrative expenses is unknown, but there is no question that this is a moneymaking enterprise for Galena School District.15

In Texas, a two-year pilot virtual charter school is being established. Texas Virtual Charter School would receive the tax dollars as a subcontractor to Houston Gateway Academy, a charter school. This home school component of Gateway Academy will serve students in kindergarten, first and second grades. By September 26, 2001, the virtual charter school had so far enrolled about 300 in central and southeast Texas, including Houston and Austin. The virtual charter school could receive $5,000 for each home schooled student.16

Yet research has found the median cost for a home school program is only about $400.17 This sounds like a major waste of our tax dollars.

Let's choose freedom

Government schools are failing in many places. They are not providing students with the moral training necessary in any society, and students continue to fall short of academic standards. Why would home school parents wish to support this system by accepting funding to participate in it?

In spite of the enticements offered by charter schools, parents should realize that charter school programs are simply creating little public schools in our homes. The teaching may take place in a private home, but the government is pulling the strings.

The soul of home schooling has its foundation built on the incredible sacrifices of many parents who risked all in order to win the right to be free from suffocating government control and to be free to teach their children according to God's ways and in obedience to His commands. God honors those who honor Him and who trust in His sovereign love and power.

We do not need the government's "free" money. The price is too high.

Alaska Native Cultural Charter School

110 Muldoon Road, Anchorage, AK 99504 (907) 742-1370

Our Mission

Alaska Native Cultural Charter School builds student excellence through traditional cultural learning.

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FAQs

What are Charter Schools?

Charter schools are public schools of choice that operate with freedom from many of the regulations that apply to traditional public schools. They exercise increased autonomy in return for increased responsibility.

Who Funds a Charter School?

The Alaska Native Cultural Charter School will open the fall of 2007. It will be funded with state funds, grants, and endowments.

Why should I choose Alaska Native Cultural Charter School (ANCCS)?

Alaska Native Cultural Charter School is an option for parents seeking a different school program and environment for their children. The school incorporates active engagement

Guiding Native Values

Respect for elders

Honor the ancestors

Respect for family, self and others

Preserve and pass on traditional ways of knowing

Responsibility, hard work, and endurance

Compassion, dignity and humility

Humor, cooperation and caring

Knowledge of and respect for nature

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Much of the clipart on this site is courtesy of the Alaska Native Knowledge Network and will be indicated as so when you hover over the clipart with your mouse.

with today's Alaska Native community. The school offers students a curriculum focused on Alaska Native culture and a rigorous academic program that develops academic achievement.

Family members and elders are an important part of every aspect of the program.

Knowledge of language

Wisdom

Self-sufficiency

adn.com
Anchorage Daily News

Award sends local teachers to White House ceremony

Anchorage Daily News

(01/08/10 08:30:02)

WASHINGTON, D.C. -- Two Alaska teachers were honored this week at the White House for their innovative math and science instruction.

They are Laura Ann Hulsebus, who has taught fourth- through sixth-grade math at Eagle River's Alpenglow Elementary School since 2006, and **Cheryl Silcox, who teaches at Anchorage's Winterberry Charter Waldorf School.**

Hulsebus and Silcox were among 87 teachers invited to Washington after winning the Presidential Award for Excellence in Mathematics and Science Teaching last summer. The award came with a $10,000 prize from the National Science Foundation.

President Barack Obama used the event on Wednesday to announce five new public-private partnerships as part of the "Educate to Innovate" program that will prepare 10,000 new math and science teachers over the next five years as well as support professional development for 100,000 current teachers. The program also encourages the federal government's 200,000 scientists and engineers, including those at NASA, to volunteer.

The president praised the award winners for their role in training the next generation of inventors, scientists and mathematicians. Everyone remembers the teacher or mentor who showed them something about the world that made a difference in their lives, Obama said.

"It could be a word of encouragement, a helping hand, a lesson that sparked a question, that ignited a passion, and ultimately may have propelled a career," he said.

City charter schools aren't just better - they cost less

BY Marcus Winters

Monday, March 1st 2010, 4:00 AM

Once again, facts are getting in the way of those who would question the success of charter schools. Critics often claim that charter schools are more effective than district-run public schools only because they are better funded. In fact, according to a new report, New York City's charter schools are thriving despite receiving fewer public dollars than other public schools get.

The New York City Independent Budget Office, a nonpartisan agency, compared public funding of traditional public schools and charters. The analysis accounted for not only direct school funds but also for in-kind resources provided to charters by the city Education Department - for example, about two-thirds of Gotham's charter schools are located in public facilities and pay little to no rent.

According to the budget office, charter schools receive fewer public dollars, directly or indirectly, than do public schools. The funding difference is negligible for charters that receive public space, about $305 a pupil. Charters that pay for their own facilities, however, receive about $3,017 less per student than traditional public schools.

That charter schools receive fewer public dollars only makes their success more notable. The findings in a recent study by Stanford University economist Caroline Hoxby remain unchallenged: Children attending New York City charter schools make dramatic academic improvements. Now, the Independent Budget Office report shows that these educational gains come at a lower public price tag.

Predictably, teachers union President Michael Mulgrew has already started griping. Though he rightly points out that charter schools typically use private grants to supplement the public funds they receive (the budget office report looked only at public funding), the influence of philanthropic giving on charter school budgets is exaggerated. A recent analysis of publicly reported documents by Kim Gittleson found that the average charter school in the city received about $1,656 per pupil in philanthropic funds in 2009.

NYDailyNews.com
DAILY NEWS

differences found by Hoxby. (Full disclosure: Gittleson is a research assistant for Ken Hirsh, a donor to the Manhattan Institute.)

Someday, critics must be forced to admit that New York's charter schools outperform the traditional public schools not because they bring in more money and not because they "cream" the best students - that myth has also been disproved - but because they do more with the resources they have. Freedom from the often preposterous restrictions imposed by state law and collective bargaining agreements allows charters to focus on student learning.

Charter school principals can fire teachers, while the legally mandated tenure system ensures that just about everyone who teaches in a public school is guaranteed a job for life. Charter schools can push teachers to work longer hours and attend frequent staff meetings. By contrast, the United Federation of Teachers contract with the city details everything that a public school teacher can't be required to do. Charter schools are free to utilize data to

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That amount doesn't make up the funding disparity for charters that pay for their own facilities - and it's not nearly enough money to account for the dramatic achievement

Stanford University's Dr. Caroline Hoxby

WBHM **Birmingham** -- There are nearly 5,000 charter schools across the country. They educate more than 1.5 million students. And President Obama wants more. But do they work? There are a handful of charter schools in wealthy communities and, perhaps not surprisingly, they tend to have high test scores. But most charter schools are in low-income, often minority neighborhoods. How do they fare? WBHM's Tanya Ott has our report.

Caroline Hoxby graduated from Harvard, Oxford and MIT, so she knows a bit about good education. As an economist at Stanford University she also studies education outcomes, and for the past few years she's had her eye on Charter Schools.

But before we get to **Hoxby's research**, a reminder about what a charter is. It's a public school that operates free from many of the constraints of traditional public schools. Charter schools can hire and fire teachers and administrators at will. Those teachers and administrators have a lot more flexibility. They can choose what textbooks they want to use and how they teach the material. At some charter schools students attend class 9 hours a day, 6 days a week. At others they may offer non-traditional hours to accommodate the work schedules of high schoolers. The point is no two charter schools are alike. And that can make studying them kind of difficult.

But back Caroline Hoxby, the Stanford economist. She compared the test scores of New York City students who applied for and got into charter schools with those of their peers who applied for, but didn't get into charter schools. And she found that charter school students improved significantly more in math and reading than their counterparts. To be precise, they closed the achievement gap by 87% in math and 67% in reading.

"Those are really big numbers, but it isn't a silver bullet. It's not that you send a student for one year to a charter school and all of the sudden they're performing at the same level as students from an affluent background."

In fact, Hoxby tracked students from kindergarten through 8th grade. She says at the high school level, attending a charter school raised the probability of graduating by an average of 7% a year per year. Meaning student who attended a charter high school for four years were 28% more likely to graduate than their peers at a traditional public high school.

"In many big cities, like the one we're sitting in Washington DC, the public charter schools are the best schools. Same with Boston, New York, Denver, Houston."

Washington Post reporter Jay Mathews

Jay Mathews is an education reporter for the Washington Post. He's written a book called Work Hard, Be Nice - about a specific charter school program called Knowledge is Power or KIPP. There are more than 60 KIPP charter schools across the country. Mathews talked about KIPP with Michelle Martin of the NPR program Tell Me More.

"I look at schools in one parameter which schools are doing the best job in raising the achievement of kids. Which schools have kids coming in, as the KIPP schools do, at about the 30 percentile in the 5th grade and they leave in the 8th grade in the 70th or 80th percentile in math or reading. That rarely happens, but in some of these charter groups, particularly KIPP they've made that happen. And it's really unleashing the power of great teachers."

But, Mathews warns, that's when charter schools are done right. Another group of Stanford researchers - a group called CREDO - or the **Center for Research on Education Outcomes** -- examined the standardized test scores of more than a half million kids attending charter schools in 16 states. They compared their results to kids from traditional public schools like the ones the charter school kids would have attended. Ken Surratt is CREDO's assistant director.

"Charter school students lagged compared to their traditional public school peers in both math and reading."

CREDO's study found that 17% of charter schools outperformed the traditional public schools. But 46% performed about the same at the traditional public schools, and 37% performed worse. Some of them much worse. In the south, Florida and Texas charter schools showed significantly lower learning gains.

CREDO's Ken Surratt

CREDO also studied New York City school in-depth, and like Caroline Hoxby, they found that charter school students in New York perform better than their peers at traditional public schools. Surratt says that's because of the way the charters are managed.

"They are assessing performance. They have clear performance criteria that they use. There's a Charter School Support Center. And it's been embraced by the mayor, by the head of the schools so it has that buy-in."

Buy-in is not something that comes easy in Alabama. Last month the legislature killed a proposal to legalize charter schools. Governor Bob Riley says that was a major reason the state didn't get any of the recently announced Race to the Top federal education money. Tomorrow on our program we examine the politics behind the fight over charter schools in Alabama.

~ Tanya Ott, March 10, 2010.

From: Vikki Deadrick [vdeadrick@spbhs.org]
Sent: Thursday, February 25, 2010 2:06 PM
To: Rep. Paul Seaton
Subject: Charter Schools Support PLS!

Importance: High
Sensitivity: Confidential

Categories: Read Only

We want you to support charter school legislation that will level the playing field so Alaskan charter schools can apply for federal funds to meet our building needs, PLEASE! I especially want this because here in Homer, Fireweed Academy ends this year, grade 6th, and my grandson needs what this Charter School offers for Middle & High School. He is diagnosed with O.C.D. and the Public Schools will NOT hire an Aide for him, so far, for next year at the Middle School.

Vikki M. Deadrick
299-0818
PO Box 3224
Homer, AK 99603

This message is intended only for the use of the individual or entity to which it is addressed, and may contain confidential information which may be protected by Federal Law, and/or privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employer or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or reply & delete the material from your computer.

From: Robert Shawnisty Webber [webbers007@yahoo.com]
Sent: Thursday, February 25, 2010 2:10 PM
To: Rep. Paul Seaton
Subject: support charter school legislation

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.

Second: Please initiate discussion in the House Education committee and draft a House companion bill to SB 235.

Due to the Federal Department of Education's applicant eligibility requirements, Alaska charter schools cannot even apply for the Federal funds because:

1. We have a cap of 60 on the number of charter schools, and...
2. We have no state charter school facilities program.

1. 60 Cap: SB 235 amends the current law by removing the current cap of 60 charter schools. The law originated in 1995 and only 26 charter schools are in existence. As the only authorizer, local school boards thoroughly examine and evaluate charter applications prior to agreeing to accept the charter for their district.

2. Facilities program: SB235 amends the current law by adding language to establish a per-pupil facilities program. With this amendment, Alaska Charter Schools will be eligible to compete for the Federal Charter School Facility Grant Program. (average grant award 3.7 million)

These two simple improvements to Alaska's Charter School Law would also make Alaskan charter schools eligible to apply for start up grant funding (approx. $450,000 per charter school)

SB 235 seeds the in-state aid program with a nominal $1 dollar per pupil per year. It doesn't require local school boards and districts to provide the 10% local contribution necessary to achieve the 90% federal match, but gives communities the opportunity to work with their district to apply for federal funds to meet school

facility needs.

Are charter schools Alaskan public schools? If so should there be a cap? Shouldn't charter schools have equitable access to public school facilities? In true charter innovative fashion, through this bill we are only asking that you clear the path so we can go after federal funds to meet our building needs.

Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235.

Sincerely,

Shawnisty Webber

APC Community Rep. Fireweed Academy Homer, AK

From: TOM BECK [tomandjanebeck@gmail.com]
Sent: Friday, February 26, 2010 11:13 AM
To: Rep. Paul Seaton
Subject: Alaskan charter schools

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.
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Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235.

Thank you,

Jane Beck
Parent of a charter school student

From: Alan and Mindy Parks [amparks@xyz.net]
Sent: Friday, February 26, 2010 7:30 AM
To: 'Representative_Paul_Seaton@legis.state.ak.us
Cc: Kiki Abrahamson; Louie Flora
Subject: Charter school Support

Importance: High

Hi Paul,

As you know Ella and Hoxie both go to Fireweed and are receiving an excellent education.

I fully support Kiki Abrahamson in her efforts to provide the highest quality of education to Ella and Hoxie and to all the kids who attend Fireweed, this includes Kiki's efforts in obtaining a new facility.

We want you to support charter school legislation that will level the playing field so Alaskan charter schools can apply for federal funds to meet the building needs of Fireweed and all charter schools in Alaska

Thank you Paul for your full attention to this matter.

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.
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Are charter schools Alaskan public schools? If so should there be a cap?
Shouldn't charter schools have equitable access to public school facilities?
In true charter innovative fashion, through this bill we are only asking that you clear the path so we can go after federal funds to meet our building needs.

Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235. As always, I am willing to discuss this with you any time.

Thank you.

Alan and Mindy Parks
65055 Nearly level Ave
Homer AK 99603
235-5680

From: Rep. Paul Seaton
Sent: Friday, February 26, 2010 9:15 AM
To: Louie Flora
Subject: FW: charter schools

From: susan edwards [mailto:mikeandsueedwards@yahoo.com]
Sent: Thursday, February 25, 2010 3:51 PM
To: Rep. Paul Seaton
Subject: charter schools

Please Mr. Seaton,

We want you to support charter school legislation that will level the playing field so Alaskan charter schools can apply for federal funds to meet our building needs.

Thank you,
Susan Edwards

From: earthacres@acsalaska.net
Sent: Friday, February 26, 2010 6:39 AM
To: Rep. Paul Seaton
Subject: charter school funding

Dear Paul,
I am writing to ask you to please support any and all charter school legislation that will help charter schools be on equal footing with other public schools when it comes to finances. Our charter school is currently growing and needing to build or purchase a new building to move into.

Thank you!
Evelyn Seguela
53845 Kilcher rd
Homer, AK 99603

From: Betsy [eawolf@alaska.net]
Sent: Friday, February 26, 2010 6:33 AM
To: Rep. Paul Seaton
Subject: House Companion Bill to SB 235

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.
Second: Please initiate discussion in the House Education committee and draft a House companion bill to SB 235.

Due to the Federal Department of Education's applicant eligibility requirements, Alaska charter schools cannot even apply for the Federal funds because:

1. We have a cap of 60 on the number of charter schools, and...
2. We have no state charter school facilities program.

1. 60 Cap: SB 235 amends the current law by removing the current cap of 60 charter schools. The law originated in 1995 and only 26 charter schools are in existence. As the only authorizer, local school boards thoroughly examine and evaluate charter applications prior to agreeing to accept the charter for their district.

2. Facilities program: SB235 amends the current law by adding language to establish a per-pupil facilities program. With this amendment, Alaska Charter Schools will be eligible to compete for the Federal Charter School Facility Grant Program. (average grant award 3.7 million)

These two simple improvements to Alaska's Charter School Law would also make Alaskan charter schools eligible to apply for start up grant funding (approx. $450,000 per charter school)

SB 235 seeds the in-state aid program with a nominal $1 dollar per pupil per year. It doesn't require local school boards and districts to provide the 10% local contribution necessary to achieve the 90% federal match, but gives communities the opportunity to work with their district to apply for federal funds to meet school facility needs.

Are charter schools Alaskan public schools? If so should there be a cap? Shouldn't charter schools have equitable access to public school facilities? In true charter innovative fashion, through this bill we are only asking that you clear the path so we can go after federal funds to meet our building needs.

Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235. As always, I am willing to discuss this with you any time.

Thank you.

From: Kiki Abrahamson [kabrahamson@kpbsd.k12.ak.us]
Sent: Wednesday, February 10, 2010 3:06 PM
To: Rep. Paul Seaton; Rep. Wes Keller; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Bob Buch; Rep. Berta Gardner; Rep. Peggy Wilson
Cc: Louie Flora; Barbara Gerard
Subject: Charter School Legislation

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.
Second: Please initiate discussion in the House Education committee and draft a House companion bill to SB 235.

Due to the Federal Department of Education's applicant eligibility requirements, Alaska charter schools cannot even apply for the Federal funds because:

1. We have a cap of 60 on the number of charter schools, and...

2. We have no state charter school facilities program.

1. 60 Cap: SB 235 amends the current law by removing the current cap of 60 charter schools. The law originated in 1995 and only 26 charter schools are in existence. As the only authorizer, local school boards thoroughly examine and evaluate charter applications prior to agreeing to accept the charter for their district.

2. Facilities program: SB235 amends the current law by adding language to establish a per-pupil facilities program. With this amendment, Alaska Charter Schools will be eligible to compete for the Federal Charter School Facility Grant Program. (average grant award 3.7 million)

These two simple improvements to Alaska's Charter School Law would also make Alaskan charter schools eligible to apply for start up grant funding (approx. $450,000 per charter school)

SB 235 seeds the in-state aid program with a nominal $1 dollar per pupil per year. It doesn't require local school boards and districts to provide the 10% local contribution necessary to achieve the 90% federal match, but gives communities the opportunity to work with their district to apply for federal funds to meet school facility needs.

Are charter schools Alaskan public schools? If so should there be a cap? Shouldn't charter schools have equitable access to public school facilities? In true charter innovative fashion, through this bill we are only asking that you clear the path so we can go after federal funds to meet our building needs.

Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235. As always, I am willing to discuss this with you any time.

Thank you.

Kiki Abrahamson
Administrator

Fireweed Academy
907-235-9728
907-235-8561 FAX

1205

From: Rep. Paul Seaton
Sent: Monday, March 08, 2010 4:36 PM
To: Louie Flora
Subject: FW: Charter Schools

From: Pamela Baltzer [mailto:pamelakim@hotmail.com]
Sent: Monday, March 08, 2010 3:18 PM
To: Rep. Paul Seaton
Subject: Charter Schools

Dear Representative Seaton,

I support charter school legislation that will encourage growth and development for our students and community. Please level the playing field so Alaskan Charter Schools can apply for federal funds. This and other positive changes will allow us to meet our growth and building needs.
We have been trying to expand our school for several years now and seem to encounter road block after road block. Between the KPB school board and current legislation it is an uphill battle. We continue to obtain student wait lists; providing the proof that many families are supporting this change. Please help us obtain our goal of meeting the needs of students.
Thank you for your past support of charter schools.

Pamela Baltzer
Parent / Fireweed Academy Charter School

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

From: Sharon gorman [johannarockon@hotmail.com]
Sent: Monday, March 01, 2010 11:49 AM
To: Rep. Paul Seaton
Subject: Charter school parent in HOmer

Dear Representative Seaton and members of the House Education Committee,

First, sincere thanks for all your efforts to deal with education BSA and local contributions.
Second: Please initiate discussion in the House Education committee and draft a House companion bill to SB 235.

Due to the Federal Department of Education's applicant eligibility requirements, Alaska charter schools cannot even apply for the Federal funds because:

1. We have a cap of 60 on the number of charter schools, and...
2. We have no state charter school facilities program.

1. 60 Cap: SB 235 amends the current law by removing the current cap of 60 charter schools. The law originated in 1995 and only 26 charter schools are in existence. As the only authorizer, local school boards thoroughly examine and evaluate charter applications prior to agreeing to accept the charter for their district.

2. Facilities program: SB235 amends the current law by adding language to establish a per-pupil facilities program. With this amendment, Alaska Charter Schools will be eligible to compete for the Federal Charter School Facility Grant Program. (average grant award 3.7 million)

These two simple improvements to Alaska's Charter School Law would also make Alaskan charter schools eligible to apply for start up grant funding (approx. $450,000 per charter school)

SB 235 seeds the in-state aid program with a nominal $1 dollar per pupil per year. It doesn't require local school boards and districts to provide the 10% local contribution necessary to achieve the 90% federal match, but gives communities the opportunity to work with their district to apply for federal funds to meet school facility needs.

Are charter schools Alaskan public schools? If so should there be a cap? Shouldn't charter schools have equitable access to public school facilities? In true charter innovative fashion, through this bill we are only asking that you clear the path so we can go after federal funds to meet our building needs.

Please initiate this discussion in the House Education committee and draft a House companion bill to SB 235. As always, I am willing to discuss this with you any time.

Thank you.

Sharon Gormah and Joe Spaeder from HOmer

Hotmail: Free, trusted and rich email service. Get it now.

600 E Railroad Ave Wasilla, Alaska 99654
Phone: (907) 376-3704 Fax (907) 376-6180

Mat-Su Legislative Information Office

Fax

To: HESC Committee **From:**

Fax: **Pages:**

Phone: **Date:**

Re: **CC:**

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

Although the following written testimony pages refer to SB 235 the testifiers asked that these be passed onto your committee for consideration regarding HB 393 and HB 382.

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 3/4/10
Bill/Subject

I STRONGLY SUPPORT SB235.

I URGE THIS COMMITTEE TO PASS SB 235 SO THAT CHARTER SCHOOLS MAY GAIN ACCESS TO FUNDING FOR PERMANENT SITES.

PLEASE PASS SB 235

Signed: Hayley Beck Warren
Testifier

Representing (Optional)

1718 N. Fanciful Pl Apt B Wasilla, AK 99654
Address

907-357-1718 h 775-1811 cell
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

HAVING ACCESS TO A PERMANENT LOCATION WILL ALLOW MY CHILD'S SCHOOL TO BETTER SERVE THEIR STUDENTS.

I BELIEVE THAT THE MONEY THE SCHOOL COULD SAVE ON RENT AND TAXES COULD BETTER SERVE CHILDREN, AND THAT SB 235 SUPPORTS EDUCATION.

Signed: MARYCARMEN HERNANDEZ
Testifier

Representing (Optional)

2050 E. TOTEM WASILLA AK 99654
Address

907 631 0833
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 , dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

PLEASE HELP SUPPORT ALASKA'S EDUCATION SYSTEM BY PASSING SB 235. CHARTER SCHOOLS SHOULD BE ALLOWED TO APPLY FOR GRANTS FOR PERMANENT SCHOOL SITES.

THANK YOU FOR SUPPORTING SB 235

Signed: Amy French
Testifier

Representing (Optional)

4023 N. Preston Ave, Wasilla AK 99654
Address

864-1092
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.
CHARTER SCHOOL CHILDREN DESERVE
ACCESS TO FEDERAL FUNDING FOR
THEIR SCHOOLS TO ESTABLISH
PERMANENT LOCATIONS.
PLEASE SUPPORT THIS BILL.

Signed: Dan Klauder
Testifier

Representing (Optional)

PO Box 870516 Wasilla AK 99687
Address

355-8929
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated _____
Bill/Subject

I STRONGLY SUPPORT SB 235.

IT WILL REMOVE CURRENT BARRIERS WHICH PREVENT MY CHILD'S SCHOOL FROM APPLYING FOR FEDERAL MONEY FOR A PERMANENT SITE. I BELIEVE THAT OUR SCHOOL COULD BE BETTER SERVED BY A PERMANENT LOCATION.

PLEASE PASS SB 235.

Signed: Victoria K. Thompson
Testifier

Representing (Optional)

HC 38 Box 2700, Wasilla, AK 99654
Address

907-892-0718
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

MY CHILD'S CHARTER SCHOOL SHOULD BE ELIGIBLE TO APPLY FOR FEDERAL FUNDING FOR A PERMANENT SITE.

I LOOK FORWARD TO YOUR SUPPORT OF THIS BILL AND THE PASSING OF SB 235.

Signed: Paul Thomas
Testifier

Representing (Optional)

2362 E. Ridgeview Dr Wasilla, AK
Address

907- 376-1339
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION Committee name

Committee on SB 235 Bill/Subject, dated

I STRONGLY SUPPORT SB 235. CHARTER SCHOOLS STRIVE TO MAKE A POSITIVE DIFFERENCE IN ALASKA'S FUTURE. HAVING ACCESS TO FEDERAL FUNDING FOR PERMANENT SITES HELPS TO SUPPORT OUR SCHOOLS, OUR STUDENTS AND ALASKA'S FUTURE.

PLEASE SUPPORT SB235.

Signed: Qadim Logan
Testifier

Representing (Optional)

7297 N. Highlander Lp Palmer, AK 99645
Address

746-4030
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT THIS LEGISLATION.
THE SENATE HAS A WONDERFUL OPPORTUNITY
TO GREATER SERVE ALASKA'S CHILDREN
BY GIVING THEIR SCHOOLS THE OPPORTUNITY TO
APPLY FOR FEDERAL FUNDING FOR PERMANEN
LOCATIONS FOR THEIR SCHOOLS.
PLEASE DO ALL THAT YOU CAN TO
SUPPORT AND PASS THIS BILL

Signed:
Testifier

Representing (Optional)

19838 E Kwik View drive
Address

907 746 6697
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235. ALASKA'S CHARTER SCHOOLS SHOULD HAVE ACCESS TO FEDERAL FUNDING FOR PERMANENT FACILITIES. PLEASE PASS SB 235.

Signed: Melissa Dale
Testifier

Representing (Optional)

7620 E. Woodview Way Palmer, AK 99645
Address

746-7462
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

+ STRONG SCHOOLS SUPPORTIVE TO MAKE
CHARACTER
+ POSITIVE HAVING DIFFERENT ACCESS TO
FUNDING FOR ORGANIZATIONS FUTURE
STUDENTS AND
PLEASE SUPPORT SB235.

Signed: COSRUTA MORGAN Cosruta Morgan
Testifier

Representing (Optional)

HC 35 5420 L WASILLA AK 99654
Address

907 - 357 6874
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

I ENCOURAGE YOU TO PASS THIS BILL. I BELIEVE IT IS IMPORTANT TO ALLOW OUR CHARTER SCHOOLS ACCESS TO FEDERAL FUNDING FOR PERMANENT LOCATIONS.

PLEASE PASS SB 235.

Signed: Sara Wise
Testifier

Representing (Optional)

3624 Greywolf Dr. Wasilla AK 99654
Address

907-373-6243
number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

SB 235 SUPPORTS ALASKAN CHILDREN BY ALLOWING TAGIR SCHOOLS TO APPLY FOR FEDERAL FUNDING NEEDED TO SECURE PERMANENT SCHOOL SITES.

PLEASE JOIN ME IN SUPPORTING ALASKAN CHILDREN BY PASSING SB 235 THIS SESSION

Signed: Veronica Wolf
Testifier

Representing (Optional)

3613 E Serendipity Loop Wasilla, AK 99654
Address

841-9221
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated
Bill/Subject

I SUPPORT SB 235. I WOULD HOPE THAT THE SENATE EDUCATION COMMITTEE WOULD DO ALL THAT IS NECESSARY TO PASS SB 235. SB 235 IS GOOD FOR ALASKA'S FUTURE.

PLEASE PASS SB 235.

Signed: Jennifer Fullmer
Testifier

Representing (Optional)

P.O. Box 982 Palmer AK 99645
Address

907-232-0853
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I AM A STRONG SUPPORTER OF SB 235

I BELIEVE THAT THIS BILL WOULD GREATLY SUPPORT ALASKA'S SCHOOLS AND HELP MEET THE NEEDS OF ALASKA'S STUDENTS.

PLEASE PASS SB 235

Signed: Wendy E. Taylor
Testifier

Representing (Optional)

570 S. Warmwood Way Palmer Alaska 99645
Address

907-746-7671
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

OUR CHARTER SCHOOLS SHOULD BE OPEN TO FUNDING FOR ESTABLISHING PERMANENT FACILITIES. PLEASE PASS SB 235 AND SUPPORT OUR SCHOOLS.

Signed: Kelly Dyal
Testifier

Representing (Optional)

5350 E Meadow Dr.
Address

907-357-0740
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

I BELIEVE IT WILL BENEFIT ALASKA VIA SUPPORTING OUR EDUCATIONAL SYSTEM.

PLEASE PASS SB 235

Signed: Carol Mauch
Testifier

Representing (Optional)

1535 Firth Rd Wasilla 99654
Address

357-5854
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.

I URGE THIS COMMITTEE TO DO ALL THAT IS WITHIN IT'S POWER TO SUPPORT THIS BILL AND ALLOW CHARTER SCHOOLS ALLESS TO FEDERAL FUNDING FOR THAR PERMANENT SITES.

PLEASE PASS SB 235

Signed: [signature]
Testifier

Representing (Optional)

9071 E. Westside Dr. Palmer AK 99645
Address

745-8085
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 . dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

LEGISLATORS WHO SUPPORT EDUCATION IN ALASKA ARE GOOD FOR ALASKA'S FUTURE. BY SUPPORTING THIS BILL, YOU SUPPORT OUR SCHOOLS AND OUR CHILDREN.

PLEASE PASS SB 235

Signed: [signature]
Testifier

Representing (Optional)

17455 E. Three Sisters Dr.
Address

746-7323
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated 3/4/10
Bill/Subject

I STRONGLY SUPPORT SB 235.

PLEASE HELP SUPPORT ALASKA'S EDUCATION SYSTEM BY PASSING SB 235. CHARTER SCHOOLS SHOULD BE ALLOWED TO APPLY FOR GRANTS FOR PERMANENT SCHOOL SITES.

THANK YOU FOR SUPPORTING SB 235

Signed: Kari Kaecher
Testifier

Representing (Optional)

P.O. BOX 877593, Wasilla, AK 99687
Address

376-1215
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

OFFERING CHARTER SCHOOLS IN ALASKA ACCESS TO FEDERAL FUNDING FOR PERMANENT LOCATIONS IS A GREAT WAY TO SUPPORT EDUCATION.

THANK YOU FOR SUPPORTING SB 235

Signed: Jacqualine Schaefer
Testifier

Representing (Optional)

Box 4077 Palmer AK 99645
Address

907 355-1424
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

CHARTER SCHOOLS SHOULD HAVE ACESS TO THE SAME FEDERAL FUNDING OPPORTUNITIES THAT OUR PUBLIC SCHOOLS ENJOY. I URGE YOU TO PASS SB 235.

Signed: Rachel Walker
Testifier

Representing (Optional)

4582 E. Big Rock Dr. Wasilla, AK 99654
Address

(907) 376-4584
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.

I URGE THIS COMMITTEE TO PASS SB 235 SO THAT CHARTER SCHOOLS MAY GAIN ACCESS TO FUNDING FOR PERMANENT SITES.

PLEASE PASS SB 235

Signed: Shirley Smith
Testifier

Representing (Optional)

Address

Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 3-3-10
Bill/Subject

I STRONGLY SUPPORT SB 235.

PLEASE PASS SB 235 AND CONTINUE TO SUPPORT CHARTER SCHOOLS IN ALASKA. THIS BILL SUPPORTS ALASKAN CHILDREN AND EDUCATORS. IT WILL MAKE A DIFFERENCE IN MY CHILDS LIFE.

Signed: Cindy Butts
Testifier

Representing (Optional)

5000 N. Moose St. Wasilla, AK 99654
Address

907-841-9292
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.
I BELIEVE IT WILL HAVE A POSITIVE IMPACT ON ALASKA'S CHARTER SCHOOLS. I AM PROUD OF THE LEGISLATORS FOR SUPPORTING ALASKA'S CHILDREN IN THIS MANNER.

PLEASE PASS SB 235.

Signed:
Testifier

Representing (Optional)

2050 E TOTEM WASILLA AK
Address

6310833
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 4 Mar 2010
Bill/Subject

I STRONGLY SUPPORT SB 235.

MY CHILD'S CHARTER SCHOOL SHOULD BE ABLE TO APPLY FOR FEDERAL FUNDING FOR A PERMANENT LOCATION.

I BELIEVE THIS BILL SUPPORTS STUDENTS AND ALASKA'S SCHOOLS.

PLEASE PASS SB 235.

Signed: _____
Testifier

_____
Representing (Optional)

3001 N Banner Way
Address

907 360 1948
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.
CHARTER SCHOOL CHILDREN DESERVE
ACCESS TO FEDERAL FUNDING FOR
THEIR SCHOOLS TO ESTABLISH
PERMANENT LOCATIONS.
PLEASE SUPPORT THIS BILL.

Signed: Gwen Schneider
Testifier

Representing (Optional)

PO Box 294 Palmer AK 99645
Address

746-1684
Phone number

1234

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

CHARTER SCHOOLS SHOULD HAVE ACESS TO THE SAME FEDERAL FUNDING OPPORTUNITIES THAT OUR PUBLIC SCHOOLS ENJOY. I URGE YOU TO PASS SB 235.

Signed:
Testifier

Representing (Optional)

1748 Lake Lucille Dr Wasilla AK 99654
Address

907 357-8006
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

My CHILD'S CHARTER SCHOOL SHOULD BE ELIGIBLE TO APPLY FOR FEDERAL FUNDING FOR A PERMANENT SITE.

I LOOK FORWARD TO YOUR SUPPORT OF THIS BILL AND THE PASSING OF SB 235.

Signed: [signature]
Testifier

Representing (Optional)

PO Box 871615 Wasilla AK 99687
Address

746-2805
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT THIS LEGISLATION.
THE SENATE HAS A WONDERFUL OPPORTUNITY
TO GREATER SERVE ALASKA'S CHILDREN
BY GIVING THEIR SCHOOLS THE OPPORTUNITY TO
APPLY FOR FEDERAL FUNDING FOR PERMANENT
LOCATIONS FOR THEIR SCHOOLS.
PLEASE DO ALL THAT YOU CAN TO
SUPPORT AND PASS THIS BILL

Signed:
Testifier

Representing (Optional)

4640 N. McKenzie PALMER, AK 99645
Address

746-4769
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 3/3/10
Bill/Subject

I STRONGLY SUPPORT SB 235.

SB 235 SUPPORTS ALASKAN CHILDREN BY ALLOWING THEIR SCHOOLS TO APPLY FOR FEDERAL FUNDING NEEDED TO SECURE PERMANENT SCHOOL SITES.

PLEASE JOIN ME IN SUPPORTING ALASKAN CHILDREN BY PASSING SB 235 THIS SESSION

Signed: Jody Soeder
Testifier

Representing (Optional)

5000 E Pine St Wasilla, AK 99654
Address

907-376-7049
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 3/3/2010
Bill/Subject

I AM A STRONG SUPPORTER OF SB 235

I BELIEVE THAT THIS BILL WOULD GREATLY SUPPORT ALASKA'S SCHOOLS AND HELP MEET THE NEEDS OF ALASKA'S STUDENTS.

PLEASE PASS SB 235

Signed: Amanda Hope Lemm
Testifier

Representing (Optional)

4608 N. Bailey Street Palmer Ak 99645
Address

907-746-1659
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated March 2, 2010
Bill/Subject

I SUPPORT SB 235. I WOULD HOPE THAT THE SENATE EDUCATION COMMITTEE WOULD DO ALL THAT IS NECESSARY TO PASS SB 235. SB 235 IS GOOD FOR ALASKA'S FUTURE.

PLEASE PASS SB 235.

Signed: [signature]
Testifier

Representing (Optional)

6525 W. Rashelle Cir. Wasilla, AK 99654
Address

376-2618
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated _____
Bill/Subject

I STRONGLY SUPPORT SB235.

I URGE THIS COMMITTEE TO DO ALL THAT IS WITHIN IT'S POWER TO SUPPORT THIS BILL AND ALLOW CHARTER SCHOOLS ALLESS TO FEDERAL FUNDING FOR THER PERMANENT SITES.

PLEASE PASS SB 235

Signed: Deanna D Bell
Testifier

Representing (Optional)

3000 NO Moose
Address

907-373-4852
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated
Bill/Subject

I STRONGLY SUPPORT SB235.

I URGE THIS COMMITTEE TO DO ALL THAT IS WITHIN IT'S POWER TO SUPPORT THIS BILL AND ALLOW CHARTER SCHOOLS ALLESS TO FEDERAL FUNDING FOR THAR PERMANENT SITES.

PLEASE PASS SB 235

Signed: Nina Shaw
Testifier

Fronteras Spanish Immersion Charter School
Representing (Optional)

P.O Box 2295 Palmer, Ak 99645
Address

373-7086
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT THIS LEGISLATION.
THE SENATE HAS A WONDERFUL OPPORTUNITY
TO GREATER SERVE ALASKA'S CHILDREN
BY GIVING THEIR SCHOOLS THE OPPORTUNITY TO
APPLY FOR FEDERAL FUNDING FOR PERMANEN
LOCATIONS FOR THEIR SCHOOLS.
PLEASE DO ALL THAT YOU CAN TO
SUPPORT AND PASS THIS BILL

Signed: Alicia Kulleck
Testifier

Representing (Optional)

HC34 Box 2174 Wasilla AK 99654
Address

907- 841- 9841
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated 3/1/10
Bill/Subject

I STRONGLY SUPPORT SB 235.

SB 235 SUPPORTS ALASKAN CHILDREN BY ALLOWING TAGR SCHOOLS TO APPLY FOR FEDERAL FUNDING NEEDED TO SECURE PERMANENT SCHOOL SITES.

PLEASE JOIN ME IN SUPPORTING ALASKAN CHILDREN BY PASSING SB 235 THIS SESSION

Signed: Michelle Niland
Testifier

Representing (Optional)

1801 N LAKEVIEW DR WASILLA 99654
Address

715 1540
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.

PLEASE PASS SB 235 AND CONTINUE TO SUPPORT CHARTER SCHOOLS IN ALASKA. THIS BILL SUPPORTS ALASKAN CHILDREN AND EDUCATORS. IT WILL MAKE A DIFFERENCE IN MY CHILDS LIFE.

Signed: S Endsley
Testifier

Representing (Optional)

PO Box 877545 Wasilla AK 99687
Address

907-357-1843
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT THIS LEGISLATION. THE SENATE HAS A WONDERFUL OPPORTUNITY TO GREATER SERVE ALASKA'S CHILDREN BY GIVING THEIR SCHOOLS THE OPPORTUNITY TO APPLY FOR FEDERAL FUNDING FOR PERMANENT LOCATIONS FOR THEIR SCHOOLS.
PLEASE DO ALL THAT YOU CAN TO SUPPORT AND PASS THIS BILL

Signed: [signature]
Testifier

Frontiers
Representing (Optional)

po box 879507, Wasilla AK 99687
Address

376-6568 / 727-9942
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 , dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

SB 235 SUPPORTS ALASKAN CHILDREN BY ALLOWING THEIR SCHOOLS TO APPLY FOR FEDERAL FUNDING NEEDED TO SECURE PERMANENT SCHOOL SITES.

PLEASE JOIN ME IN SUPPORTING ALASKAN CHILDREN BY PASSING SB 235 THIS SESSION

Signed: Christopher Fowler
Testifier

Representing (Optional)

1865 N. Kentucky Derby Dr. Palmer, AK
Address

746-3210
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I SUPPORT SB 235. I WOULD HOPE THAT THE SENATE EDUCATION COMMITTEE WOULD DO ALL THAT IS NECESSARY TO PASS SB 235. SB 235 IS GOOD FOR ALASKA'S FUTURE.

PLEASE PASS SB 235.

Signed: Steven Merritt
Testifier

Representing (Optional)

4973 S. Sailors Loop - Wasilla, AK 99654
Address

376-0893
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 , dated
Bill/Subject

I AM A STRONG SUPPORTER OF SB 235
I BELIEVE THAT THIS BILL WOULD
GREATLY SUPPORT ALASKA'S SCHOOLS
AND HELP MEET THE NEEDS OF ALASKA'S
STUDENTS.

PLEASE PASS SB 235

Signed: Jennifer Burton
Testifier

Representing (Optional)

PO Box 877781
Address

376-4314
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

OUR CHARTER SCHOOLS SHOULD BE OPEN TO FUNDING FOR ESTABLISHING PERMANENT FACILITIES. PLEASE PASS SB 235 AND SUPPORT OUR SCHOOLS.

Signed:
Testifier

Representing (Optional)

17800 E Norman Ave Palmer AK. 99645
Address

907.745.1798
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

I BELIEVE IT WILL BENEFIT ALASKA VIA SUPPORTING OUR EDUCATIONAL SYSTEM.

PLEASE PASS SB 235

Signed: Phillip Z Beatty
Testifier

Representing (Optional)

205 E. Dimond #240 Anchorage AK
Address

907-244-0122
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

HAVING ALLESS TO A PERMANENT LOCATION WILL ALLOW MY CHILD'S SCHOOL TO BETTER SERVE THEIR STUDENTS.

I BELIEVE THAT THE MONEY THE SCHOOL COULD SAVE ON RENT AND TAXES COULD BETTER SERVE CHILDREN, AND THAT SB 235 SUPPORTS EDUCATION.

Signed: [signature]
Testifier

Representing (Optional)

9325 E. Santa Fe Circle Palmer, AK 99645
Address

907-715-0901
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

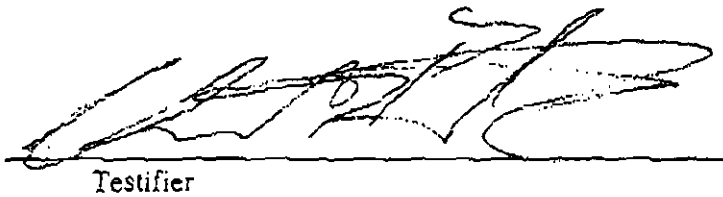
Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

MY CHILD'S CHARTER SCHOOL SHOULD BE ABLE TO APPLY FOR FEDERAL FUNDING FOR A PERMANENT LOCATION.

I BELIEVE THIS BILL SUPPORTS STUDENTS AND ALASKA'S SCHOOLS.

PLEASE PASS SB 235.

Signed: 
Testifier

Representing (Optional)

950 W. Lone Cut Drive Wasilla Ak 99654
Address

907-376-7307
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235 , dated
Bill/Subject

I AM A STRONG SUPPORTER OF SB 235. I ASK FOR YOUR SUPPORT IN PASSING THIS BILL INTO LAW SO THAT CHARTER SCHOOLS IN ALASKA MAY RECIEVE FUNDING FOR PERMANENT FACILITIES.

PLEASE SUPPORT SB 235

Signed Carol Mitchell
Testifier

Representing (Optional)

3270 N. Parkview Circle Wasilla, AK 99654
Address

(907) 864-0348
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.
I BELIEVE IT WILL HAVE A POSITIVE IMPACT ON ALASKA'S CHARTER SCHOOLS. I AM PROUD OF THE LEGISLATORS FOR SUPPORTING ALASKA'S CHILDREN IN THIS MANNER.

PLEASE PASS SB 235.

Signed: Tiffanie Robinson
Testifier

Representing (Optional)

PO Box 4805 PALMER AK 99645
Address

746 1364
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

OFFERING CHARTER SCHOOLS IN ALASKA ACCESS TO FEDERAL FUNDING FOR PERMANENT LOCATIONS IS A GREAT WAY TO SUPPORT EDUCATION.

THANK YOU FOR SUPPORTING SB 235

Signed: Tony Brooke
Testifier

Representing (Optional)

2700 N. Heather Way Wasilla AK 99654
Address

907-631-3071
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB235.

I HOPE THAT THE ALASKA STATE LEGISLATURE WILL PASS THIS BILL. AND HELP SUPPORT ALASKA'S CHARTER SCHOOLS.

PLEASE PASS SB 235.

Signed: Trina Jackson
Testifier

Representing (Optional)

PO BOX 871670 Wasilla, Alaska 99687
Address

357-4297
Phone number

Alaska State Legislature

Please enter into the record my testimony to the HOUSE EDUCATION + SENATE EDUCATION
Committee name

Committee on SB 235 / HB 393 / HB 382, dated
Bill/Subject

I STRONGLY SUPPORT SB 235.

SB 235 SUPPORTS ALASKAN CHILDREN BY ALLOWING TAGR SCHOOLS TO APPLY FOR FEDERAL FUNDING NEEDED TO SECURE PERMANENT SCHOOL SITES.

PLEASE JOIN ME IN SUPPORTING ALASKAN CHILDREN BY PASSING SB 235 THIS SESSION

Signed: James A. Davis
Testifier

Representing (Optional)

307 N. Cal Kana St.
Address

230 1528
Phone number

Alaska State Legislature

Please enter into the record my testimony to the SENATE EDUCATION
Committee name

Committee on SB 235, dated
Bill/Subject

I STRONGLY SUPPORT SB 235. ALASKA'S CHARTER SCHOOLS SHOULD HAVE ACCESS TO FEDERAL FUNDING FOR PERMANENT FACILITIES. PLEASE PASS SB 235.

Signed: DERRICK DILLEY
Testifier

Representing (Optional)

7543 N. GROUSE LOOP WASILLA, AK 99654
Address

(907) 357-7597
Phone number

HB 413

Alaska State Legislature

Rep. Cathy Muñoz, Vice-Chair
Rep. Wes Keller
Rep. Bob Buch

Rep. Peggy Wilson
Rep. Bryce Edgmon
Rep. Berta Gardner

Rep. Paul Seaton, Chairman
HOUSE EDUCATION COMMITTEE

Sponsor Statement HB 413
Funding for the Alaska Challenge Youth Academy

HB 413 restructures the funding mechanism for the Alaska Challenge Youth Academy to more accurately reflect the needs of the Academy.

The Alaska Challenge Youth Academy is a residential high school for students who have dropped out of regular school. The Academy is highly successful with a 70% graduation rate and works closely with the National Guard following a strict model that gives students structure, challenge, and discipline. The Academy is located in Anchorage and has two sessions a year where students live on campus for 5 months while going through the rigorous program. After they graduate from the program, staff continues to track their behavior through a mentorship program. Students are considered a success if a year after graduation they are enrolled in a postsecondary program, the military, or in full time employment.

Funding for the Academy is based the following formula: 7 times the Base Student Allocation (BSA) times all residential students plus .6 times the BSA times all non-residential students. When the Academy was formed in 2002 this reflected the dollars they needed to operate. However, as the BSA has grown over the years to cover retirement costs and other increases in education this has resulted in a windfall and is no longer reflective of the true cost of the program.

HB 413 would set a per child amount for state dollars in statute, $11,990 and multiply that by the number of residential and non-residential students enrolled. The Academy and the Department of Education and Early Development both agree this would give them sufficient dollars to run the program. Under HB 413 the projected total state dollars they would receive in fiscal year 2011 would be approximately $5.2 million, within $300 of the amount they would get under the current formula. Alaska Military Youth Academy also receives separate federal funds that supplement this amount ($2.7 million for FY2011).

The Academy is a valuable alternative that requires higher funding as a residential program for at-risk youth than other boarding schools. HB 413 identifies an appropriate and transparent way to fund this important educational institution.

Staff Contact: Katie Koester 465-2028

Prepared by the office of Rep. Seaton
March 12, 2010
HB 413 v.A

State Capitol, Room 102 Juneau, AK 9980 - Phone: 465-3923 - Fax: 465-3472 - Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **HB413**
() Publish Date:

Identifier (file name): HB413-EED-ESS-3-10-2010
Title "An Act relating to the Alaska Challenge Youth Academy"
Sponsor House Education Committee
Requester Education, Finance

Dept. Affected: Education & Early Development
RDU K-12 Support
Component AK Challenge Youth Academy
Component Number 2837

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	0.3						
Miscellaneous							
TOTAL OPERATING	**0.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	0.3	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation would rewrite the state formula in AS14.30.740 so the Alaska Challenge Youth Academy would be paid at a flat rate of $11,990 per full-time residential and non-residential student. The number of students enrolled is to be provided by October 1st.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 3/10/10 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 3/10/2010

(Revised 10/13/2009 OMB)

ALASKA MILITARY YOUTH ACADEMY

FY2011 Projection	
189 x $5680 x 7 =	7,514,640
297 x $5680 x 60% =	1,012,176
less $2,700,000	(2,700,000)
TOTAL $	**5,826,816**

HB413	
189 x $11,990 =	2,266,110
297 x $11,990 =	3,561,030
TOTAL $	**5,827,140**

HB413 Change over FY11	**$**	**324**

Alaska Military Youth Academy Overview

Training schedules:

2 classes offered each year, consisting of:

- 2 week pre-challenge phase
- 20 week residential course
- 12 month non-residential tracking period

Education options:

A cadet may receive a GED or a high school diploma from the AMYA. The AMYA is an accredited high school, through the Northwest Association of Accredited Schools and offers a maximum of 7 credits during the residential phase of the program.

There are also work place certificate programs offered as well as internship opportunities for the cadets during the residential course to include:

- National Center for Construction Education and Research certificate, foundation training for any student going into vocational trades
- Carpentry proficiency certificate
- UPS store customer service certified training
- Culinary ServeSafe certification (required by the cabaret association that at least one employee on shift must have this certification)
- Emergency Trauma Tech certification
- Emergency Medical Tech certification
- Win and Work Keys, career readiness certificate (national program administered through the Department of Labor that shows baseline employee skill level)
- First aid and CPR certification

Success:
Success is determined by the ChalleNGe program national office located in Washington DC under the control of National Guard Bureau, which oversees all 33 ChalleNGe programs nationwide. A cadet is considered a successful graduate of the ChalleNGe program if at the end of the 12-month non-residential period he or she is:

- Working at least 30 hours per week
- Enrolled in college taking at least 12 semester hour credits
- Enrolled in a vocational training/ apprentice program
- A member of the United State's military

Alaska Military Youth Academy Budget details

Q: Do we expend funds on the mentorship program? If so what are they used for?
A: No funds are given to the mentors or the cadets for being mentored. Funds are used to pay staff to coordinate the mentor program. One staff member is dedicated full-time to running the mentor program and two other staff members spend about half of their time supporting the mentor program.

Q: How will doing away with the stipend affect the mentorship program?
A: There is an indication the stipends were an incentive for cadets to be more responsible in self-reporting. AMYA staff has invested twice as much time to contact Cadets for post-residential information than with previous classes that received the benefit.

Q: How do we plan to use the stipend money if it remains in the budget?
A: The funds will be used to replace educational equipment and material for the cadets. This includes outdated classroom resources, replacing 25% of computers yearly, adding software licenses with the Microsoft programs, replacing barracks furnishings, increasing the enrollment of additional students, and office supplies.

There has **not** been any DEED funding in the past three years that has gone towards capital projects. The only situation where this was possible was with the infrastructure money we received. However, we did not use any DEED funding as match against the infrastructure projects.

In the past three years there **has** been DEED funding that was used to pay for maintenance to the AMYA facilities. The info. is as follows:

SY08 – spent $441.72 in "repair parts & supplies". It was coded against FFY09 DEED allowable.
SY09 – spent $399.00 in "repair guardrail supplies". It was coded to FFY08 DEED allowable.
SY10 – nothing has been spent on maintenance so far.

60/40 maintenance dollars
SY08 - $118,959.25
SY09 - $93,199.28
SY10 - $15,137.88 so far this year

As for the stipends, they weren't clear on whether they were talking about graduation stipends or aftercare stipends so I provided both just in case. It was not possible to break stipends down by class without going through a labor intensive exercise. I summarized the total graduation and aftercare stipends by fund source for each SY, and

also broke out each fund source by FFY (if applicable) and what type of stipend it was. In the past three years we have paid the following in stipends:

SY08 – $79,000 Total graduation stipends paid ($47,400 FED/$31,600 GFM)
$168,600 Total aftercare stipends paid (DEED I/A)
$247,600 Total graduation & aftercare stipends paid in SY08

60/40
FFY07 Graduation Stipend $42,000
FFY08 Graduation Stipend $37,000
Total graduation stipends paid in SY08 $79,000 ($47,400 FED/$31,600 GFM)

I/A (DEED)
Aftercare Stipend $168,600

SY09 – $91,200 Total graduation stipends paid ($54,720 FED/$36,480 GFM)
$120,700 Total aftercare stipends paid (DEED I/A)
$211,900 Total graduation & aftercare stipends paid in SY09

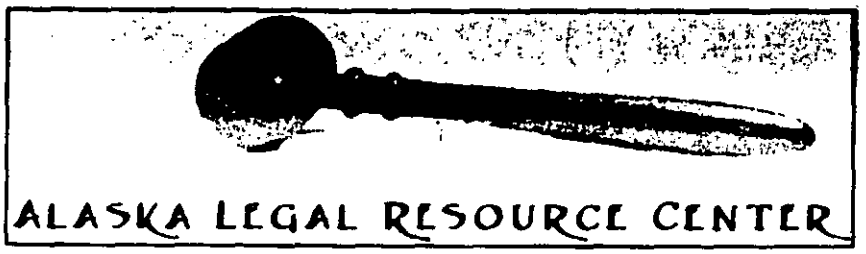
60/40
FFY08 Graduation Stipend $42,900
FFY09 Graduation Stipend $48,300
Total graduation stipends paid in SY09 $91,200 ($54,720 FED/$36,480 GFM)

I/A (DEED)
Aftercare Stipend $120,700

SY10 – $81,600 Total graduation stipends paid ($48,960 FED/$32,640 GFM)
$58,900 Total aftercare stipends paid (DEED I/A)
$140,500 Total graduation & aftercare stipends paid so far in SY10

60/40
FFY09 Graduation Stipend $40,800
FFY10 Graduation Stipend (estimated) $40,800
Total graduation stipends paid so far in SY10 $81,600 ($48,960 FED/$32,640 GFM)

I/A (DEED)
Aftercare Stipend (there should be no more) $58,900



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Touch N' Go Desktop In/Out Board

Alaska Statutes.
Title 14. Education, Libraries, and Museums
Chapter 30. Pupils and Educational Programs For Pupils
Section 740. Funding For Alaska Challenge Youth Academy Program.

previous: Section 720. Definitions.
next: Section 750. Alaska School Counseling Program Grant Fund. [Repealed, Sec. 12 Ch 42 SLA 1997].

AS 14.30.740. Funding For Alaska Challenge Youth Academy Program.

(a) Each fiscal year, the department shall allocate funding for the Alaska Challenge Youth Academy program in an amount equal to the base student allocation multiplied by seven for each residential student and the base student allocation multiplied by 6/10 for each nonresidential student, minus the amount received by the program in federal matching grant funds. The determination of the number of residential and nonresidential students shall be made by the department on October 1 of the prior year.

(b) In this section,

(1) "base student allocation" means the amount established under AS 14.17.470;

(2) "nonresidential student" means a student who receives services but does not reside at the program site;

(3) "program" means the Alaska Challenge Youth Academy program;

(4) "residential student" means a student who resides at the program site.

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Note to HTML Version:

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this can not be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, Alaska State Legislature If any errors are found, please e-mail Touch N' Go systems at E-mail. We hope you find this information useful.

This page has been updated: 01/05/2009 15:56:11

Alaska Military and Youth Academy

Class	Start Date	Residential Grad Date	# Registered (Intake Day)	# Enrolled (After 1st Two Wks)	Graduated (end of 22 Wks)	Post Residential Compl Date	Number Receiving Stipends
2006/2007							
2006-1	4/3/2006	9/1/2006	162	140	109	10/1/2007	92
2006-2	10/1/2006	3/2/2007	257	194	154	4/1/2008	116
2007/2008							
2007-1	4/2/2007	8/31/2007	210	177	140	9/1/2008	108
2008-1	10/1/2007	3/1/2008	206	154	123	4/1/2009	91
2008/2009							
2008-2	4/1/2008	8/29/2008	206	160	143	9/1/2009	106
2009-1	10/1/2008	2/27/2009	209	184	161	4/1/2010	This is the last class to receive Post-Residential stipends
2009/2010							
2009-2	4/1/2009	8/29/2009	197	176	136	9/1/2010	Not eligible
2010-1	10/1/2009	2/27/2010	192	155	TBD	4/1/2011	Not eligible

Provided by the Department of Military and Veterans Affairs

SB 57

Louie Flora

From: Linda Newman [newman@alaska.net]
Sent: Tuesday, April 07, 2009 11:10 PM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Berta Gardner; Rep. Bob Buch
Subject: Thank you for promptly scheduling SB 57!

Dear Representatives of the House Education Committee:

Thank you so very much for promptly scheduling SB 57. It is a good bill. It will aid so many schools by providing them equitable funding to meet the needs of the children whose families have chosen them as the right fit for their child's learning styles and strengths.

I currently have 2 children at the Juneau Community Charter School and a third entering kindergarten this fall. I, along with countless others, have spent so much of their precious early years fundraising to keep this magical community-based school, that integrates the arts, Spanish and music into it, afloat. We are passionate about what it is doing for our children. This school meets all the "best practice" guidelines one could come up with. The small overall school size creates a setting where EVERY child has a known name, face, and value in the school setting. Research tells us that it is the social emotional groundwork that needs to be in place before the academic achievements can blossom. JCCS has consistently done well academically for its students.

Passing SB 57 will demonstrate the value of each child by providing equitable funding for them, independent of the school setting that suits their individual needs. SB 57 would aid JCCS with a bus to help more children and families have access to it, help fund a counselor, a part-time Indian para educator, and simply make it possible to keep the doors open.

I so appreciate that SB 57 has been scheduled so quickly by your committee and I hope that it will continue to move through the House rapidly. The support is truly needed now.

Sincerely,

Linda Newman

	134	57	34	14	205	07/01/2005
PUERTO VALLARTA						
	162	79	45	19	260	05/01/2008
QUERETARO						
	113	48	29	11	172	12/01/2000
SAN CARLOS						
	111	41	26	10	162	07/01/1999
SAN JOSE DEL CABO						
	170	60	35	15	245	06/01/2001
SAN MIGUEL DE ALLENDE						
	120	48	29	11	179	12/01/2000
TAPACHULA						
	94	46	28	11	151	12/01/1993
TIJUANA						
	119	54	32	14	187	09/01/2002
VERACRUZ						
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ZACATECAS						
	134	50	30	13	197	09/01/2005
[OTHER]						
	102	52	31	13	167	12/01/2000
MICRONESIA						
AIR FORCE SCAT POHNPEI ISLAND						
AIR FORCE SUPPORT FOR CIVIC ACTION TEAM (POHNPEI ISLAND)						
	85	28	19	7	120	12/01/2002
AIR FORCE SUPPORT FOR CAT CHUUK						
AIR FORCE SUPPORT FOR CIVIC ACTION TEAM (CHUUK (TRUK) ISLAND						
	97	28	19	7	132	06/27/1997
ARMY SUPPORT FOR CAT POHNPEI ISL						
ARMY SUPPORT FOR CIVIC ACTION TEAM (POHNPEI ISLAND)						
	85	28	19	7	120	12/01/2002
CHUUK						
	105	59	35	15	179	07/01/2008
KOSRAE						
	116	58	34	15	189	07/01/2008
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NAVY SUPPORT FOR CIVIC ACTION TEAM (POHNPEI ISLAND)						
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POHNPEI						
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YAP						
	167	68	39	17	252	07/01/2008
[OTHER]						
	105	59	35	15	179	07/01/2008
MIDWAY ISLANDS						
MIDWAY ISLANDS						
INCL ALL MILITARY						
	125	36	23	9	170	07/01/2008
MOLDOVA						
CHISINAU						
	140	52	31	13	205	09/01/2008
[OTHER]						
	140	52	31	13	205	09/01/2008
MONACO						
MONACO						
05/01 - 09/30	267	109	60	27	403	02/01/2009
10/01 - 04/30	213	104	57	26	343	02/01/2009
MONGOLIA						
ULAANBAATAR						
	113	42	26	11	166	06/01/2006
[OTHER]						
	58	35	23	9	102	10/01/1998
MONTENEGRO						
PODGORICA						
	269	90	50	22	381	08/01/2008
[OTHER]						
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MOROCCO						
AGADIR						
	172	59	35	15	246	03/01/2009
CASABLANCA						
	215	80	45	20	315	03/01/2009
FES						
	228	81	46	20	329	03/01/2009
MARRAKECH						
	220	80	45	20	320	03/01/2009
RABAT						
	169	66	38	17	252	03/01/2009
TANGIER						
	187	71	41	18	276	03/01/2009
TAROUDANT						
	175	59	35	15	249	03/01/2009
[OTHER]						
	148	65	38	16	229	03/01/2009
MOZAMBIQUE						
MAPUTO						

Louie Flora

From: fourlarue@aol.com
Sent: Tuesday, April 07, 2009 9:31 PM
To: Rep. Paul Seaton
Subject: support for sb 57

HI Paul---

just wanted to request your support for sb 57--the small charter school equitablity bill....it is a very important piece of legislation that will positively affect over 100 of your neighbors, friends,constituents....

our charter school here in Homer has set a high standard of excellence for children...please help us survive as a school.

Bonnie Powell
po box 3306
homer, ak 99603

New Deals on Dell Netbooks - Now starting at $299

Louie Flora

From: amcooney@gci.net on behalf of Alison and Mike Cooney [amcooney@gci.net]

Sent: Tuesday, April 07, 2009 8:43 PM

To: Rep. Paul Seaton

Cc: Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Berta Gardner; Rep. Bob Buch

Subject: Please support SB 57

Dear House Education Committee,
The Juneau Community Charter School (JCCS) has been carefully watching SB 57 as it moves through the legislative process. We are grateful that you have scheduled the SB 57 hearing so soon and we hope that it will be quickly passed on to the Finance Committee. This bill provides more equitable funding to charter schools and supports educational options for families. Please support SB 57!

Respectfully,
Alison Cooney
JCCS parent

Louie Flora

From: campalaska@gci.net on behalf of peter otsea [campalaska@gci.net]
Sent: Tuesday, April 07, 2009 8:29 PM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Berta Gardner; Rep. Bob Buch
Subject: Charter School funding

Dear Members of the House Education Committee, It would be a dream come true if the Juneau Community Charter School (JCCS), and other small charter schools, could be free of the ever- present threat of closure due to insufficient funding. How wonderful it would be if all the parent fundraising energy that goes into keeping our doors open (lights on, copier machine working, teachers' salaries paid . . .) could be directed towards enrichment opportunities for students like after-school clubs or travel opportunities! Or if those very active parents in our midst who come to school in the evenings to do janitorial chores (one way we save money) could instead use their volunteer hours supporting students whose families cannot afford the kind of time needed for homework help, tutoring, transportation . . .

Current data about education seems to confirm that "one size does not fit all". All the knowledge we have about multiple intelligences, learning styles and the intertwinedness of social/emotional growth with academic success points the way to offering variety within our school systems in order to meet all students' needs. One form of variety, especially in larger school districts like Juneau, is the small, intimate, family-like school model. For many students, this environment makes an enormous difference in their educational success. For many families, this environment makes an enormous difference in their attitude towards "the system" and assures a closer tie between home and school for their children. It has been this way for my children and my family.

However in Alaska, state statutes make it nearly impossible for small charter schools to survive. Without some sort of funding change, it is predicted that our very successful school will have to close in 3 or 4 years. And it is impossible to supply small schools like ours with all the supports and services that can be so critical for students. At JCCS we go without a school counselor, a gymnasium, an Indian Studies program, on-site before or after school care, bus transportation . . . For many families, this means our school cannot be a choice they can make, even if it would be the best fit for their child.

I am so pleased that your committee has scheduled a hearing on SB 57 so soon and I hope the bill will pass quickly on to it's next stop in the process of becoming law. Thank you for supporting choice in education and looking out for the best educational fit for ALL children in our state.

Sincerely,
Margie Hamburger
Administrative Assistant at JCCS and parent of one JCCS graduate (now a 9th grader at Juneau Douglas High School) and two current JCCS students (5th and 2nd grades)

26-LS0238\S.2
Mischel
4/7/09

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE MUÑOZ

TO: CSSB 57(FIN)

Page 2, line 8:

Delete "175"

Insert "150"

Page 2, line 9:

Delete "175"

Insert "150"

Page 2, line 11:

Delete "175"

Insert "150"

Page 2, line 29:

Delete "**175**"

Insert "**150**"

1275

Senator Joe Thomas
February 27, 2009

The Role of the "Adjusted Student Count" in School Funding

The adjusted student count of each school is the root of state funding for school districts. The number of students enrolled in a school is increased or decreased according to the formula in AS 14.17.450, to determine the school's adjusted student count. That adjusted student count is then multiplied by the district cost factor, the special needs factor and, finally, by the base student allocation, to determine the amount of funding.

Student Count		---------- *Becomes* ----------					**Adjusted Student Count** *Equals*		**Student Rate** Neighborhood vs. Charter	
At least	**But less than**	**Base**	**plus**	**(Multiplier**	**times**	**Students in Excess of Column 1)**				
10 students to 20 students		39.6	+	0			10 students = 39.6 adjusted student count	=	3.96 /student	.84 /student
							19 students = 39.6 adjusted student count	=	2.08 /student	.84 /student
20 students to 30 students		39.6	+	(1.62	x	students over 20)	20 students = 39.6 adjusted student count	=	1.98 /student	.84 /student
							29 students = 54.18 adjusted student count	=	1.87 /student	.84 /student
30 students to 75 students		55.8	+	(1.49	x	students over 30)	30 students = 55.8 adjusted student count	=	1.86 /student	.84 /student
							74 students = 121.36 adjusted student count	=	1.64 /student	.84 /student
75 students to 150 students		122.85	+	(1.27	x	students over 75)	75 students = 122.85 adjusted student count	=	1.64 /student	.84 /student
							149 students = 216.83 adjusted student count	=	1.46 /student	.84 /student
150 students to 250 students		218.1	+	(1.08	x	students over 150)	150 students = 218.1 adjusted student count	=	1.45 /student	1.45 /student
							249 students = 325.02 adjusted student count	=	1.31 /student	1.31 /student
250 students to 400 students		326.1	+	(0.97	x	students over 250)	250 students = 326.1 adjusted student count	=	1.30 /student	1.30 /student
							399 students = 470.63 adjusted student count	=	1.18 /student	1.18 /student
400 students to 750 students		471.6	+	(0.92	x	students over 400)	400 students = 471.6 adjusted student count	=	1.18 /student	1.18 /student
							749 students = 792.68 adjusted student count	=	1.06 /student	1.06 /student
750 or more students		793.6	+	(0.84	x	students over 750).	750 students = 793.6 adjusted student count	=	1.06 /student	1.06 /student
							1,000 students = 1003.6 adjusted student count	=	1.00 /student	1.00 /student

Senator Joe Thomas
April 6, 2009

Charter School Funding: CSSB 57 (FIN)

- SB 57 is about supporting school choice and doing away with the charter school penalty.
- Current law results in charter schools, with fewer than 50 students, receiving 30% to 45% less state funding than neighborhood schools of their same size.
- The root of the problem is the way the foundation formula calculates the "adjusted student count" for charter and alternative schools versus neighborhood schools. Almost all schools have their enrollment adjusted upward by a formula in the state education law that is based on the size of the school.
- The adjusted student count is the basis of school funding. The adjusted count is multiplied by the BSA, the area cost differential and other factors to determine funding.
- Charter schools with an enrollment of fewer than 150 students, and alternative schools with fewer than 200 students, are not treated as separate schools, and the result is their enrollment is adjusted downward. Neighborhood schools are always funded as separate schools, regardless of their enrollment.
- Senate Bill 57 fixes the funding problem in an equitable, fiscally responsible manner.
- SB 57 funds charter schools with fewer than 150 students at the same per-student rate as neighborhood schools with 400 students. This requires charter schools to be significantly more efficient than other schools, but it is a manageable funding level.
- SB 57 also addresses the problem created for school districts, when their charter and alternative schools unexpectedly enroll fewer students than the number required for the state to fund them as separate schools.
- Today, when charter and alternative schools fall just one student below their separate-school threshold, the state cuts funding by $500,000 - $700,000. This is a disaster for the school and its district.
- SB 57 contains a one-year, hold-harmless provision for charter schools and alternative schools that unexpectedly fall below the threshold, and are either in their first year of operation or were above the threshold the previous year. For one year, these schools will receive 95% of the per-student rate they would have received at the threshold.
- Finally, SB 57 lowers the separate-school threshold for alternative schools from 200 to 175.
- Alaska has a serious problem with school achievement and high school graduation. One type of school is not best for all students. Charter schools and alternative schools offer parents choice within the public school system.
- SB 57 has received strong support from around the state. The Alaska Association of School Boards, and representatives of the Fairbanks, Nome, Juneau, Anchorage, Lower Kuskokwim, Ketchikan and Mat-Su school districts, as well as numerous parents have testified in favor of SB 57.
- Our school funding system has limited communities' ability to create and sustain innovative programs. It is essential that this legislature take action this session.

Sectional Analysis
CSSB 57(FIN)

Section 1

Subsection (c) states that charter schools with fewer than 150 students will have their student count adjusted by the same per-student rate as neighborhood schools with 400 students.

Under the school size factor statute, AS 14.17.450(a), the per-student rate of adjustment for 400-student neighborhood schools is 1.18, which means their student enrollment is multiplied by 1.18 to determine their "adjusted student count." The adjusted student count is the basis for the calculation of state funding provided to school districts.

Subsection (d) is an exception to subsection (c) for charter schools that are either in their first year of operation or had more than 150 students the previous year. It grants these charter schools a one-year hold-harmless period, during which they will receive 95% of the per-student rate of neighborhood schools with 150 students.

Under the school size factor statute, the per-student rate of adjustment for 150-student neighborhood schools is 1.45, and 95% of that rate is 1.38. Charter schools in the hold-harmless year will have their enrollment multiplied by 1.38 to determine their adjusted student count.

Subsection (d) requires charter schools that are in the hold-harmless year to submit a plan for the following year to their local school board. The plan must describe what will happen the following year if the school again has fewer than 150 students and no longer qualifies for the hold-harmless provision.

Subsection (e) creates a one-year hold-harmless period for alternative schools similar to the subsection (d) provision for charter schools. Alternative schools that enroll 121-174 students, but are either in their first year of operation or had at least 175 students the previous year, will receive 95% of the per-student rate of neighborhood schools with 175 students.

Under the school size factor statute, the per-student rate of adjustment for 175-student neighborhood schools is 1.40, and 95% of that rate is 1.33. Alternative schools in the hold-harmless year will have their enrollment multiplied by 1.33 to determine their adjusted student count.

Subsection (f) defines the term "student rate." The student rate is the base plus the multiplier under AS 14.17.450(a) divided by the student count.

Section 2: lowers the number of students that an alternative school must enroll, in order to be funded as a separate school, from 200 students to 175 students.

This section also makes a technical amendment creating the exception from the existing requirement that charter schools have at least 150 students to have their own adjusted student count calculation. Without this amendment, the Department of Education would continue to calculate school funding as if the students at charter schools under 150 attended the largest school in their district.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 57
(S) Publish Date: 2/2/09

Identifier (file name): SB057-EED-ESS-01-22-09
Dept. Affected: Education & Early Development
Title: An Act realting to charter school funding.
RDU: K-12 Support
Component: Foundation Program
Sponsor: Senator Thomas
Requester: Education, Finance
Component Number: 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	714.3	0.0					
Miscellaneous							
TOTAL OPERATING	**714.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	714.3	0.0					
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**714.3**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would increase funding for those charter schools with an Average Daily Membership [ADM] under 150 through the school size adjustment mechanism.

There are two methods to determine eligibility:

1) If the charter school is under 150 ADM, then the ADM count will be multiplied by 1.18.

OR

2) If the charter school has an ADM of 120 but less than 150 and in the 1st year of operation; or had an ADM count of 150 in the prior year but fell below in the current fiscal year, then the ADM count will be multiplied by 1.38.

The GF appropriation capitalizes on the Public Education Fund [PEF].

Prepared by: Eddy Jeans, Director
Phone 465-8679
Division: School Finance
Date/Time 1/22/09 12:00 AM
Approved by: Larry LeDoux, Commissioner
Date 1/22/2009

Department of Education & Early Development
Prepared 1/22/09

Prepared by School Finance

District/School Name	FY09 Charter School ADM	FY10 Charter School ADM	x 1.18 Cost if Eligible under Sec. 1 ('c)	x 1.38 Cost if Eligible under Sec. 1 (d)
ANCHORAGE				
Alaska Native Charter School [Eff. FY09]	160.70	180.00		
Aquarian Charter	361.15	360.00		
Highland Tech Charter	240.20	260.00		
Winterberry Charter	184.50	200.00		
Eagle Academy Charter	164.00	165.00		
Rilke Schule Charter	209.90	240.00		
FAIRBANKS				
Chinook Montessori Charter School	153.20	153.00		
Star of the North Secondary School (charter)	200.55	201.00		
Effie Kokrine Charter School	140.65	145.00	$ 350,590	
Watershed Charter School [to open in FY10]	-	155.00		
JUNEAU				
Juneau Community Charter School	68.00	78.00	$ 194,684	
KENAI				
Aurora Borealis Charter (soldotna)	184.00	185.00		
Kaleidoscope Charter School	233.00	248.00		
Fireweed Academy Charter (Homer)	72.75	76.00	$ 147,231	
Soldotna Montessori Charter	161.60	161.00		
KETCHIKAN				
Tongass School of Arts & Sciences Charter	152.40	150.00		
Ketchikan Charter School	173.30	170.00		
LOWER KUSKOKWIM				
Ayaprun Elitnaurvik Yup'ik Immersion (bethel)	172.05	172.00		
MAT-SU				
Academy Charter School	228.95	231.00		
Fronteras Charter School	186.85	187.00		
Midnight Sun Charter School	165.00	165.00		
NOME				
Anvil City Science Academy	44.00	44.00	$ 21,796	
Total Revenue			**$ 714,301**	

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSSB 57(FIN)
(S) Publish Date: 4/1/09

Identifier (file name): SB057-EED-ESS-3-31-09
Dept. Affected: Education & Early Development
Title: An Act realting to charter and alternative school funding.
RDU: K-12 Support
Component: Foundation Program
Sponsor: Senator Thomas
Requester: Senate Finance
Component Number: 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2010**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	1,314.3	0.0	1,314.3	1,314.3	1,314.3	1,314.3	1,314.3
Miscellaneous							
TOTAL OPERATING	**1,314.3**	**0.0**	**1,314.3**	**1,314.3**	**1,314.3**	**1,314.3**	**1,314.3**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	1,314.3	0.0	1,314.3	1,314.3	1,314.3	1,314.3	1,314.3
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**1,314.3**	**0.0**	**1,314.3**	**1,314.3**	**1,314.3**	**1,314.3**	**1,314.3**

Estimate of any current year (FY2009) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This bill would increase funding for charter and alternative schools.

Alternative schools with an Average Daily Membership [ADM] of 175 or greater will adjust through the school size table independently.

If the alternative school has an ADM of 120 but less than 175 and in the 1st year of operation; or had an ADM count of 175+ in the prior year but fell below 175 in the current fiscal year, then the ADM count will be multiplied by 1.33.

If the charter school is under 150 ADM, then the ADM count will be multiplied by 1.18.

Otherwise if the charter school has an ADM of 120 but less than 150 and in the 1st year of operation; or had an ADM count of 150+ in the prior year but fell below in the current fiscal year, then the ADM count will be multiplied by 1.38.

The GF appropriation capitalizes on the Public Education Fund [PEF].

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division: School Finance — Date/Time 4/1/09 12:00 AM
Approved by: Larry LeDoux, Commissioner — Date 4/1/2009

(Revised 9/10/2008 OMB)

Department of Education & Early Development
4/1/2009

Prepared by School Finance

District/School Name	FY09 Charter School ADM	FY10 Charter School ADM	x 1.18 Cost if Eligible under Sec. 1 ('c)	x 1.38 Cost if Eligible under Sec. 1 (d)
ANCHORAGE				
Alaska Native Charter School [Eff. FY09]	160.70	180.00		
Aquarian Charter	361.15	360.00		
Highland Tech Charter	240.20	260.00		
Winterberry Charter	184.50	200.00		
Eagle Academy Charter	164.00	165.00		
Rilke Schule Charter	209.90	240.00		
FAIRBANKS				
Chinook Montessori Charter School	153.20	153.00		
Star of the North Secondary School (charter)	200.55	201.00		
Effie Kokrine Charter School	140.65	145.00	$ 350,590	
Watershed Charter School [to open in FY10]	-	155.00		
JUNEAU				
Juneau Community Charter School	68.00	78.00	$ 194,684	
KENAI				
Aurora Borealis Charter (soldotna)	184.00	185.00		
Kaleidoscope Charter School	233.00	248.00		
Fireweed Academy Charter (Homer)	72.75	76.00	$ 147,231	
Soldotna Montessori Charter	161.60	161.00		
KETCHIKAN				
Tongass School of Arts & Sciences Charter	152.40	150.00		
Ketchikan Charter School	173.30	170.00		
LOWER KUSKOKWIM				
Ayaprun Elitnaurvik Yup'ik Immersion (bethel)	172.05	172.00		
MAT-SU				
Academy Charter School	228.95	231.00		
Fronteras Charter School	186.85	187.00		
Midnight Sun Charter School	165.00	165.00		
NOME				
Anvil City Science Academy	44.00	44.00	$ 21,796	
Total Revenue			**$ 714,301**	

FISCAL NOTE # 2

BILL NO. CSSB 57(FIN)

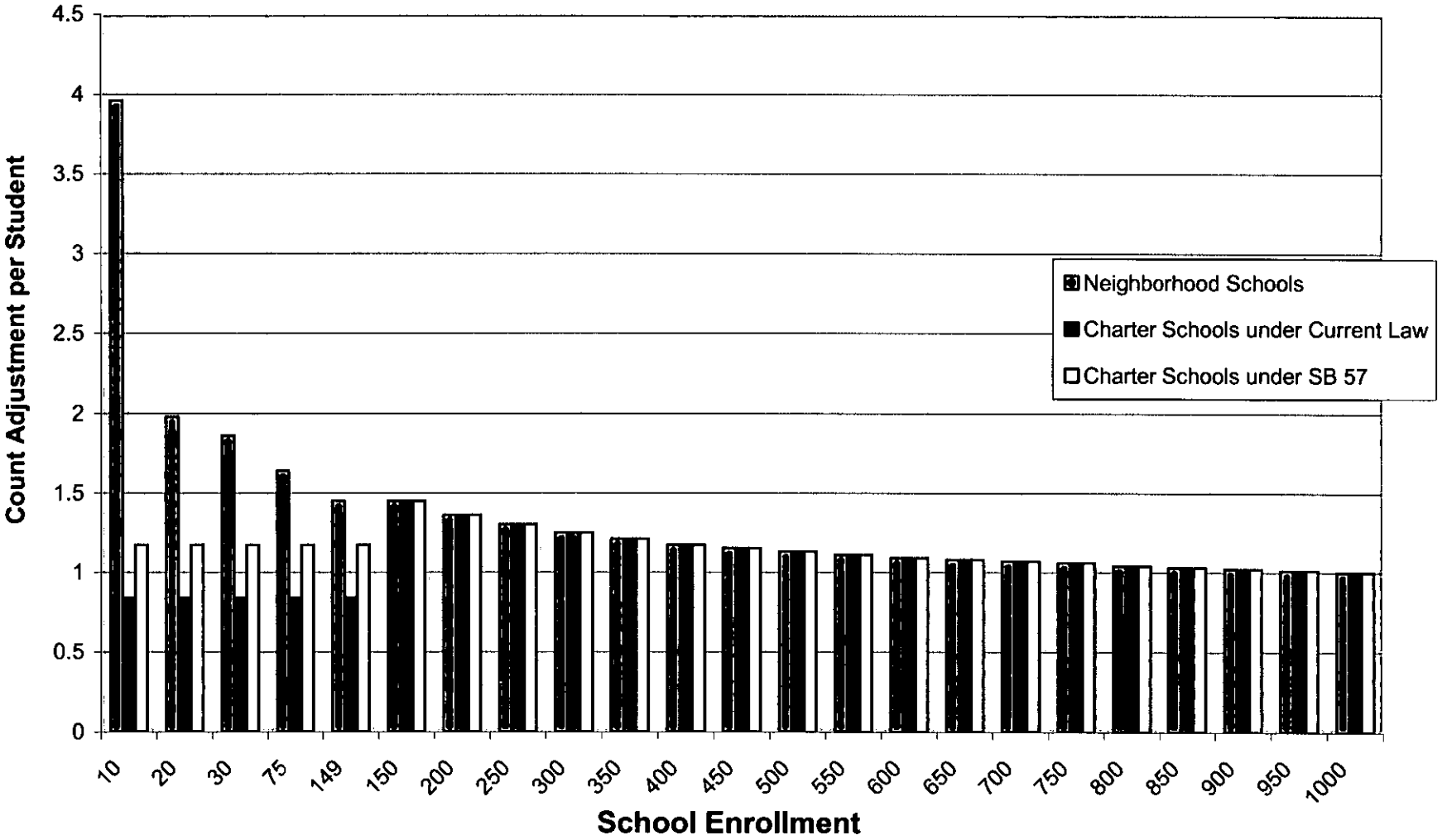
Department of Education & Early Development
Prepared 4/1/09

Prepared by School Finance

			x 1.33	175-200 ADM
District & Alternative School Name	**FY09 Alternative School ADM**	**FY10 Alternative School ADM**	**Cost if Eligible under Sec. 1 (d)**	**Cost if Eligible under Sec. 2**
ANCHORAGE				
A.V.A.I.L.	59.10	54.00		
Polaris K-12	479.00	480.00		
Steller Secondary	293.25	292.00		
Continuation Program	32.20	26.00		
COHO	40.05	35.00		
Whaley Center	468.83	485.25		
Benny Benson Secondary/S.E.A.R.C.H.	232.75	230.00		
Crossroads School	52.65	51.00		
S.A.V.E.	237.85	227.00		
CRAIG				
PACE Alternative High School	8.50	8.50		
DELTA/GREELY				
New Horizons High School	24.80	24.00		
FAIRBANKS				
Alternative Learning Systems	105.60	107.00		
JUNEAU				
Yaakoozge Daahakidi Alt High School	140.35	150.00		
KENAI				
Homer Flex	36.30	31.00		
Kenai Alternative School	98.20	67.00		
Peninsula Optional HS	37.05	38.00		
KETCHIKAN				
Revilla High School (Alt.)	66.55	86.00		
LOWER KUSKOKWIM				
Bethel Alternative Boarding School	33.80	33.00		
MAT-SU				
Mat-Su Day School	37.55	40.00		
Valley Pathways Alternative School	205.90	204.00		
Burchell Alternative High School	220.75	211.00		
Mid-Valley Alternative High School	193.55	174.00	$ 600,002	
NORTH SLOPE				
Kiita Learning Community	57.50	53.00		
SITKA				
Pacific Alternative	37.75	35.00		
Total Revenue			**$ 600,002**	

Adjusted Student Count for Charter Schools vs. Neighborhood Schools

The adjusted student count of each school is the basis of state funding. The number of students enrolled in a school is increased or decreased according to the formula in AS 14.17.450, to determine the school's adjusted student count. That adjusted student count is then multiplied by the district cost factor, the special needs factor and, finally, by the base student allocation to determine the amount of funding.



* This chart assumes that a charter school with fewer than 150 students has a student count adjustment of .84 under current law, because it is located in a district that contains a school with over 750 students, such as Anchorage, Fairbanks, Mat-Su or Juneau. A charter school in a community such as Kenai, Bethel, Ketchikan or Nome would have a student count adjustment of .92 or .97.

Senator Thomas
April 6, 2009

Example Adjusted Student Count Calculations

100 Students in a Neighborhood School have an Adjusted Student Count of **154.6**
And a per student adjustment of 1.55.

122.85 base + 1.27 multiplier X (100 – 75 = 25) 122.85 + 31.75 = 154.6
154.6/ 100 = 1.55

100 Students in a Charter School under Current Law have an Adjusted Student Count of **84**
And a per student adjustment of .84

No base + .84 multiplier X all 100 students 0 + 84 = 84
84/100 = .84

100 Students in a Charter School under SB 57 have an Adjusted Student Count of **118**
And a per student adjustment of 1.18.

No base + 1.18 multiplier X all 100 students 0 + 118 = 118
118/100 = 1.18

The adjusted student count of each school is the root of state funding for school districts. The number of students enrolled in a school is increased or decreased according to the formula in AS 14.17.450, to determine the school's adjusted student count. The adjusted student count is then multiplied by the district cost factor, the special needs factor and by the base student allocation, to determine the amount of funding.

Charter School Funding Statutes

Sec. 14.03.260. Funding for charter school.

(a) A local school board shall provide an approved charter school with an annual program budget. The budget shall be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the Department of Education and Early Development. The "amount generated by students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district.

Sec. 14.17.905. Facilities constituting a school.

(a) For purposes of this chapter, the determination of the number of schools in a district is subject to the following:

(1) a community with an ADM of at least 10, but not more than 100, shall be counted as one school;

(2) a community with an ADM of at least 101, but not more than 425, shall be counted as

(A) one elementary school, which includes those students in grades kindergarten through six; and

(B) one secondary school, which includes students in grades seven through 12;

(3) in a community with an ADM of greater than 425, each facility that is administered as a separate school shall be counted as one school, except that each alternative school with an ADM of less than 200 shall be counted as a part of the school in the district with the highest ADM.

(b) Notwithstanding (a)(3) of this section, a charter school shall be counted as a separate school if the charter school has an ADM of at least 150 students.

Sec. 14.17.450. School size factor.

(a) For purposes of calculating a school's ADM to determine state aid, the ADM of each school in a district shall be computed by applying the following formula:

If the student count In a school is			The adjusted student count is			
At least		But less than	Base		Multiplier	The number of Students in excess of
10	-	20	39.6			
20	-	30	39.6	+	(1.62 x	20)
30	-	75	55.8	+	(1.49 x	30)
75	-	150	122.85	+	(1.27 x	75)
150	-	250	218.1	+	(1.08 x	150)
250	-	400	326.1	+	(0.97 x	250)
400	-	750	471.6	+	(0.92 x	400)
750 or over			793.6	+	(0.84 x	750).

(b) If the ADM in a school is less than 10, those students shall be included in the ADM of the school in that district with the lowest ADM as determined by the most recent student count data for that district.

ASSOCIATION OF ALASKA SCHOOL BOARDS

ADVOCATES FOR ALASKA'S YOUTH

Position Statement on SB 57
Charter School Funding

In 1995, AASB supported the creation of charter schools in statute. Over the years, school boards have subsidized and otherwise assisted local charter schools in providing Alaska families with a viable choice in public education.

AASB encourages the Legislature to amend AS 14.17.450 as outlined in SB 57 to establish a more equitable means of funding charter schools.

School boards find themselves caught between local citizen initiatives to create choices within public schools and an inadequate funding stream in statutes that require supplemental funding from local districts.

1111 West 9th Street, Juneau, AK 99801

(907) 586-1083 (907) 586-2995 aasb@aasb.org http://www.aasb.org

MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
501 N. GULKANA
PALMER, ALASKA 99645
Office of the School Board
(907) 746-9272 Fax (907) 761-4076

MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
RESOLUTION NO. 09-002

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SCHOOL BOARD IN SUPPORT OF SENATE BILL NO. 57 "AN ACT RELATING TO CHARTER SCHOOL FUNDING."

WHEREAS, the Matanuska-Susitna Borough School Board invites support of Senate Bill No. 57 "An Act Relating To Charter School Funding"; and

WHEREAS, charter schools give opportunities outside of the traditional public schools for innovative programs to be implemented; and

WHEREAS, charter schools gain momentum and interest from a broader larger audience as a program is developed in the initial year of operation; and

WHEREAS, charter schools like all schools have fluctuations in enrollment and losing program gravity because of a slight drop in enrollment below 150 students for one year could have a longer term detrimental impact on the school; and

WHEREAS, a school that is not recognized as a school site for funding purposes receives a reduced financial allocation; and

WHEREAS, being recognized as a school site gives economic relief by bringing a greater dollar amount to the school allowing for more comprehensive and adequate funding; and

WHEREAS, this Bill offers the initial year of operation for a charter school as an opportunity to build community support and student numbers and ultimately strengthens the quality of the program and the potential for program and student accomplishment; and

WHERAS, encouragement is offered to add language to this Bill to lower the enrollment for alternative school's recognition as a school site from 200 students to 175 as a measure to support an alternative school's need for a smaller learning community.

THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough School Board supports Senate Bill No. 57 "An Act Relating to Charter School Funding."

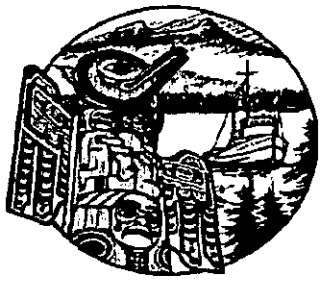
ADOPTED by the Matanuska-Susitna Borough School Board this 18th day of February, 2009.

Jim Colver, Board President

George Troxel, Superintendent

ATTEST:

Stacy Escobedo, Board Secretary



Ketchikan Gateway Borough School District
Robert Boyle, Superintendent
333 Schoenbar Road
Ketchikan, AK 99901
phone 907-247-2109; fax 907-225-3870
boyler@kgbsd.org

February 13, 2009

Senator Joe Thomas
1292 Sadler Way, Suite 313
Fairbanks, Alaska 99701

Dear Senator Thomas:

I am sending you a resolution by the Ketchikan Gateway Borough School District Board of Education in support of Senate Bill 57, an Act relating to charter school funding.

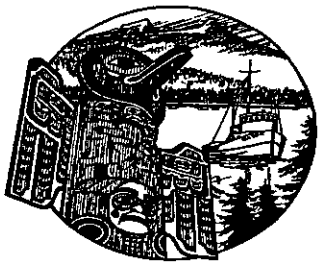
We believe charter schools are public schools that provide valuable education options to Alaska families in addition to encouraging parent and community involvement in our schools. The current funding system results in a significant decrease in funding for charter schools as compared to other neighborhood schools of their same size, should small changes in student enrollment take place.

The Ketchikan Gateway Borough School District supports the passage of Senate Bill 57 in modifying the current school funding law as it applies to charter schools.

Thank you for your time and consideration.

Sincerely,

Robert Boyle
Superintendent



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT
RESOLUTION #09-04

A RESOLUTION OF SUPPORT OF SENATE BILL NO. 57, WHICH IS AN ACT RELATING TO CHARTER SCHOOL FUNDING

WHEREAS, Senate Bill 57 will modify the current school funding law as it applies to charter schools with fewer than 150 students; and

WHEREAS, charter schools provide valuable education options to Alaska families and encourage parent and community involvement; and

WHEREAS, the current funding system results in a dramatic decrease in funding for charter schools as compared to neighborhood schools of their same size ; and

WHEREAS, adjusted student count as determined under AS 14.17.450 is the basis of state funding for all schools in Alaska; and

WHEREAS, Senate Bill 57 funds charter schools with fewer than 150 students to an adjusted student count by the same per-student rate as neighborhood schools with 400 students; and

NOW THEREFORE BE IT RESOLVED, the Board of Education of the Ketchikan Gateway Borough School District supports passage of Senate Bill 57.

Adopted by the Ketchikan Gateway Borough School District on this 11th day of February, 2009

Karen Eakes

Karen Eakes, Board President

Michael Fitzgerald, Vice President

Doyon, Limited

1 Doyon Place, Suite 300
Fairbanks, Alaska 99701-2941
(907) 459-2000
www.doyon.com

Norm Phillips, Jr.
President and CEO
E-mail: phillipsn@doyon.com
Direct Dial: (907) 459-2004
Fax: (907) 459-2060

March 25, 2009

Senator Joe Thomas
State Capitol, Room 510
Juneau, AK 99801-1182

Dear Senator ~~Thomas~~ Joe:

Thank you for introducing SB 57, this bill directly aligns with Doyon, Limited's mission statement, which includes promoting the economic and social well-being of our shareholders and future shareholders. The Effie Kokrine Charter School is important to the Alaska Native community in the interior. With almost 25% of our 17,500 shareholders residing in the Fairbanks community we believe that a culturally sensitive school is essential to the well-being of our shareholders.

Therefore, on behalf of our shareholders, Doyon, Limited supports SB 57.

Thank you again and please let me know if we can do anything else to help. I can be reached at (907) 459-2000 or by e-mail at phillipsn@doyon.com.

Sincerely,

Norman L. Phillips, Jr.
President and CEO

cc: Linda Evans, Principal, Effie Kokrine Charter School

TONGASS SCHOOL OF ARTS AND SCIENCES RESOLUTION

Urging the Governor of Alaska and the Alaska State Legislature to pass Senate Bill 57, "An Act relating to charter school funding."

BE IT RESOLVED BY THE ACADEMIC POLICY COMMITTEE OF THE TONGASS SCHOOL OF ARTS AND SCIENCES:

WHEREAS the Constitution of the State of Alaska and other laws and policies of the State require educational opportunities for all children; and
WHEREAS Charter schools are public schools that provide valuable education options to Alaska families; and
WHEREAS Charter schools increase learning opportunities and encourage parent and community involvement in our schools; and
WHEREAS the current state funding system limits communities' ability to create and sustain these innovative programs; and
WHEREAS current state law results in charter schools receiving 30% to 45% less state funding than neighborhood schools of their same size; and
WHEREAS Senate Bill 57 funds charter schools with fewer than 150 students at a per-child rate closer to that of average, urban elementary schools; and
WHEREAS Senate Bill 57 solves the funding problem in an equitable, fiscally responsible manner; and
WHEREAS Senate Bill 57 will support our schools and districts as they carry out the legislature's intent in creating the charter school law;
BE IT RESOLVED that the Tongass School of Arts and Sciences Academic Policy Committee supports the passage of Senate Bill 57; and
BE IT FURTHER RESOLVED the Tongass School of Arts and Sciences Academic Policy Committee urges the Governor of Alaska and the Alaska State Legislature to pass Senate Bill 57, "An Act relating to charter school funding."
COPIES of this resolution shall be sent to the Honorable Sara Palin, Governor of Alaska; the Honorable Gary Stevens, Senate President; the Honorable Mike Chenault, House Speaker; the Honorable Senators Hoffman and Stedman, Senate Finance Committee Co-Chairs; the Honorable Senators Ellis, Elton, Huggins, Olson, and Thomas, Senate Finance Committee Members; the Honorable Kyle Johansen, Representative, House District 1; and members of the Ketchikan Gateway Borough School Board.

Michelle Johnston
President, Academic Policy Committee

February 10, 2009
Date

Dana Owen

From: Comeau_Carol [Comeau_Carol@asdk12.org]
Sent: Wednesday, January 28, 2009 3:00 PM
To: Dana Owen
Cc: Sen. Kim Elton; Comeau_Carol
Subject: RE: SB 57

Dana,
Thanks for taking my call just now. I am sorry I am unable to testify tomorrow as I had planned due to participation in a conference call with the new Secretary of Education, Arne Duncan. I would appreciate it if you could distribute these comments to the Senate Education Committee members tomorrow.

Dear Senate Education Committee:

The Anchorage School Board does not have a position on SB 57 specifically, but we strongly support our charter schools. We have much concern on the "draconian" funding situation for a charter school that does not make the 151 student count through the count period, particularly in the first year of operation. Many of our charter schools have struggled with this issue and the funding problems that ensue.

The Anchorage School District would like to work with your committee on this important issue. Last year, I suggested that maybe a working group could work on this issue over this session and into the summer. If that was ever possible, I would like to ask that the ASD participate. We have participated on many groups over the years and have some good suggestions on how to resolve funding and facility issues for charter schools. We believe that the public school choices, including charters, are important for parents and students.

I appreciate your commitment to education and the opportunity to provide input.
Carol Comeau, Superintendent
Anchorage School District

Joe Hardenbrook

From: Vickie Erickson [mitchvicky@gci.net]
Sent: Tuesday, February 24, 2009 9:46 AM
To: Sen. Lyman Hoffman; Sen. Bert Stedman; Sen. Johnny Ellis
Cc: Sen. Kim Elton; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Joe Thomas
Subject: SB 57

Dear Senators,

I would like to thank all of you in your past support of for schools in Alaska, especially those that are small in numbers and therefore needing more support when it comes to funding issues. I am requesting your support for the passage of SB 57.

Charter Schools allow parents, community members, and teachers to be in charge of developing unique educational programs and to be involved in decision making for school policies. As a parent of three Charter School children and two more that will soon be in Charter schools, it means a lot to me to be involved in school policies and the operations of our school. Our educational process is very flexible, which provides for the needs of our children and parents alike.

The Anvil City Science Academy has been in operation for eleven years now, it was created by parents, teachers, and many community members who were interested in a family oriented school characterized by high academic standards and a well-rounded curriculum, with an emphasis in science and math. The Science Academy serves 5th through 8th grade students who come to the school with a wide variety of backgrounds, learning styles, experiences, and needs. We are able to address the individual differences and learning styles, and creativity we see an increase in learning and creativety for all students. Our students at this time are involved in a salmon habitate restoration project grant from the Department of the Interior, and are working with Charlie Lean of Norton Sound Economic Development Company ,because of this project the Academy students were nominated and won the "Spirit of Youth" award in the catagory of Science . Another project that is noteworthy is the
Artist in Schools project in which students are interviewing Nome residents in preparation for writing a play about the last 50 years in Nome.

Anvil City Science Academy has 44 students, with two and half certified teachers, no support personnel. This gives the school the needed flexibility to provide opportunities to the studetns to go beyond the traditional classroom walls in order to utilize community and environmental resources. In addition, in a small community such as Nome, a program like ACSA cann't reach a student count of 150 students, without having an adverse affect on the other public schools in the district. Therefore, a smaller program like ACSA is beneficial to the community by providing an alternative education program, while minimizing the possible impact on other schools.

Respectfully submitted,

Vickie Erickson

Sen. Kim Elton

From: payroll@ci.nome.ak.us on behalf of Dana Handeland [dhandeland@nomealaska.org]
Sent: Wednesday, January 28, 2009 8:29 AM
To: Sen. Donny Olson; Sen. Kim Elton; Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Gary Stevens
Subject: supporter of SB 57

Donny,
I want to thank you any your fellow Senators for supporting Charter Schools in Alaska. We have actively worked for the past several years to provide a more permanent "fix" to the funding dilemma that we face due to the typical charter school enrollment and the current method of funding. We believe that great strides have been taken with SB 57.

Our school here in Nome has an enrollment of 44 which is capped due to space constraints at the current facility. We are paired with the largest school in our district causing concerns each year of whether we still can continue to provide the Nome community with optional educational opportunities. We have a proven program and a waiting list each year.

We work hand in hand with our district, many times providing a venue to try new methods that can later be implemented into the larger district.
Providing a more equitable funding formula for charter schools only furthers the endless opportunities that our Alaskan education system can provide all Alaskan children especially in the future.

Thank you again for your continued support. The community of Nome appreciates this most important work for our children.

Dana Handeland
Anvil City Science Academy, APC member

Joe Hardenbrook

From: Lisa Leeper [lleeper@nomeschools.com]
Sent: Sunday, February 22, 2009 9:02 PM
To: Sen. Joe Thomas
Subject: Support for SB 57

Dear Senator Thomas,

I teach at Anvil City Science Academy in Nome. I hope that you will consider the following points in order to help SB 57 pass this stage with the Finance Committee in order that it may be heard by all and voted upon.

Respectfully,
Lisa Leeper
Teacher, Anvil City Science Academy

- Charter schools are public schools that provide valuable education options to Alaska families.
- The existing school funding law results in charter schools that enroll fewer than 150 students receiving 30% to 45% less state funding than neighborhood schools of their same size.
- Inequitable funding limits communities' ability to create and sustain these schools.
- There is a dramatic decrease in funding ($500,000 - $700,000 loss) when a charter school's enrollment drops from 150 students to 149, which creates a financial crisis for both the school and its host district.
- Senate Bill 57 solves the funding problem in an equitable, fiscally responsible manner.
- SB 57 funds charter schools with fewer than 150 students at the same per-student rate as neighborhood schools with 400 students.
- SB 57 contains a one-year, hold-harmless provision for charter schools that are either in their first year of operation or had more than 150 students the previous year, reducing the financial damage to their district.
- SB 57 will allow school districts to carry out the intent of the legislature in creating the charter school law, by increasing quality education options available to Alaska families.
- SB 57 is supported by the Alaska Association of School Boards, and superintendents and parents of charter school students from across the state. The bill has been co-sponsored by Senators Thomas, Stevens, Elton, and Davis.

Dana Owen

From: Sen. Kim Elton
Sent: Thursday, January 29, 2009 7:45 AM
To: Dana Owen
Subject: FW: Support for SB 57

-----Original Message-----
From: Hubert Angaiak [mailto:hangaiak@gci.net]
Sent: Thursday, January 29, 2009 7:40 AM
To: Sen. Kim Elton; Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens
Subject: Support for SB 57

Honorable Senators,

I would like to thank you for your continued support in providing the best education for Alasks's children. I fully support SB 57 and I urge you to pass it.
Charter Schools provides a positive alternative in eduaction for our children. We are always looking for solutions in providing whats best in education for our children and Charter Schools are part of the solution.

Thank you.

kind regards,
Hubert Angaiak
Bethel, Alaska 99559
907-543-3074

Sen. Kim Elton

From: Linda Newman [newman@alaska.net]
Sent: Wednesday, January 28, 2009 12:35 AM
To: Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens
Cc: Catherine Reardon; Sen. Kim Elton
Subject: Fwd: Thank you for Senate Bill 57

Dear Members of the Senate Education Committee: My wife and I are forwarding a copy of this email that we sent to Senator Kim Elton earlier this week. We are sending this to you so that you can see how much we appreciate his co-sponsorship of Senate Bill 57, and so that you will know that we are grateful to you for considering this bill. Thank you for the support you've provided charter schools in the past; we hope you will support this effort to assist Alaska's small charter schools, which currently operate under an inequitable and unsustainable funding scheme. We look forward to the discussion about the bill at your Thursday meeting.

Sincerely,

Tony and Linda Newman
newman@alaska.net

Begin forwarded message:

> **From:** Linda Newman <newman@alaska.net>
> **Date:** January 25, 2009 11:11:53 PM AKST
> **To:** Senator_Kim_Elton@legis.state.ak.us
> **Subject: Thank you for Senate Bill 57**
>
> Senator Elton: Every year for the past several we've written to you to ask for your help in trying to fund Alaska's small charter schools, including Juneau's, in a more equitable way. We're extremely pleased and excited to be able to write to you tonight and thank you for taking leadership on this issue right away this session, by cosponsoring Senate Bill 57.
>
> If this bill successfully makes it through the legislative process and passes into law this year it will provide relief to the Juneau Community Charter School just in the nick of time. We know that we've said in my prior letters to you that the situation is already urgent, but this year, for the first year in the seven years that we've been involved as parents of JCCS students, we are operating at a budget deficit and drawing down the school's savings. We probably have less than two years of funding left at the rate we're depleting the savings. The Charter School simply can't operate indefinitely on the unfair funding formula that leaves charter schools funded at a per-student rate that is significantly lower than other similar-sized schools in the district. We've all but resigned ourselves to the fact that our kids' school will likely need to close in a year or two because it will simply run out of money. (Believe us, we've exhausted ourselves trying to fundraise out of this mess.)
>
> The importance of this bill for all of Juneau's kids is demonstrated by the fact that the Juneau School District has made more equitable small charter school funding one of its legislative priorities this year, and has resolved to support us in our efforts to correct the current funding inequity. We've just reviewed the bill and have exchanged a few emails with our fellow Charter School parents, and we are in agreement that the approach outlined

through this bill may be the best one yet. This bill makes it possible for small schools to operate, but still maintains the legislature's intent to encourage the formation of larger schools.

In our prior-year emails and letters to you on this issue we've taken much time and space to tell you about our kids and how much they--our whole family--gain from our participation in Juneau's Charter School. All of those things remain true. Our kids are learning so much and so well, but best of all, the Charter School has become an important part of all our lives because of the community that's grown around it.

Let us know what you would like us to do to assist you in securing passage of this bill this year.

Sincerely,

Tony and Linda Newman
308 Distin Avenue
Juneau, AK 99801
586-2172
newman@alaska.net

Sen. Kim Elton

From: jodi [jodiwynne@verizon.net]
Sent: Tuesday, January 27, 2009 1:25 PM
To: Sen. Kim Elton
Subject: Support for our school

Dear Senator Elton,

My name is Jodi Scolamiero. My husband David and I have our 1st grade son at Juneau Community Charter School (JCCS) this year and hope to have our 2nd son start there next year.

First, we would like to thank you for all your past support for our wonderful school.
We are thrilled to have the opportunity to send our children to a school such as JCCS. Without an option such as JCCS we fear our child would not be thriving as he has this past year. Due to his personality and learning style we have determined that the type of education JCCS offers is best suited for our children in that the school is smaller, therefore giving a more secure atmosphere. With the class size remaining the same as the district average, children are able to experience learning in smaller groups as well as giving a multi-grade class situation where each child can benefit from student mentoring as well as being a student mentor.

Next, I would like to add to the collective voice asking for your further support for the upcoming bill SB 57 giving smaller Charter schools the same funding as larger neighborhood schools. Without this increase in funding we fear our beloved school will not survive more than a couple of more years. The JCCS is a valuable addition to Juneau's wonderful elementary educational system. The school has proven itself academically with students ranking high on standardized testing scores, and also in that there is a high success rate for students transitioning back into the neighborhood school setting.

SB 57 would not only benefit our existing Charter school but give opportunity for more schools such as JCCS to establish and thrive. This would give parents even more choices when choosing what setting would be best for their individual children. In my opinion giving each child the type of education that works best for him or her is in essence ensuring our future as well as theirs.

Thank you so much for your time and support,
Jodi Scolamiero

Sen. Kim Elton

To: Larry Johansen
Subject: RE: Charter school Bill

Larry--

Thanks. As chair of the education committee, I'm holding a committee hearing on the bill in a half hour and am co-sponsor of the bill.

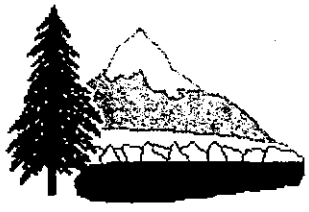
Kim

From: Larry Johansen [mailto:rowdydog@gci.net]
Sent: Thursday, January 29, 2009 8:05 AM
To: Sen. Kim Elton
Subject: Charter school Bill

Senator Elton,

I quick word in support of the funding formula equalization bill. I am a charter school parent. We do school jobs to save our school money to make our program happen. My wife and I perform janitorial service and recess duty to save cost. Its not that we mind doing these jobs but we would like to be able to spend our volunteer efforts on jobs that would directle lead to improving oue children's educational experience. AS it is the Juneau charter school is an educational success meeting core standards and for all social classes. Please help us help our kids.

-Larry Johansen
3010 Foster
Juneau, AK
--



Sen. Kim Elton

From: Jeri Kohlin [jeri_kohlin@hotmail.com]
Sent: Tuesday, January 27, 2009 1:35 PM
To: Sen. Kim Elton; Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens
Subject: Senate Bill 57

To: The Senate Education Committee

Dear Senators,
First of all, I would like to thank each of you for your past support to increase charter school funding. Secondly, I would like to ask the Education Committee to, please, support SB 57 making it possible for charter schools of 150 or less to receive funding based on the same per student rate as larger schools. Our school, Juneau Community Charter School, offers an educational program that isn't available elsewhere in the school district. Although the overall school size is small, class size is no smaller than elsewhere in the school district. JCCS is able to support *every* child's attitude and enthusiasm towards learning, provides highly enriched curriculum while developing strong thinking skills while implementing increased parental involvement, multi-age classes, trips into the community, teacher autonomy, more opportunities for parent/teacher interaction than if he attended a larger neighborhood school. JCCS is a good "fit" for the needs of my child and family specifically because the curriculum is individualized to challenge each child at their skill level, in all domains, while supporting positive self esteem, diversity, and community involvement.

JCCS has proven itself educationally. Its students perform well on standardized tests and do well when they transition back into the neighborhood school settings. The Juneau school district supports this bill and has included increased charter school funding in its list of legislative priorities as well.

Education isn't one size fits all. It's important for families to have choice. Different settings are a better fit for some children and their families than others. All children should be allowed the opportunity to learn and succeed in a way that reaches their own unique learning style. We value our school, how it impacts our family, and the community of families (which includes staff and volunteers) that make it happen and strongly feel our children should not be penalized by inadequate funding. Currently, the funding situation is so inadequate that our school will have to close within 2-3 years.

Please, support our students and schools by authorizing same per student rate as larger schools receive. If we as parents felt the local neighborhood schools were the best fit for meeting the individual needs of our children, they would be attending those schools now and receiving the funds we are asking for now. But that is not the case, please, support our children now where they are excelling.

Thank you for your consideration and support,
Jeri Kohlin

Sen. Kim Elton

From: jgeselle@gci.net on behalf of Jon Geselle [jgeselle@gci.net]
Sent: Tuesday, January 27, 2009 2:47 PM
To: Sen. Kim Elton; Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens
Cc: Catherine Reardon
Subject: In support of SB 57

Dear Senators,

We are writing to thank you for your past support for charter schools. Your support is critical to providing educational options for the next generation of Alaskans.

We are also writing to express our support of SB 57. Should this bill pass it would allow smaller school districts across the state to offer charter school options to the families they serve. This is important for many reasons, but foremost is the fact that not all students thrive in a traditional academic setting.

To this, we speak from experience. Our son Ezra has excelled at the Juneau Community Charter School because of the arts integrated curriculum and small overall school size. In this environment his social confidence has steadily grown allowing him to experience successes he did not have in a larger school setting.

I hope that you too will support SB 57, thus providing educational options for the future of Alaska.

Thank you,

Annie & Jon Geselle

Sen. Kim Elton

From: Diane Cathcart [Diane_Cathcart@ci.juneau.ak.us]
Sent: Tuesday, January 27, 2009 2:53 PM
To: Sen. Kim Elton; Sen. Bettye Davis; Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens
Cc: Catherine Reardon
Subject: Support for SB57

Dear Senators and Staff,

Thank you for taking a moment out of your busy schedules to read this email.

I am writing to request your full support of SB57-An Act Relating to Charter School Funding.

As you are well aware; education is not a one size fits all. It is important for families to have a choice and different settings are a better fit for different children and their families. By creating more equitable funding it helps ensure small charter schools will continue to exist. Small Charter Schools are constantly trying to reach out to families with diverse needs for their children; whether it is a smaller overall school size so children don't feel "lost" in the crowd or children that have special learning needs. Small Charter Schools have the ability to help more children that are in danger of falling through the cracks, *if* they are properly funded. In my humble opinion this also helps relieve the stress larger schools may feel from trying to help children in need while maintaining the needs of the general school populous.

Full funding for ALL our children and schools should be every Alaskans priority; we owe it to our children and their future.
Thank you for your time and your service to our State.

Sincerely,

Diane Cathcart (Juneau Community Charter School 4/5/6 Class parent)
310 Irwin St Apt B
Juneau, AK 99801
907-523-2166

Sen. Kim Elton

From: Tim and Jeannie [tjmaxa@gmail.com]
Sent: Tuesday, January 27, 2009 9:44 PM
To: Sen. Kim Elton
Subject: SB 57 - Charter school funding

January 27, 2009

Dear Senator Elton,

I am writing to express my support for SB57. I believe legislation like this will provide more equitable funding for small charter schools. I like SB 57 because it is comprehensive and effectively addresses the very different needs of different types of small charter schools and their host school districts.

I currently have two children attending the Juneau Community Charter School. My eleven year old son has attended the charter school for all 6 years of his education and my youngest son is in first grade.

I believe Charter schools are an important way to provide for school choice in Alaska and support parent involvement in education. We are very happy that the Juneau Community Charter School exists to provide a small school environment (a total of 66 children in the school) and involve parents in the school in meaningful ways. I want my children to be educated in a small environment and want to be involved in their education. We like the multi-age classrooms, the daily interaction between children of different ages, and the whole child view of education.

Since home schooling is not an option for our family due to employment obligations we are happy to have a charter school available to address many of our needs. My older son was born with a serious congenital heart defect that has required many open heart surgeries and has had special physical needs. We have greatly appreciated him being able to attend a small school where his needs are known and met within the regular classroom.

I believe Charter Schools have an important place in Alaska's education system. I hope that through your efforts, solutions to the challenges faced especially by small charter schools can be addressed. The current funding situation means it is very difficult for a charter school with under 150 students to operate. Alaska is a state of small numbers and we need legislation that will allow charter schools of all sizes to thrive. Without this legislation our charter school may have to close in the next 2-3 years. SB57 will make a big difference and allow small charter schools to survive in Alaska and offer valuable educational alternatives throughout the state.

Please support more equitable funding of charter schools to allow educational options around the state. Thanks very much for your attention to this important issue.

Sincerely,

Jeannie Monk
Juneau Community Charter school parent

--
Tim, Jeannie, Max and Aaron

Sen. Kim Elton

From: aukebaybetty@alaska.net
Sent: Wednesday, January 28, 2009 8:06 AM
To: Sen. Kim Elton; Sen. Charlie Huggins; Sen. Gary Stevens; Sen. Bettye Davis; Sen. Donny Olson
Cc: Catherine Reardon
Subject: SB 57

Attachments: Dear Senator Elton.docx

Dear Senator Elton.docx (136 K...

Dear Senate Education Committee Members: Senator Elton, Senator Davis, Senator Huggins, Senator Stevens and Senator Olson,

Attached is a letter in support of SB 57. Please share your support with other Senators and House Members to help pass this bill.

Thank you very much for your support.

Beth Rivest

January 26, 2009

Dear Senator Elton, Senator Davis, Senator Olson, Senator Huggins and Senator Stevens; members of the Senate Education Committee:

I am writing in support of Senate Bill 57. It is a well written piece of legislation that would help small charter schools continue to serve students all across Alaska. These students' schools are in need of more equitable funding to support salaries and supplies. I am grateful you support charter schools as an option for parents to meet their child's needs.

I have three children in the Juneau School District public school system. I chose to enroll in the lottery when my eldest child was in the first grade. Luckily she got in the charter school and since the second grade it has been a wonderful educational and social environment for her and her siblings.

While I attended Arizona State University as a college student, I took almost every math class offered. I have always loved math and the sciences. The methods used to teach math at the charter school are rigorous, build solid understandings of number patterns and such strong flexibility in solving problems that I sincerely wished I had had the opportunity to be exposed to and to learn math in such a progressive, skill-building, visual way. It is exciting to see students experience this type of meaningful math.

I attended public school throughout my life and I loved school, however I believe my children are far more comfortable and intensely involved in their projects while also thoroughly enjoying attending school. They are being given an exceptional chance to become all they can. The projects that incorporate writing, research, art, social studies/science and teambuilding are solid methods of fun and learning. The parents of these students become involved as well and work hard to support this small charter school.

The Juneau Community Charter School is in need of financial support. Parents contribute by supporting teachers in the classroom, helping teachers prep for the week to come, we work around the school facility to build shelves, clean and make it work efficiently. Parents also work very hard to fundraise to meet the financial commitments it takes to run the charter school. It is sorely underfunded at present.

The charter school has been part of the Juneau School District, serving a wide array of students for over ten years. It sets high standards and builds leadership, competence and love of our environment in such a compassionate manner.

To be very honest, if it were not for the charter school, I know I would begin a small child-care business and home school my children.

It has been stated, from President Obama to our Governor's State of the State, that education is one of the top legislative priorities. I sincerely hope that funding small

charter schools, through creative use of resources, educate children in a way that many children need, to become successful is also a priority within your committee.

In Alaska, small charter schools are funded dramatically lower per student compared to district counterparts. This bill recognizes charter schools as important options and is an attempt to balance educational funding per student at a reasonable percentage.

Please continue your support and know that small charter schools are doing important works on behalf of students all across Alaska, in particular here in Juneau. Please know that besides the many, many parents and educators who believe in the success of small charter schools and its' students high achievement, test scores and critical thinking skills we have no lobbying force to help other Senators or House members understand this issue. Please I ask each of you to help by sharing your support for SB 57.

Thank you for your work on behalf of Senate Bill 57.

Sincerely,

Beth Rivest, wife of a hard-working, small business owner; loving and caring parent of three wonderful children; and a member of the Juneau Community.

Sen. Kim Elton

From: Rhonda Vaughan [rhonda.vaughan@gmail.com]
Sent: Wednesday, January 28, 2009 9:38 AM
To: Sen. Kim Elton
Subject: Supporting Charter Schools

Dear Mr. Elton,

I'm a parent at Juneau Community Charter School. I'm writing to you to express my hope that the Charter School funding bill be passed.

If this bill is passed, it would mean a lot to the Charter School families. One major improvement would be the benefit of having buses for the children. Currently, all families drive the children to Charter School. Driving downtown twice a day to Charter School adds many miles to our car and uses a lot gasoline; both have an impact on the environment. In this time of economic and environmental crisis, a small thing like buses would make a great change!

Safety would also be improved if the Charter School received bus service. Students who live downtown can walk to school, but with snow covered sidewalks, they have to walk on the street, which presents a safety hazard. Parking is very limited at the Charter School, making drop off and picks up potentially dangerous. Parents have to find a parking spot that allows space for a car, yet not get hit. Children have to use extra caution when crossing the street, and as is common with young children, they sometimes don't look before they leap.

Thank you for your time in reading this, Sen. Elton. The families at Juneau Community Charter School are eager to see the Charter School funding bill passed.

Regards,

--
Rhonda Vaughan

209-8950

Dana Owen

From: Sen. Kim Elton
Sent: Thursday, January 29, 2009 7:55 AM
To: Dana Owen
Subject: FW: SB57

-----Original Message-----
From: sarah hopkins [mailto:hopkins_sarah@yahoo.com]
Sent: Wednesday, January 28, 2009 5:07 PM
Subject: SB57

January 28, 2009

Dear Senators,

This letter is in regards to Senate Bill 57 which will have its first hearing in front of the Senate Education Committee on Thursday January 29th. The bill addresses funding for small (charter) schools.

I support this bill because it will benefit the Juneau Community Charter School. My son is currently enrolled at JCCS. I believe that ALL students can be the most successful in school when they are in an environment that best fits their educational and social needs. This is the case for my son, and daughter, and as parents my husband and I try to find our children's best "fit" educationally. I hope to enroll by daughter as a 7th grader next year at JCCS. If Bill 57 is passed, this may be more possible.

With the funds that Bill 57 would provide, JCCS could be more accessible (in terms of growth) and serve a greater number of Juneau families. A community is more enriched when families have as many educational choices as possible for their children. Students are more successful when they are in an environment where they feel safe and are motivated and interested in their own education. No child is alike, and providing Juneau's students with a choice of educational environments addresses the educational needs of all our children. Juneau Community Charter School plays a vital roll in the school district in meeting these needs.

The Juneau Community Charter School APC members (made up of parent volunteers), other JCCS families, and teachers, have put in many hours of research and work in coming up with a plan of how JCCS can offer additional classrooms and serve a greater number of families. Bill 57 will support these efforts. Please give your support for this bill. Thank-you for your time.

Sincerely,
Sarah Hopkins

Dana Owen

From: Sen. Kim Elton
Sent: Thursday, January 29, 2009 7:55 AM
To: Dana Owen
Subject: FW: Please Support Charter School Legislation

From: Elise and Jay Boyer [mailto:ejez_2000@yahoo.com]
Sent: Wednesday, January 28, 2009 5:16 PM
To: Sen. Kim Elton
Subject: Please Support Charter School Legislation

Dear Chairman Elton:

I understand that you will be considering a bill this week to correct the funding inequities that hamper small charter schools in Alaska. I heartily encourage you to pass this bill. My husband and I have been so happy with our sons' charter school experiences, both in Homer (Fireweed Academy), and in Juneau, at the Juneau Community Charter School. Although these schools are different in many ways, they are wonderful examples of how the charter school law can enable our public school system to reach students in ways the traditional programs may not. I have learned that "one size" does not fit all in education, and our children benefit from choices in program. When those choices can be made available to all, regardless of income or test scores, then our state is truly doing them a service.

Treating small programs as if they have the economies of scale of the largest schools in the state has always been an unfortunate glich in the current law (although there are some who see it as a deterrent to the explosion of small schools). The proposed bill will correct that problem, and enable our students to continue to share in the promise of the charter school system. In fact, in our case in Juneau, it will enable us to achieve even more diversity than we already enjoy, by making it possible to hire employees who can serve students with special needs and to provide bus service to children who need it.

I know times are tough. I hope you will see that this bill is worth the investment.

Thank you for your consideration.

Sincerely,

Elise Nacht Boyer
780-2528

Dana Owen

From: Catherine Reardon
Sent: Wednesday, January 28, 2009 4:38 PM
To: Dana Owen
Subject: FW: Support for our school

From: jodi [mailto:jodiwynne@verizon.net]
Sent: Tuesday, January 27, 2009 1:25 PM
To: Sen. Kim Elton
Subject: Support for our school

Dear Senator Elton,

My name is Jodi Scolamiero. My husband David and I have our 1st grade son at Juneau Community Charter School (JCCS) this year and hope to have our 2nd son start there next year.

First, we would like to thank you for all your past support for our wonderful school.
We are thrilled to have the opportunity to send our children to a school such as JCCS. Without an option such as JCCS we fear our child would not be thriving as he has this past year. Due to his personality and learning style we have determined that the type of education JCCS offers is best suited for our children in that the school is smaller, therefore giving a more secure atmosphere. With the class size remaining the same as the district average, children are able to experience learning in smaller groups as well as giving a multi-grade class situation where each child can benefit from student mentoring as well as being a student mentor.

Next, I would like to add to the collective voice asking for your further support for the upcoming bill SB 57 giving smaller Charter schools the same funding as larger neighborhood schools. Without this increase in funding we fear our beloved school will not survive more than a couple of more years. The JCCS is a valuable addition to Juneau's wonderful elementary educational system. The school has proven itself academically with students ranking high on standardized testing scores, and also in that there is a high success rate for students transitioning back into the neighborhood school setting.

SB 57 would not only benefit our existing Charter school but give opportunity for more schools such as JCCS to establish and thrive. This would give parents even more choices when choosing what setting would be best for their individual children. In my opinion giving each child the type of education that works best for him or her is in essence ensuring our future as well as theirs.

Thank you so much for your time and support,
Jodi Scolamiero

Louie Flora

From: Brad Faulkner [bradalaska08@yahoo.com]
Sent: Tuesday, April 07, 2009 11:49 AM
To: Rep. Paul Seaton
Subject: Charter School Funding

Dear Paul,
The Senate passed out a good bill on Charter School funding. It goes a long way toward improving real structural inequities in the funding formula. I realize you understand this issue as well as anyone in the House. I am hoping you will push this as one of your priorities.
Respectfully,
Brad Faulkner

Louie Flora

From: Kiki Abrahamson [kabrahamson@kpbsd.k12.ak.us]

Sent: Tuesday, April 07, 2009 10:53 AM

To: Rep. Paul Seaton; Rep. Wes Keller; Rep. Cathy Munoz; Rep. Berta Gardner; Rep. Bob Buch; Rep. Bryce Edgmon; Rep. Peggy Wilson

Subject: Education Committee Hearing Wednesday

Members of the House Education Committee

This week students all over the state will be taking Standards Based Assessments. Students with various needs, abilities and backgrounds will be held accountable to the same measure. Yet one group of public school students will be held to that standard in spite of the double handicap of being members of public schools in our state that have substantially lower funding and no guaranteed access to a facility because of a flawed state statute. Wednesday you will have the opportunity to consider Senate Bill 57 that moves Alaska one step closer to equitable funding for all of its diverse students.

Charter schools and alternative schools are public schools open to anyone who enrolls. They are formed by caring educators who see a specific need in addressing a certain population, philosophy or program. They follow all Federal, State and district laws and regulations. Teachers in charter and alternative schools follow the same requirements for certification, employment, and negotiated agreements. Currently, charter schools and alternative schools are making a tremendous positive difference in educating students all over Alaska. They provide opportunities for innovation and choice, yet the development of new charter schools is hampered by the inequitable funding in AS 14.17.450.

I have never understood why the statute for establishing charter schools Article 2; AS 14.03.260 (a) says: *The "amount generated by students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district*; yet AS 14.17.450 does not support that intent. In a fiscally responsible manner, Senate Bill 57 seeks to remedy that by funding small charter schools as if they were a school of 400. This provides incentives for educators and school districts to support innovation, choice and equity for Alaskan students.

Please work to pass this bill through the House and on to the Governor.

Kiki Abrahamson
Fireweed Academy
Alaska Charter School Association.

Louie Flora

From: sarah hopkins [hopkins_sarah@yahoo.com]
Sent: Monday, April 06, 2009 7:21 PM
To: Paul_Seaton@legis.state.ak.us
Subject: support SB 57

April 6, 2009

Dear Mr. Seaton,

My name is Sarah Hopkins and I am writing to you in hopes that you will support SB 57 with a "yes" vote on Wednesday April 8th, and pass this bill out of committee as soon as possible. SB 57 provides more equitable funding for small charter/alternative schools. This bill directly affects the Juneau Community Charter School where my son attends kindergarten.

With the funds that would come from SB 57, JCCS could expand its program to provide bus services, a part-time counselor and para-educators, thus making our program available to more families in Juneau. I think it is important that parents have a choice in where they want their children educated. The more choices families have when it comes to educating their children, the richer and more fulfilling that education will be. No two children learn the same way, and our schools should reflect that. JCCS provides another educational choice for families. Thank-you for your time and effort.

Sincerely,
Sarah Hopkins

Item Number 4

F. Incorrect. *Alice Anderson.* Although Alice Anderson represents the East Central region, New York is in the Northeast region.
G. Incorrect. *Lars Larson.* Although Lars Larson represents the Great Lakes region, New York is in the Northeast region.
H. Incorrect. *Kelly Carney.* Although Kelly Carney represents the Midwest region, New York is in the Northeast region.
J. Correct. *Thurmond Salkick.* First locate "New York" in the "States Assigned" column. It is in the fourth row that begins with "Connecticut, Maine..." Then follow that row to the left to see that Thurmond Salkick is the Account Executive for the Northeast region.
K. Incorrect. *Dan Elizondo.* Although Dan Elizondo represents the Southeast region, New York is in the Northeast region.

Item Number 5

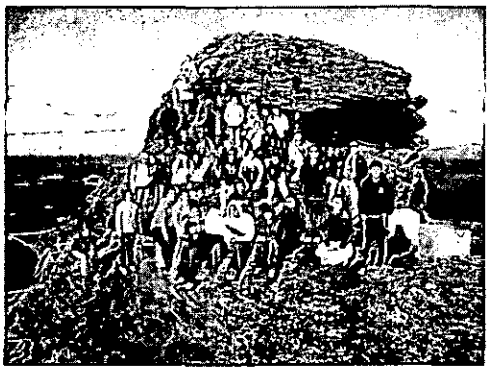
A. Correct. *A ding on the hood and a scratch on the driver's side.* The form graphically indicates this damage. The handwritten text "ding" has a line pointing to the hood, and the handwritten text "scratch" has a line pointing to the driver's side.
B. Incorrect. *A ding on the hood and a scratch on the passenger's side.* The form does show a ding on the hood, but the scratch is on the driver's side rather than on the passenger's side.
C. Incorrect. *A ding on the hood only.* The form does show a ding on the hood, but this is not the **only** damage indicated; there is also a scratch on the driver's side.
D. Incorrect. *A scratch on the hood and a ding on the driver's side.* This is the reverse of what is shown on the form. The ding is on the hood and the scratch is on the driver's side.
E. Incorrect. *A scratch on the hood only.* While a **scratch** and the **hood** are present in the graphic, a ding is on the hood and a scratch is on the driver's side.

Item Number 6

F. Incorrect. *5.* Although 5 is close to the correct answer, the line is at 6½.
G. Incorrect. *6.* Six inches is a rounded down measurement; the line is at 6½.
H. Correct. *6½.* The line is drawn and the tape matches halfway between 6 and 7, so the line is at 6½.
J. Incorrect. *7.* Although 7 is halfway between the line and the edge of the board, the line is at 6½.
K. Incorrect. *7½.* This is the measurement to the end of the board; the question asks for the measurement at the line drawn, which is 6½.

Item Number 7

A. Incorrect. *7–9AM only.* The form states that the patient is unavailable at 2–4PM in addition to 7–9AM.
B. Correct. *7–9AM and 2–4PM.* According to the handwritten text ("7–9am, 2–4pm") to the right of the space labeled "Unavailable Times" on the form, the patient is unavailable at 7–9AM and 2–4PM.
C. Incorrect. *2–4PM only.* The form states that the patient is unavailable at 7–9AM in addition to 2–4PM.
D. Incorrect. *5–6PM only.* "5–6" is part of the phone number (555-6268) shown on the form; however, the form states that the patient is unavailable at 7–9AM and 2–4PM.
E. Incorrect. *This week.* The form indicates that the appointment should be scheduled "within 1 week," not that the patient is unavailable this week. According to the form, the patient is unavailable at 7–9AM and 2–4PM.



Anvil City Science Academy

Nome, Alaska

Representative Seaton,

On behalf of the Anvil City Science Academy Academic Policy Committee, I would like to express our thanks for your past support for schools in Alaska. At this time we would request your support for the passage of SB 57. Small charter schools throughout Alaska are in need of equitable funding to meet the needs of the diverse students and families they serve. Schools like ACSA offer specialized educational programs that provide choice in education, while promoting public education.

The Charter School Act has allowed parents, community members, and teachers to take the lead in developing unique educational programs and to be involved in the decision making for school policies. The result of which is a flexible education process, which provides for the needs of students and parents alike. This is particularly true in small charter schools, which can create a distinctive school culture in which everyone takes ownership in the program.

Anvil City Science Academy was created eleven years ago by parents, teachers, and community members interested in a family oriented school characterized by high academic standards and a well-rounded curriculum, with an emphasis in science and math. In that time, ACSA has been able to meet the needs of its fifth through eighth grade students who come to the program with a wide variety of backgrounds, learning styles, experiences, and needs. By addressing individual differences and learning styles, there is an increase in the potential for learning and creativity of each student.

The Academy's small size is one of the key factors in its success. ACSA has a student population of 44, with two and a half certified teachers, and no support personnel. This gives the school the needed flexibility to provide opportunities to the students to go beyond the traditional classroom walls in order to utilize community and environmental resources. In addition, in a small community such as Nome, a program like ACSA can't reach a student count of 150 students, without having an adverse affect on the other public schools in the district. Therefore, a smaller program like ACSA is beneficial to the community by providing an alternative education program, while minimizing the possible impact on other schools.

Thank you for your time and consideration on this matter,

Todd Hindman, Lead Teacher
Anvil City Science Academy
Nome, Alaska

Nome Public Schools
PO Box 131~Nome, Alaska 99762~Phone: (907)443-2231~Fax: (907)443-5144

NOME BOARD OF EDUCATION
RESOLUTION #09-02
In Support of Senate Bill 57
Increased Funding for Small Charter Schools

WHEREAS, the legislature passed the law authorizing the creation of charter schools in Alaska and

WHEREAS, the legislature has realized the importance of providing varied and excellent educational opportunities for all students and;

WHEREAS, charter schools have proven themselves to be an effective educational alternative and;

WHEREAS, the Anvil City Science Academy located in Nome Alaska has provided quality service to the students of Nome for over ten years and;

WHEREAS, the population of Anvil City Science Academy is less than 50 students

NOW, THEREFORE BE IT RESOLVED that the Nome Board of Education supports the passage of Senate Bill 57.

ADOPTED by the Nome Board of Education this 10th of February 2009

Gloria Ann Karmun
President, Nome Board of Education

Elisabeth "Betsy" Brennan
Treasurer, Nome Board of Education

Louie Flora

From: payroll@ci.nome.ak.us on behalf of Dana Handeland [dhandeland@nomealaska.org]
Sent: Monday, April 06, 2009 11:25 AM
To: Rep. Richard Foster
Cc: Rep. Paul Seaton; Rep. Cathy Munoz; Edgmon@legis.state.ak.us; Keller@legis.state.ak.us; Wilson@legis.state.ak.us; Gardner@legis.state.ak.us; Rep. Mike Hawker; Stoltze@legis.state.ak.us; Thomas@legis.state.ak.us; Rep. Alan Austerman; Rep. Anna Fairclough; Joule@legis.state.ak.us; Kelly@legis.state.ak.us; Rep. Harry Crawford; Rep. Les Gara; Chenault@legis.state.ak.us; Salmon@legis.state.ak.us
Subject: Supporter of SB 57

Richard,
Thank you for your support over the years for education of choice for Alaska's children. For many years Charter schools have struggled with the existing funding formula and have worked diligently with the legislature to provide a more permanent fix. SB 57 addresses this funding dilemma by providing equitable funding for charter and alternative schools with enrollment under 150.

I have been an avid supporter of Charter Schools in Alaska because they offer alternative educational models. What does this mean to Alaskan children? Options!

Charter schools across the state have demonstrated their worth: Test score achievement, community involvement, unique educational projects, and an educational model targeted directly to the student. As you know not all regions in Alaska can meet an enrollment quota of 150 in a charter school without creating an adverse affect on the local community schools. Anvil City Science Academy in Nome is a perfect example. Our charter school is capped, by the district, at 44 students due to space constraints at the current facility.. This unfortunately creates a waiting list of students wishing to participate in the program who cannot be accommodated.

SB 57 will provide the relief to the annual threat of funding shortages that charter schools under 150 face. Please continue to support educational options for our children and help create the necessary momentum to make SB 57 law.

Thank you for putting Alaskan children first!!

Dana Handeland
APC-Anvil City Science Academy, Nome Alaska

Anvil City Science Academy

Nome, Alaska

My name is Todd Hindman and I am the lead teacher at Anvil City Science Academy in Nome.

I am speaking in support of SB57 on behalf of Nome Public Schools' Board of Education and the Academic Policy Committee of Anvil City Science Academy.

In a small community such as Nome, a charter school with a student population of 150 is highly unlikely and if it were able to achieve that enrollment, it would most likely have an adverse effect on the other public schools.

The small size of ACSA is one of its strengths. It allows for flexibility in its daily operation to provide unique educational opportunities to its students. This allows students to easily get out in the community and environment to use it as a resource in their education, providing a more meaningful learning experience. Our small size also creates a culture around family values to ensure student success through daily engagement of parents.

Thank you for your efforts at providing support for small charter schools, which are identifying and meeting specific needs in the communities they serve.

Chair Seaton and Members of the Education Committee

My name is Jeff Friedman, President of the Anchorage School Board

Our board has discussed this charter school funding several times in the past and I believe the board and the administration are fully supportive of SB 57.

The 150 student cut off has caused problems with two anchorage charter schools since I have been on the board and at least one charter school before that. Two of those schools ended up closing. The other struggled for a year, but has since been very successful.

The changes in SB 57 will provide a safety net for schools that drop slightly below the 150 student level, and will provide a more equitable funding method for alternative schools and charter schools.

Charter schools and other alternative schools provide choice for those students who don't fit well into a traditional neighborhood schools. They are a vital part of our district. I urge you to support SB 57

Louie Flora

From: Friedman_Jeff [Friedman_Jeff@asdk12.org]
Sent: Wednesday, April 08, 2009 9:29 AM
To: Rep. Paul Seaton; Rep. Cathy Munoz; Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Peggy Wilson; Rep. Bob Buch; Rep. Berta Gardner
Cc: Comeau_Carol; Siegfried_Robin; Bensler_Connie
Subject: SB 57

Attachments: SB 57 Testimony.doc

SB 57
estimony.doc (24 KE

I wanted to mention add point about the testimony today that wasn't particularly relevant to SB 57, but is something I think the Education Committee should be aware of. There was testimony that Charter Schools do not receive any local funding. Charter Schools do receive local tax dollars from the school district.

The funding formula sets a funding level for each charter school. All the state funding for each school in the district is added together and that is the total amount of the district's basic need from the Sate. Before the state writes a check, however, the local contribution amount is subtracted. The difference between each charter school's formula funding level and the lower amount actually received by each district is made up from local tax dollars.

I have attached a copy of my written testimony.

Jeff Friedman
Anchorage School Board
1534 D Street
Anchorage, AK 99501
907-742-4699 (Home)

Louie Flora

From: Rep. Paul Seaton
Sent: Wednesday, April 08, 2009 8:36 AM
To: Louie Flora
Subject: FW: support for sb 57

From: fourlarue@aol.com [mailto:fourlarue@aol.com]
Sent: Tuesday, April 07, 2009 9:31 PM
To: Rep. Paul Seaton
Subject: support for sb 57

HI Paul---

just wanted to request your support for sb 57--the small charter school equitablity bill....it is a very important piece of legislation that will positively affect over 100 of your neighbors, friends,constituents....

our charter school here in Homer has set a high standard of excellence for children...please help us survive as a school.

Bonnie Powell
po box 3306
homer, ak 99603

New Deals on Dell Netbooks - Now starting at $299

Matanuska Susitna Borough School District
Assistant Superintendent of Administration
501 N. Gulkana
Palmer, Alaska 99645
907-761-4001 907-761-4091 Fax

"Developing citizens for a global society by inspiring students to think, learn, achieve, and care".

April 8, 2009
Testimony on Senate Bill 57

Good Morning, my name is **John Weetman** and I am the Assistant Superintendent of Administration for the Mat-Su Borough School District. Thank you for this opportunity to testify in favor of Senate Bill 57.

The Mat-Su Borough School District supports Senate Bill 57 and is supportive of school choice and currently hosts 4 charter schools and 3 alternative schools, which enroll approximately 1500 students.

I do believe that Senate Bill 57 will correct the funding problem in an impartial and fiscally dependable manner.

By lowering the threshold for alternative schools from 200 to 175 Senate Bill 57 will address a financial setback that occurred this year for MSBSD, one of our alternative schools unexpectedly dropped below the required 200 number by 6 students, resulting in a $780K deficit to the school district.

The one-year, hold-harmless provision for charter schools and alternative schools that unexpectedly fall below the threshold, allows charter and alternative schools to focus student education and not financial deficit created by the current funding.

Charter schools and alternative schools offer parents choice within the public school system that provides smaller learning communities, drop out prevention and increased graduation rates.

In conclusion Senate Bill 57 creates a sustainable funding system for innovative programs. I thank you for your time and effort that all of you put in for the students of Alaska.

Sincerely,

John Weetman
Assistant Superintendent of Administration

SB 209

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: **SB209**
() Publish Date:

Identifier (file name): SB209-EED-CAB-2-12-10
Dept. Affected: Education & Early Develo
Title "An Act providing the Alaska State Council on the Arts the authority to adopt regulations to its statutory powers..."
RDU Commissions and Boards
Component Alaska State Council on the Arts
Sponsor Senator Menard
Requester Senate Education Committee
Component Number 192

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

This legislation has no fiscal impact on the Alaska State Council on the Arts.

Prepared by: Eddy Jeans, Director — Phone 465-8679
Division School Finance — Date/Time 2/12/10 12:00 AM
Approved by: Larry LeDoux — Date 2/12/2010
Commissioner

(Revised 10/13/2009 OMB)

Senator Linda Menard

Session
State Capitol, Room 9
Juneau, Alaska 99801
Phone: (907) 465-6600
Fax: (907) 465-3805

Interim
600 E. Railroad Ave.
Wasilla, Alaska 99654
Phone: (907) 376-3370
Fax: (907) 376-3157

Alaska State Legislature

SB 209 Sponsor Statement

Senate Bill 209 will provide the Alaska State Council on the Arts the authority to adopt regulations relating to its statutory powers and duties.

The bill has been introduced at the request of the Alaska State Council on the Arts (ASCA), which is the Last Frontier's state arts agency, created over 40 years ago. The council works in partnership with the National Endowment for the Arts (NEA) to foster the development of the arts for all Alaskans through education, partnerships, grants and services.

Several of ASCA's programs are governed by regulations, which ASCA has promulgated and updated over the years. Recently ASCA has sought to improve and streamline its grant-making policies, procedures, and regulations. In the course of this effort, ASCA was informed by the Department of Law that ASCA technically does not have statutory authority to adopt regulations under the Administrative Procedures Act (APA). While this legal opinion is at odds with long-standing practice, ASCA considered the advice from the Attorney General's office, and determined that the best way to rectify the current anomalous situation is to amend its enabling statute to allow ASCA the explicit statutory authority to adopt regulations.

This legislation will in essence codify existing practice and will enable ASCA to continue to administer and oversee its existing programs. Any and all regulations adopted in the future will have to comply with the review and public-notice provisions of the APA. This bill has a zero fiscal note and will help ASCA continue performing its long-standing mission of helping more Alaskans appreciate, create, and enjoy the arts and having regulatory authority will directly contribute to ASCA's ability to do so.

Senator_Linda_Menard@legis.state.ak.us

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM February 8, 2010

SUBJECT: Sectional summary; regulatory authority for the Alaska Council on the Arts (SB 209; Work Order No. 26-LS1236\A)

TO: Senator Linda Menard
Attn: Mike Rovito

FROM: Dennis C. Bailey
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Gives the Alaska State Council on the Arts the authority to adopt regulations relating to its statutory powers and duties.

Section 2. Provides an immediate effective date for the measure.

If I may be of further assistance, please advise.

DCB:plm
10-057.plm

Senator Linda Menard

Session
State Capitol, Room 9
Juneau, Alaska 99801
Phone: (907) 465-6600
Fax: (907) 465-3805

Interim
600 E. Railroad Ave.
Wasilla, Alaska 99654
Phone: (907) 376-3370
Fax: (907) 376-3157

Alaska State Legislature

Senate Bill 209
List of Witnesses

In person testimony:

Ben Brown, chair, Alaska State Council on the Arts

Senator_Linda_Menard@legis.state.ak.us

The Hon. Kevin Meyer and Joe Thomas
Co-Chairmen, Senate Education Committee
State Capitol, Rooms 101 & 504
Juneau, Alaska 99811

Dear Senators Meyer and Thomas:

I am writing on behalf of the Alaska State Council on the Arts (ASCA) to express our support for Senate Bill 209. I hope to ensure that all members of the Senate Education Committee and, indeed, the full Senate, will support this simple yet important piece of legislation.

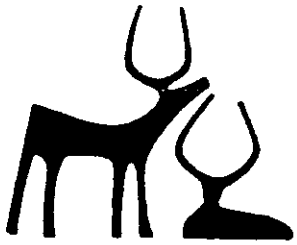
SB 209 was necessitated by a determination of the Alaska Department of Law that ASCA does not possess statutory authority to adopt regulations, although ASCA had been so doing for many years. When this technical lack of authority came to our attention, the members of the State Council weighed our options, and decided that simply adding the missing language from the statute would be the best way to remedy the situation.

ASCA's work is vitally important to the cultural well-being of Alaskans, and we could not operate our regrant program in accordance with federal standards without the state regulations that implement our enabling statutes. Giving ASCA the explicit power to adopt simple regulations subject to the same scrutiny that applies to all other regulations adopted in Alaska will allow Alaska's state arts agency to continue to do its job to the benefit of all Alaskans.

Please don't hesitate to let me know if I can answer any questions about this legislation or ASCA, and thank you for you consideration of this bill.

Yours sincerely,

Benjamin Brown, Chairman
Alaska State Council on the Arts



Senator Linda Menard
Alaska State Legislature
State Capitol Building
Juneau, Alaska
Sent via email

January 24, 2010

Dear Senator Menard:

I would like to lend the support of myself and the Alaska State Council on the Arts, a division of the Department of Education, to Senate Bill 209, which will at long last provide our agency the authority to adopt regulations.

While, in many respects, this legislation is a housekeeping matter, it is a critical bill for our agency. We need the ability to update and amend our regulations over time, and without the statutory authority to do so, the Alaska State Council on the Arts will remain static and unable to respond to changes in the field.

Thank you, Senator Menard, for carrying this legislation. I look forward to working with you and your office.

Sincerely,

Charlotte A. Fox
Executive Director

Alaska State Council on the Arts
411 West 4th Avenue, Suite 1E, Anchorage, Alaska 99501-2343 • (907) 269-6610 • Fax: (907) 269-6601
Toll Free: 1-888-278-7424 • TTY: 1-800-770-8973 • Website: www.eed.state.ak.us/aksca

SB 211

Music - other organizations support travel; fund their own travel. No objections to date.

ALASKA STATE LEGISLATURE

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Senator Gary Stevens
President of the Senate

SECTIONAL ANALYSIS
CS for Senate Bill 221(EDU)

SECTION 1:
Establishes an advisory task force on higher education and career readiness for the purpose of compiling data and advising the legislature on matters pertaining to college or career readiness of students who graduate from public secondary schools in Alaska.

It's composed of 18 members representing the Governor, the Alaska Commission on Postsecondary Education, the University of Alaska, the Alaska School Board Association, the superintendents, career and technical training centers, the Alaska Federation of Natives, the National Education Association, Alaskan private colleges or universities, other public (non-UA) postsecondary institutions in Alaska, relevant faculty from around the UA system, both secondary and post-secondary students, and the chairpersons of the respective House and Senate Education Committees.

The respective entity that each task force member represents is expected to pay for their share of the expenses of participating in the task force.

The staff of the legislative members of the task force shall serve as staff for the task force.

The members of the task force shall elect a chair from among its members.

The task force shall compile research and summarize data regarding remediation, retention, and graduation rates in the state. There shall be developed a definition of remediation. The task force shall identify contributing causes for lack of college readiness, and best practices to reduce the need for remediation, and prepare a report to the legislature outlining strategies and recommendations to reduce remediation, improve college readiness, and increase college graduation rates. The report is to be submitted by March 1, 2011.

SECTION 2:
Repeals the act and dissolves the task force on July 1, 2011.

SECTION 3:
Makes the act take effect the day after the governor signs it.

26-LS1309\C.2
Mischel
3/25/10

Accepted

AMENDMENT #1 adopted

OFFERED IN THE HOUSE BY REPRESENTATIVE PEGGY WILSON

TO: CSSB 221(EDC)

Page 4, following line 1:

Insert a new paragraph to read:

"(7) determine the availability of broadband and Internet capabilities and the effect of the use of electronic, Internet, and virtual instruction on student learning and success in schools located in ~~regional educational attendance~~ rural areas;"

AM 1 to AM - withdrawn

Renumber the following paragraphs accordingly.

AM #2 to AM #1 - line five delete through the word "schools" passes

~~AM #3 (Keller) to AM #1 withdrawn~~

1335

26-LS1309\C.5
Mischel
3/26/10

AMENDMENT #2 Adopted

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSSB 221(EDC)

Page 4, line 11:

Delete "March 1, 2011"

Insert "April 1, 2011"

1336

26-LS1309\C.4
Mischel
3/26/10

AMENDMENT #3 Adopted as amended

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSSB 221(EDC)

Page 3, lines 6 - 10:

Delete "The chair of the house committee having jurisdiction over education shall call the first meeting of the task force not later than 30 days after the effective date of this Act and shall serve as chair of the first meeting. The members of the task force shall elect a chair from among the members of the task force and other officers as needed to conduct the business of the task force."

Insert "The chair of the house committee having jurisdiction over education and the chair of the senate committee having jurisdiction over education shall serve as co-chairs of the task force. The co-chairs shall call the first meeting of the task force not later than 30 days after the effective date of this Act. The members of the task force shall elect other officers as needed to conduct the business of the task force."

Conceptual AM #1 to AM 3 - Adopted

"If chair of either committee of jurisdiction is unable to serve, the President of the Senate may appoint another Legislative member to serve as Co-chair"

1337

26-LS1309\C.3
Mischel
3/26/10

Conf Ad

AMENDMENT #4 Ad Ad

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSSB 221(EDC)

Page 1, line 11:

Delete "18"

Insert "20"

Page 2, following line 19:

Insert new paragraphs to read:

"(13) one member of the house of representatives, appointed by the speaker of the house;

(14) one member of the senate, appointed by the president of the senate;"

Renumber the following paragraphs accordingly.

AMENDMENT #5 Adopted

OFFERED IN THE HOUSE

TO: CSSB 221(EDU)

Conceptual amendment to specify that the chair of the Education committees at the time of the effective date of the bill may retain their seats on the Task Force through the term of the Task Force

---

Amendment 6 - Conceptual (Keller) Adopted

P 4, line 7 add new sub

(9) review completion rates for career skill certificate programs ~~disaggregated~~ by program + postsecondary campus.

Amendment #7 - Adopted

P. 1, line 10 after "State" insert "and non-traditional students"

HB221 1309\C

PAGE 4, Line 7

(9) review completion rates for career skill certification programs ~~desegregated~~ disaggregated by program & postsecondary campus

26-LS1309\C.6
Mischel
3/26/10

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE SEATON

TO: CSSB 221(EDC)

Page 2, line 18, following "chair":

Insert ", on the effective date of this Act,"

Page 2, line 19, following "chair":

Insert ", on the effective date of this Act,"

1341 L

Louie Flora

From: Elizabeth Downing [eadowning@gmail.com]
Sent: Friday, March 26, 2010 7:52 AM
To: Rep. Paul Seaton; Sen. Gary Stevens
Cc: Louie Flora
Subject: SB 221/CSSB221 Legislative Task Force on Higher Education - missing membership

Senator Stevens and Representative Seaton,

I wanted to whole-heartedly share my support for SB 221 Legislative Task Force on Higher Education which brings together key education experts to look at secondary and postsecondary education and career readiness. I am wondering, however, why the composition of the task force does not include higher education professionals who have their boots on the ground addressing these concerns. I am speaking of college student services professionals who recruit, assess, advise, and provide an array of academic and student success strategies for retention from Adult Basic Education through graduation. Student Services professionals focus on the barriers to access (financial aid, remediation, study skills) and provide career planning and job placement services. While on a large campus, these roles are specialized, many of our community campuses have expert generalists who could provide real-time information and recommendations. Similarly, there are no high school guidance counselors on the task force.

If the size of the task force cannot be increased, perhaps the section listing three faculty who work in remediation can be changed to one expert in ABE, remediation, and developmental studies, one college student services professional, and one secondary guidance professional.

Thank you,
Liz Downing
Homer, AK

--
"Work, Solve Problems, Get Things Done"

Ref: CS for SB 221 (EDU) March 26, 2010

Nebraska Summit on Career Readiness, Sponsored by the NE Dept. Education, and Dept. of Labor, November 2009

Nebraska group developed this definition for Career Readiness:

A Career Ready person is one who capitalizes on their personal strengths, talents, education, & experiences to bring value to the workplace and the community through their performance, diligence, ethics, and responsible behavior.

They also developed the following list of eleven areas of knowledge, skills, and behaviors, and then went on to define the attributes of these in considerable detail.
Inter- and Intra-Personal Skills
Creativity and Innovation
Critical Thinking and Problem Solving
Work Ethic and Personal Responsibility
Core Knowledge and Core Standards
Communication Skills
Technology
Adaptability and Life Long Learning
Exposure to the Work Environment
Collaboration and Teamwork
Global and Social Awareness

Alternate Definition 1:
Possess core academic, technical, and communication skills sufficient for transition to post-secondary education, gainful employment, or business creation without the need for remedial education.

Alternate Definition 2:
To be capable of completing a credit-bearing course of study at a qualifying post-secondary institution that will apply toward the award of a degree, without the need for remedial coursework.

HB221 1309\C

PAGE 4, Line 7

(9) review completion rates for career skill certification programs desegregated by program & postsecondary campus

Educators debate aligning standards

UNIQUE POPULATION: Alaska's schools compared with lower 48.

By MEGAN HOLLAND
mholland@adn.com

Published: March 25th, 2010 11:22 PM
Last Modified: March 25th, 2010 11:22 PM

Should Alaska's kindergartners be expected to learn to count to 20 or 100?

Should fourth graders be expected to identify plot, settings and character? Or should they read at a level above, as well as know about words and phrases from Greek mythology?

Should teens be expected to read John Keats by the 11th grade?

As 48 other states are participating in a national re-writing of their state education standards, Alaska is taking a look at its own and wondering if it should get on board and raise the bar for the state's students. But while some educators say Alaska kids deserve to be held to the same standard as the rest of the country, others are saying we are different and the current, laxer standards are just fine.

Earlier this month, the National Governors Association and the Council of Chief State School Officers released the draft of sweeping new school standards that could lead to students across the country using the same math and English textbooks.

The idea is to replace the patchwork of state and local systems in an attempt to educate all American kids better. The federal government is watching the process.

In February, educators from across Alaska examined differences between the national draft and the state's required curriculum. Overall, they believe Alaska's standards should stay where they are. The State Board of Education will get its first presentation on the differences today at its Juneau meeting.

"Alaska has unique variances that other states do not have," wrote one group that reviewed elementary school reading standards.

"The (national proposed standard) is rigorous but not necessarily reasonable for Alaska's population," another group wrote. "Our 'at-risk' population would not benefit by increased rigor."

Opponents say Alaska's kids and schools, especially those in the Bush, are different. The state's dropout rate is double the national average, and the state rates last in the number of ninth graders who will likely have a bachelor's degree in 10 years, according to the Alaska Commission on Postsecondary Education.

READY FOR STEINBECK?

Among the things that the national standards would call for: middle-schoolers will be ready to read "The Adventures of Tom Sawyer" and letters from John Adams; 10th graders will be up to mastering John Steinbeck's "The Grapes of Wrath."

The state standards don't mention specific reading material. Instead they say that middle schoolers should be able to identify foreshadowing in literature, and that by the 10th grade a student should be able to do things like identify syntax and fill out a Permanent Fund dividend application.

Unlike the national standards, Alaska has no state standards for how proficient 11th and 12th graders should be in reading and math, although to get a diploma they must pass an exit exam that they start taking in 10th grade.

Some think adopting the national standards is the right thing to do.

"If we do make the switch, we think parents would have a better grasp of student expectations, so conversations between schools and home may be more clear," wrote one of the few groups that reviewed the national standards and supported adopting them.

TOUGHER IN ANCHORAGE

The Anchorage School Board supports drafting national standards. It says students and parents deserve to know how Anchorage schools compare to those around the United States.

"We are feeling very strongly that 50 different state standards is really not getting where we need to get as a country," said Anchorage Superintendent Carol Comeau.

Even though Anchorage's standards are higher than the state's when it comes to reading and math, it wants to know how its students measure up to those in other states. Students take just two national tests, in the fifth and seventh grades. In high school, tests like the SAT or ACT are not required and tend to be taken by only the college-bound. In the end, it's impossible to see how Anchorage's 50,000 public-school students are doing compared with students in, say, Seattle or New York.

What are they learning? At what pace? Educators don't know.

The State Board of Education will make the decision on whether to take on the more rigorous standards.

What the seven members will grapple with: Are the standards supposed to be minimum to allow the most kids to pass? Or are they meant to be rigorous and prepare kids for careers and four-year colleges? Is the state misleading kids by setting the bar too low? Or is it discouraging too many kids by setting the bar too high?

WATCH AND WAIT

Les Morse, deputy education commissioner, said the state is watching to see what the rest of the country does. Not all 48 states that signed up to help draft the standards are necessarily going to adopt them, he said. Some educators in Massachusetts want to keep their own standards because they consider them higher, according to media reports.

Morse said the State Board of Ed wants to take a look at what states like Massachusetts require to see if there is anything Alaska can adopt, in part or in whole.

The state is also waiting to see if the Obama administration takes action on implementing national standards, Morse said.

"It's Alaskans who should decide what their standards should be," said Eric Fry, spokesman for the state Education Department.

- **nanuq** wrote on 03/26/2010 08:27:49 AM:

  A more rigorous standard, with increased funding, is not the answer. Please read this study: http://tinyurl.com/yakllzx paying special attention to the section "What Federal and State Policymakers Should Do" and the paragraph before it.

  skunkcabbage wrote on 03/26/2010 08:25:56 AM:

  By all means, lets continue to educate parents and support those children with developmental and emotional disabilities stemming from their dysfunctional backgrounds (which occurs both in the city and in the bush, among all races), but lets not stymi the growth of those kids who are able to succeed. Alaska needs to be able to compete not only with the rest of the nation, but the rest of the world. The US is sadly very far behind the rest of the developed world in educational standards. If we want to compete on the global market, our kids needs a strong base to build from.

  I say this from experience, my child is far above his "peers" at his school. This is a small rural school which allows each child to proceed at their own pace. No real grades, no real grade levels. I worry that my child won't have the impetuous outside of what we encourage to motivate him to strive harder. Therefore we intend to supplement what he recieves at his bush school with home schooling and outside activities and trips to give him that base. But not many parents are able to do that.

  M_Gagnon_57 wrote on 03/26/2010 08:19:17 AM:

  Why would anyone in Alaska want to put the children of this state at a disadvantage right from the start? We live in a global economy and the federal government is trying to insure that American graduates can compete with those from all other countries. Alaskan parents should not accept a "laxer standard" for their children. Schools in this state should gradually, but steadily, move to the more rigorous curriculum.

  dirtydetoxdotcom4 wrote on 03/26/2010 08:08:35 AM:

  Some commentators seem to be ignoring the most important aspects of modern educational values systems.

  As an Alaskan, I think our value systems requires us to promote politicians who really DO have a chance of "turning things around". (in a good way).

The Forum for America's Ideas

National Conference of State Legislatures

Presentation to the Alaska State Legislature
Improving Higher Education
January 27, 2010

How does Alaska compare to other states and the nation?

RETENTION AND GRADUATION RATES

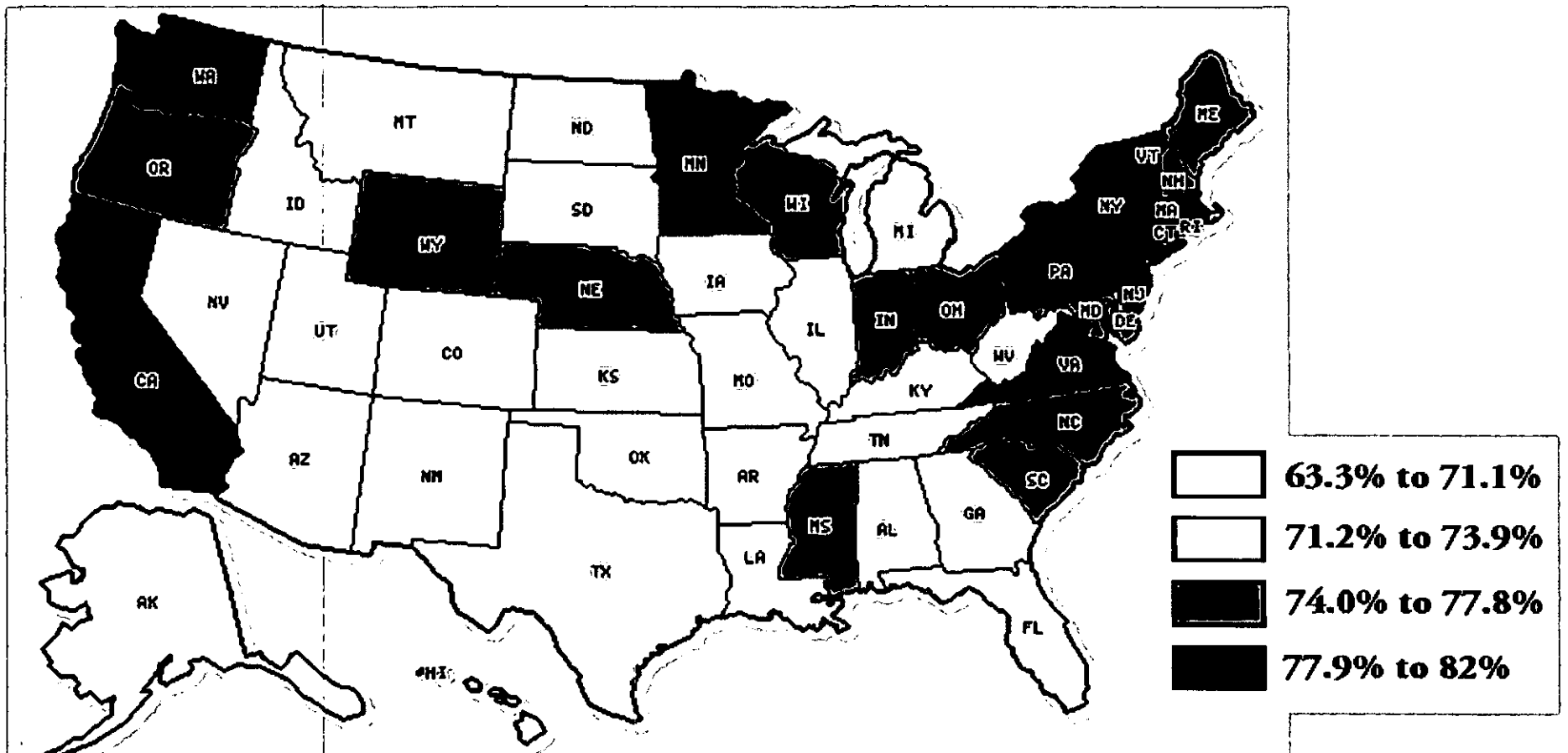
Non-Traditional Student Population

University of Alaska, Anchorage

- **55% of** students **are full-time, 45%** are **part-time**
- 10% are American Indian or Alaska Native
- 44% are age 25 or older
- Open access university - serves students that do not have sufficient academic preparation and need remedial coursework

Retention Rates: First-Time College Freshmen Returning Their Second Year

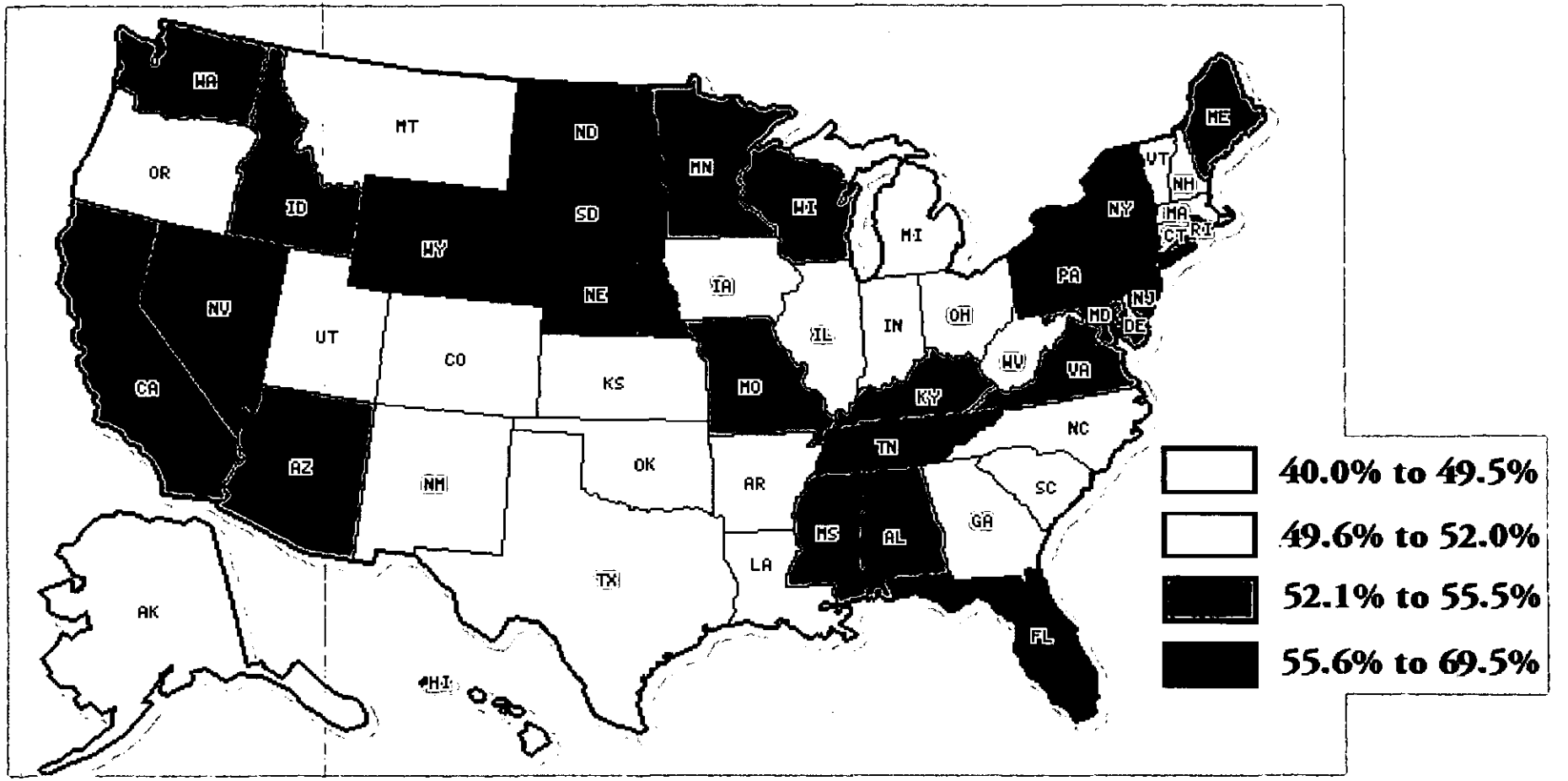
Rates for full- and part-time students attending four-year institutions, 2007
US Average = 75.5% Alaska Average = 66.6% (5th from bottom)



Source: The National Center for Higher Education Management Systems; National Center for Education Statistics, IPEDS Enrollment Survey

Retention Rates: First-Time College Freshmen Returning Their Second Year

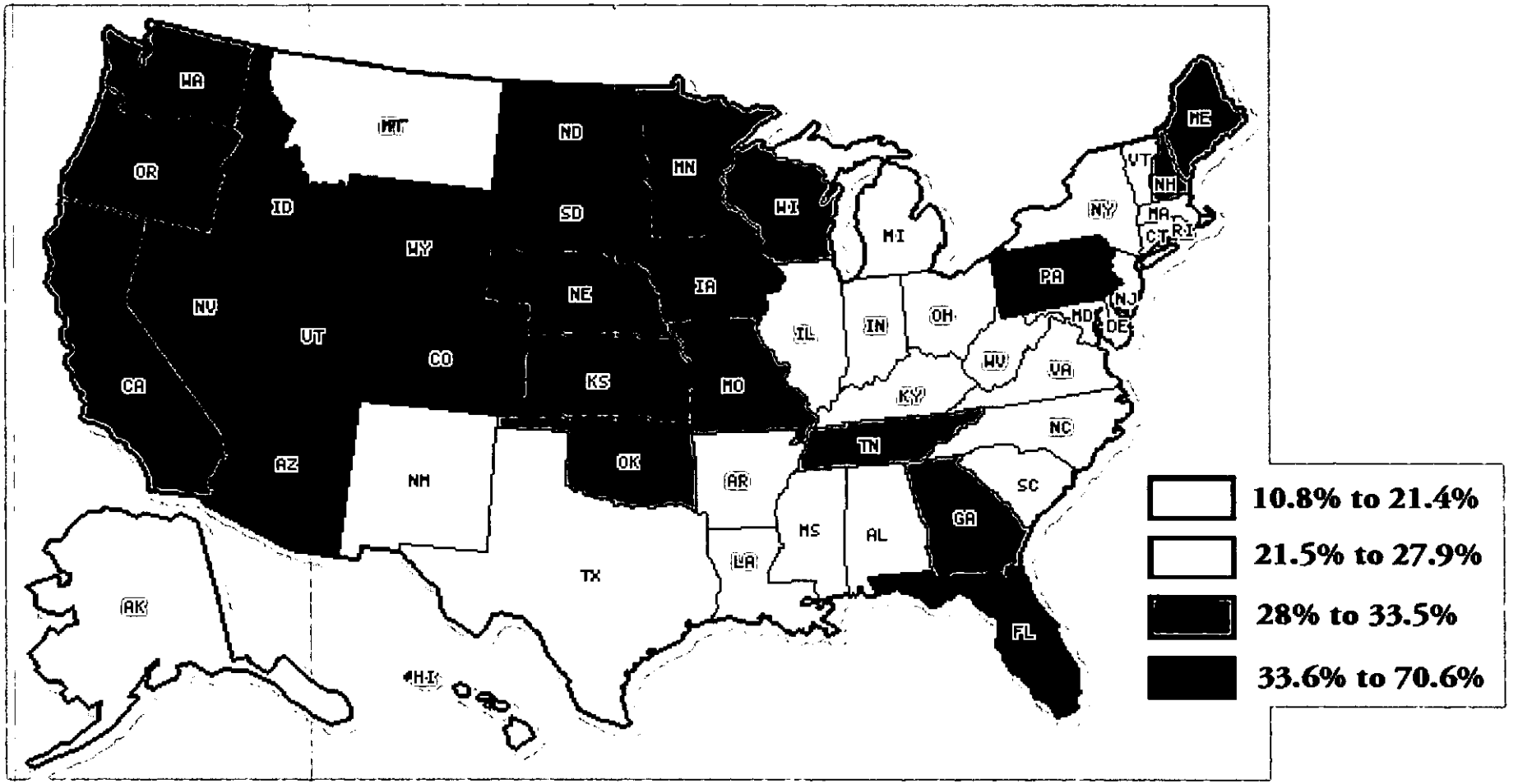
Rates for full- and part-time students attending two-year institutions, 2007
US Average = 53% **Alaska Average = 47.6% (6th from bottom)**



Source: The National Center for Higher Education Management Systems; National Center for Education Statistics, IPEDS Enrollment Survey

Graduation Rates: Three-Year Graduation Rates for Associate Students

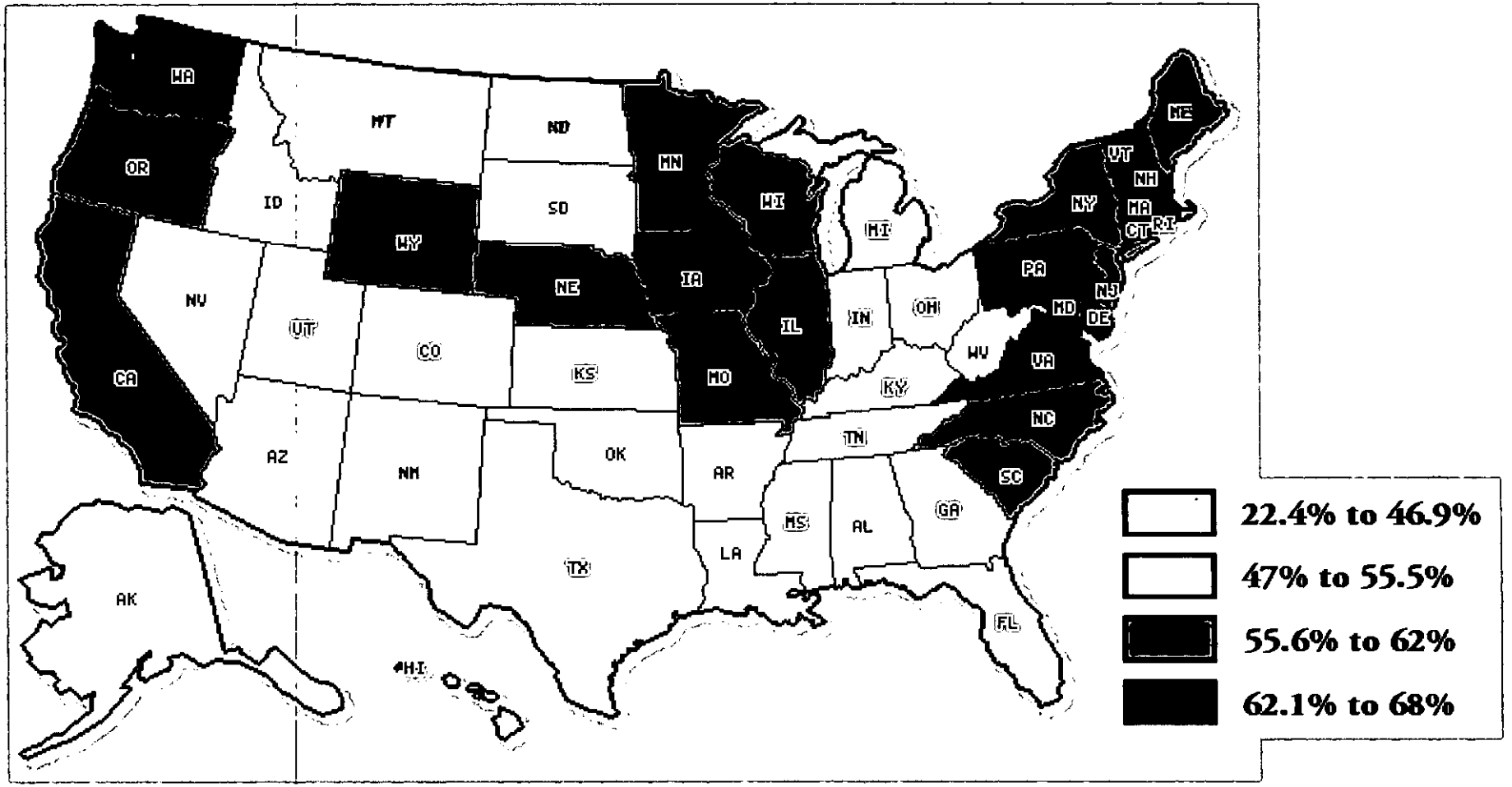
Rates for first-time, full-time associate degree-seeking students, 2007
US Average = 27.8% Alaska Average = 24.1%



Source: The National Center for Higher Education Management Systems; National Center for Education Statistics, IPEDS Enrollment Survey

Graduation Rates: Six-Year Graduation Rates for Bachelor's Students, 2007

Rates for first-time, full-time bachelor's degree-seeking students, 2007
US Average = 56.1% Alaska Average = 22.4% (The bottom)



Source: The National Center for Higher Education Management Systems; National Center for Education Statistics, IPEDS Enrollment Survey

HIGHER EDUCATION TASK FORCES

Examples of Recent Legislative Higher Education Task Forces

- **Arizona**: 2009 Task Force on Assessments to Measure College and Career Readiness
- **Arkansas**: 2007 Legislative Task Force on Higher Education Remediation, Retention and Graduation Rates
- **Illinois**: 2007 Public Agenda Task Force
- **Massachusetts**: 2005 Senate Task Force on Public Higher Education
- **Minnesota**: 2005 Task Force on Public Postsecondary Funding
- **South Carolina**: 2007 Higher Education Study Committee
- **NCSL**: 2006 Blue Ribbon Commission on Higher Education

Arkansas

Legislative Task Force on Higher Education Remediation, Retention and Graduation Rates

- **Final report released August 2008**
- Task Force Chair, Representative Johnnie Roebuck, keeps track of actions that have resulted from task force recommendations
  - 22 Acts have been signed
  - Several policies and programs not requiring legislation have been implemented

Excerpt from Arkansas Spreadsheet: Efforts Addressing Task Force Recommendations

Recommendation from Task Force Report	Bill Number	Bill Title	Sponsor	Bill Status
3.2. Mandate that *colleges and universities* set clear, measurable exit standards for remedial courses, to be reviewed by ADHE, that correlate with the ACT 19 threshold and send results of how students do in meeting these standards to ADHE in a biennial report that should also include student success rates in subsequent courses.	HB1808	An act to require clear *exit standards for all* remedial courses taken at state-supported institutions of higher education; to improve the teaching techniques of remedial courses	Roebuck	Signed as Act 971
	HB1764	An act to expand reporting of postsecondary remediation	Hutchinson	Signed as Act 970

Contact Information

Brenda Bautsch, Education Policy Specialist

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www.nscl.org

The Path to a Degree

A Legislator's Guide to College Access and Success

Overview: The Path to a Degree

By Brenda Bautsch

November 2009

America is no longer the world leader in education. U.S. performance at the K-12 and postsecondary levels is falling behind other countries. According to the Organisation for Economic Co-operation and Development (OECD), America and Germany are the only two OECD countries where the younger generation is actually less educated than the older generation. In February 2009, President Obama declared the lack of educational attainment in the United States a "prescription for economic decline, because we know the countries that out-teach us today will out-compete us tomorrow," and he set a goal for the United States to reclaim its position as the leader in college graduates by 2020. To accomplish that, states need to set their own college completion goals; study and diagnose where and why students are dropping out of the education system; and target state policy to those problem areas. Effective state policy can help more students obtain college degrees, be successful in life and contribute to the economy.

According to the Bureau of Labor Statistics, 54 percent of all new jobs and 75 percent of the fastest-growing jobs require some form of postsecondary education. In addition, people with bachelor's degrees earn 60 percent more over their lifetime than those with only a high school diploma, which translates into higher tax revenues for states and the federal government. College graduates also live healthier and longer lives and rely less on social programs such as welfare or Medicaid, saving states a significant amount of money. College graduates participate more in civic activities, such as voting, and in charitable activities, such as donating blood. States that improve college access and success increase these individual, economic and societal benefits.

College enrollment and completion rates will not alter significantly unless policymakers focus on nontraditional students, particularly low-income, minority and first-generation students, who are underrepresented and underserved in the education system. These students are the fastest growing populations and the least likely to finish high school, enroll in college or earn a degree. The result is a significant and serious achievement gap that threatens states and the nation.

To meet President Obama's college completion goal and to preserve America's status as a world leader in education, state policy will need to focus on closing the achievement gap. State legislators have the power to design and implement policies that help prepare all students academically and financially for college and effectively support them to ensure they complete a degree.

The Path to a Degree: A Legislator's Guide to College Access and Success contains five briefs that provide an overview of key issues, discuss research findings, and offer examples of specific state action that can improve college access and success for underrepresented students.

Raising Awareness: College Planning Strategies focuses on early awareness and preparation as an essential component of college access. The brief discusses two strategies to increase early college planning among low-income, minority and first-generation students: information dissemination and student support services, both beginning no later than middle school.

Increasing College and Workforce Readiness discusses policies that can improve college and workforce readiness, such as aligning high school standards, adjusting graduation requirements, and using college-ready assessments. College readiness is a key component of both college access and success; students who take college preparatory courses in high school, for example, are more likely to enroll in and graduate from college.

Improving College Affordability for Underrepresented Students: Financial Aid Strategies discusses the three components of the higher education finance system: tuition, financial aid and state appropriations. The brief fo-

cuses on financial aid as a policy option to increase college affordability for low-income, minority and first-generation students and provides examples of effective financial aid programs.

Engaging Students Academically and Socially: College Success Strategies highlights evidence-based college success programs that help more students remain in college and graduate. Programs that increase student academic and social engagement have the greatest effect on completion rates. The brief provides examples of legislative action that encourages and supports college success programs.

What You Need to Know About Minority-Serving Institutions provides an overview of historically black colleges and universities, Hispanic-serving institutions, and tribal colleges and universities—known collectively as minority-serving institutions. The brief highlights why an increasing number of students choose to attend these institutions; their effect on the educational attainment of underrepresented students; and the challenges such institutions face.

Higher education can improve individual lives, bolster state economies, fill workforce needs, and sustain America's economic competitiveness. Now is the time for states to act to improve the path to a degree for all students.

Acknowledgments

This publication was made possible by generous funding from the Ford Foundation. NCSL is grateful to the foundation for the support of this project and for its strong commitment to improving higher education outcomes for all students.

This publication was written by Brenda Bautsch as a Policy Specialist in the NCSL Education Program. Brenda works on issues regarding college access and success.

The author wishes to thank the following people for taking the time to review briefs and provide valuable feedback: Rep. Maggie Jeffus, Rep. Betty Komp, Rep. Denise Merrill, Rep. Corey Mock, Deborah Santiago, Rita Barr, Paula Dominguez, Sara Fidler, David Harrell, Vincent Badolato, Lamar Bailey, Heather Chikoore, and Yilan Shen. Special thanks to Julie Davis Bell for her immeasurable guidance on the publication, and to Leann Stelzer for her work on editing and design.

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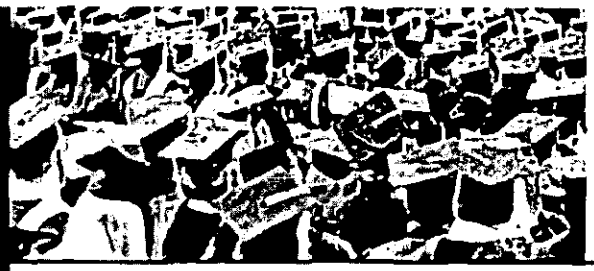
1362



Engaging Students Academically and Socially: College Success Strategies

By Brenda Bautsch

November 2009

America is losing its lead as the country with the highest percentage of college-educated citizens. According to the Organisation for Economic Co-operation and Development (OECD), America and Germany are the only two OECD countries with a younger generation that is less educated than the older generation. While college access for underrepresented students is still a concern, overall, America ranks high in the world for the proportion of high school graduates that enroll in college. The problem is that too few of America's college students complete their degrees.

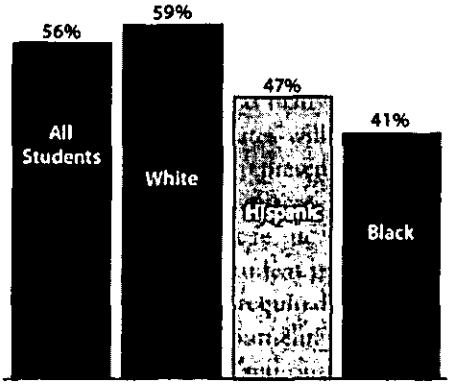
Just over half—56 percent—of students that enroll in a four-year institution earn a bachelor's degree within six years. Only 28 percent of associate degree-seeking students earn their degree within three years.[1] The statistics for students of color are even worse—just 41 percent of black and 47 percent of Hispanic college students attain their bachelor's degree in six years, compared to 59 percent of white students (Figure 1).[2] Just over one third of students who are both low-income and first-generation earn a bachelor's degree within six years at public four-year institutions, compared to 66 percent of their more advantaged peers.[3] These low graduation rates translate into missed economic opportunities for states and for the nation.

People with bachelor's degrees earn 61 percent more during their lifetime than those with only a high school diploma, and 42 percent more than those with some college but no degree.[4] Students who leave college without completing a degree lose money spent on tuition and fees and may incur loan debt. The gaps in completion across groups of students have implications that go beyond the individual. Federal and state governments incur losses when money spent on higher education appropriations and financial aid supports a student who does not complete college. Moreover, college graduates bolster state economies. Not only do college graduates pay more in taxes, they also save states money because they rely less on social programs such as welfare or Medicaid. College graduates participate in more civic activities, such as voting, and in charitable activities, such as donating blood. In addition, children of college graduates are more likely to achieve higher levels of education, so society continues to reap benefits generation after generation.[5]

College success programs are designed to help at-risk students graduate from postsecondary education. Given their vested interest in having as many college-going students as possible graduate, states will want to consider which programs and policies represent the soundest investment for their limited resources. Various programs that focus on improving college success differ with respect to structure, identified student population, and the amount of financial support required. College success programs include academic counseling and student support services administered in and out of the classroom. These programs are usually targeted to students who are most at-risk of dropping out of college—low-income, minority and first-generation students, and those students who score low on placement exams.

Consensus has emerged that students who are academically and socially engaged during college are more likely

Figure 1. Six-Year Graduation Rates for Four-Year Institutions, By Race



Sources: National Center for Higher Education Management Systems, 2009; National Center for Public Policy and Higher Education, 2008.

to graduate. A student is academically engaged when he or she interacts with faculty and finds learning meaningful. Social engagement refers to participation in campus activities and multiple connections with other students. Programs that increase academic and social engagement improve the degree attainment of underrepresented students.

Many postsecondary institutions design and implement college success programs, but state legislators can play an important role by providing incentives, funding and reporting requirements. Several states—such as Arkansas, Illinois and South Carolina—have created task forces to develop a state agenda on college success, set state goals, and provide recommendations for increasing degree attainment. Legislatures can require institutions of higher education to report student data on enrollment, retention and graduation so the legislature can track and monitor progress. In Massachusetts, for example, public two-year and four-year colleges are required by law to report annually to the governor and the legislature on a variety of higher education performance measures, including student success.

Successful state policies and programs recognize and address the factors that cause students to drop out of college.

This brief describes barriers to graduation for underrepresented students, highlights college success programs that researchers have found to have the most effect on increasing retention and graduation rates, and provides examples of legislative action that encourages and supports such programs.

Barriers to College Graduation

Several factors increase the likelihood that a student will drop out of college. For example, full-time employment, dependent children, weak academic preparation, off-campus residency and college affordability can negatively affect student retention and graduation. Low-income, minority and first-generation students likely face one or more of these factors. Low-income students are more likely to work full-time during college. This places them at a disadvantage, since research shows that working more than 20 hours per week hurts student academic performance.[6] Some estimates suggest that as few as 25 percent of low-income youth are academically well-prepared for college, compared to 60 percent of high-income youth.[7]

It is important to note that the issue of academic preparation can lead to discussion of inadequate high school preparation and remedial education. Those discussions are covered in the brief *Increasing College and Workforce Readiness.*

In particular, many community college students face barriers to graduation. The Community College Survey of Student Engagement found that 75 percent of students at public two-year colleges face at least one risk factor, compared to 14 percent of students at four-year universities. The survey also found that 25 percent of community college students had children living with them, 25 percent were not native English speakers, and 50 percent worked more than 20 hours per week.[8]

Successful state policies and programs recognize and address the multiple factors that cause students to drop out of college. Factors such as full-time employment, off-campus residency and family responsibilities keep students from having time to engage in campus activities or receive needed academic help. By not integrating with the larger campus community, students do not make the personal connections with peers or with faculty that often motivate them to stay in school. College success programs that work with a student's over-loaded schedule by using class time to promote academic engagement or that have flexible hours for support services can be helpful. Such programs can be most effective if they reach out to at-risk students during their first year of college.

First-Year Retention Strategies

Research indicates that students who return for their second year of college have a higher chance of graduating. Twenty-five percent of students who enroll at four-year colleges and one-half of those at two-year colleges do not continue to their second year on campus.[9] Six in 10 low-income and first-generation students who do not complete their college education drop out after their first year.[10] Because of this, many colleges focus success programs on retaining first-year students through bridge and orientation programs, first-year seminars and learning communities. These programs help underrepresented students engage academically and socially, increasing the chance that they will persist to graduation.[11]

Summer Bridge and Orientation Programs To help high school graduates prepare for their first year of college, summer bridge and orientation programs take place before classes convene. They vary in length; orientations usually last a day or two, and bridge programs unfold over a one- to

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eight-week period. The goal is to better equip students for their first year in college by helping them build the necessary academic and personal skills. Bridge and orientation programs administer remedial coursework, teach study skills, and provide opportunities to adjust to campus life and meet other students.

Many programs specifically target low-income, first-generation and minority students. Colorado State University's Bridge Scholars program, for example, hosts underrepresented students on campus for eight weeks. Students take classes, learn study skills, and become familiar with the campus and its support services. The Bridge Scholars program recognizes the special needs of underrepresented students and provides them with the opportunity to catch up or even get a head start for college.

Some research indicates that summer bridge and orientation programs can increase retention rates and student participation in campus activities. According to the Pell Institute, bridge programs at Georgia State University, the University of California-San Diego, the University of Maryland-College Park, and California State University contributed to retention gains from freshman to sophomore year. Other studies indicate that bridge and orientation programs increase the likelihood that community college students will become academically engaged. The Community College Survey of Student Engagement found that 40 percent of students have participated in an orientation program.[12]

First-Year Seminars Another retention strategy is first-year seminars, which are small classes, typically of 10 to 25 students, that usually are taught by a faculty member. Since most freshmen enroll in large introductory courses with a lecture format and little interaction with faculty members, the seminars give students an opportunity to connect with faculty and receive personal attention and frequent feedback. The small class setting encourages participation in group discussion and fosters development of critical thinking and collaborative learning skills. The relationships with faculty and other students increase the level of academic and social integration for students who participate.[13]

According to the National Resource Center's 2006 survey on first-year seminars, 43 percent of the responding institutions credited the first-year seminar with increasing student persistence to sophomore year. About one third of the institutions indicated that the seminars increased the students' satisfaction with the school and faculty, and reported higher levels of student participation in campus activities. Seminars also have been linked to better chances of graduation; some research suggests that students who complete freshman seminar courses are 5 percent to 15 percent more likely to earn their bachelor's degrees in four years.[14]

Other research, such as that conducted by the Policy Center on the First Year of College, makes the case that seminars are most effective if they are linked to one or more other courses, a practice commonly referred to as a learning community.

Learning Communities Like first-year seminars, the learning community concept is based on the notion that small class size promotes academic and social engagement.

Students take two or more classes together as a group, often with an overarching theme that connects the classes. By keeping the same group of students together for multiple classes, learning communities create more opportunities for social integration. Creating opportunities for social and academic engagement during class time when students are already on campus is an effective retention strategy for low-income and minority students.

There are various examples of the positive effects of learning communities. At the University of Southern Maine, a commuter school, the learning communities have had positive results for at-risk students. The students who participate in learning communities have higher persistence rates than students who participate in other retention programs. Similarly, students who participate in the Seattle Central Community College learning community exhibit higher rates of retention than do nonparticipants. The students in the Seattle Central learning communities also tend to express higher levels of social and academic satisfaction. The research organization MDRC conducted an experimental program at Kingsborough Community College in which some freshmen participated in a learning community that included remedial English. Students who participated in the learning community were more likely than nonparticipants to take and pass the English skills assessment tests necessary to enroll in college-level English.[15]

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In both first-year seminars and learning communities, a major focus is on giving the student personal attention, which translates into small class sizes. However, many required introductory courses are taught in lecture format to large numbers of students, a format in which students can easily feel lost. To ensure that students receive the attention and support they need to be successful in larger courses, many colleges and universities have redesigned their introductory classes.

Redesigning Courses for Success

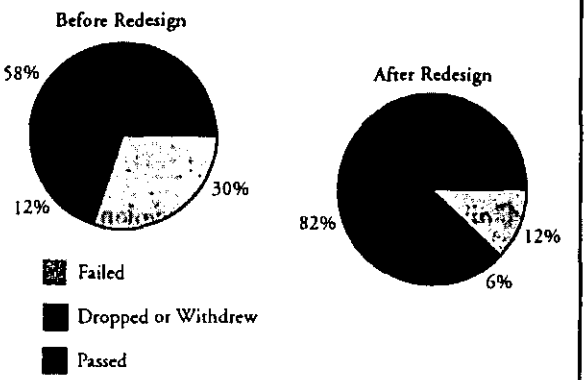
Not surprisingly, large and often impersonal introductory courses have high failure and dropout rates. About 25 introductory courses serve half the student population at community colleges and one third of the students at four-year colleges. These 25 courses have high drop, failure and withdrawal rates, and the rates can vary dramatically across institutions. At four-year institutions the drop, failure and withdrawal rates average from 22 percent to 45 percent, while at community colleges the rates average 40 to 50 percent, but can be much higher. Since these few courses affect such a large proportion of college students, restructuring them to improve student success can significantly affect retention and graduation rates.[16]

The National Center for Academic Transformation (NCAT) conducted research to redesign one introductory course at 30 postsecondary institutions. After evaluating the newly designed courses, the center found that 25 of the 30 colleges showed significant improvement in student performance in class, and all 30 cut costs by an average of 37 percent. According to the project report, "Collectively, the 30 redesigned courses affect more than 50,000 students nationwide and produce a savings of $3.1 million in operating expenses each year."[17] Half of the institutions were studied closely to evaluate the effect on low-income and minority students; of those, 90 percent demonstrated positive effects on student learning.

University of New Mexico At the University of New Mexico, 47 percent of students are minorities, most of whom commute to school and work more than 30 hours per week. The introductory psychology course, one of the largest classes, had one of the highest failure rates. This course is taken by more than 2,000 students each year; of those students, 30 percent failed and another 12 percent dropped out or withdrew. To increase student success, the University of New Mexico worked with the National Center for Academic Transformation to redesign the course.

The new psychology course employed the main NCAT strategies: reduced lecture time and increased time for activities and group work, frequent quizzes, and computer-based learning techniques. The results from the newly designed course were positive—the failure rate dropped 18 percentage points and the drop/withdrawal shrunk by half (Figure 2). At the same time, due to the weekly quizzes and in-class study time, students covered the material more thoroughly than before. Student grades rose, and the learning quality improved. Yet another positive result was the cost savings. The redesigned course cost almost 50 percent less, from $72 per student to $37 per student.

Figure 2. Redesigning the University of New Mexico's General Psychology Course: Student Success Rates



Source: The National Center for Academic Transformation, 2005.

The cost savings realized by the University of New Mexico—and the 29 other institutions that participated in the redesign project—demonstrate that improving student success need not cost more money, but can be accomplished by changing how courses are taught to be more relevant and more effective for today's generation of students. Further, by using technology, some tasks become more efficient. Quizzes and assignments can be administered and graded through automated computer programs, thus increasing feedback to students and freeing time for faculty and teaching assistants.[18]

Technology in Redesigned Math Courses Computer-based practices can be used to redesign a wide range of courses—from psychology and literature to statistics and math. *MyMathLab* is an example of a computer program used in math courses. The software allows students to do as many math problems as they need and receive instant feedback on their answers. The program also sends faculty detailed information on student progress. The University of Alabama uses *MyMathLab* in its redesigned intermediate algebra course. Students are required to spend time working on problems

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in the math computer center using the software. Faculty or graduate students staff the center to help students when needed.

Within four years, the University of Alabama saw a significant increase—from 44 percent to 80 percent—in the number of students who receive a C- or better in the class. In the redesigned algebra course, African Americans, who comprise 14 percent of the undergraduate population, scored significantly higher than their peers in the traditional course. As in the University of New Mexico example, the gains did not come at a higher cost; rather the cost-per-student dropped 33 percent, saving the university about $60,000 per year.[19]

Effective support services help students stay enrolled in college by targeting those in need before they drop out.

First-year retention strategies such as redesigned courses, summer bridge and orientation programs, first-year seminars and learning communities are key to helping underrepresented students continue to their second year of college. Legislators can provide important support and incentives for institutions to implement such practices. Although the focus on first-year retention programs is crucial, it is not sufficient. An effective state strategy also requires that programs and activities be in place to move students from the second year of college to graduation.

From Second Year to Graduation: Practices to Increase Degree Attainment

For college students to persist to graduation, they need to remain engaged academically and socially beyond their first year. Students who participate in activities such as internships, faculty-guided research, and service learning are more likely to remain engaged. If students receive the information and support they need when they need it, they have a greater chance of attaining a degree. Support services can provide students with needed help through academic advising, career counseling, mentoring, tutoring, and financial aid guidance. One program that includes all these services is the federally funded TRIO Student Support Services program.

Federal TRIO Program: Student Support Services The federal TRIO Student Support Services program helps low-income, first-generation and disabled students attain a college degree. Of the students participating in TRIO, two-thirds must be both low-income and first generation. Institutions of higher education can apply to the Student Support Services program for competitive grants to fund student support projects on campus.

Recognizing that students who are both first-generation and low-income are more at-risk of dropping out of college, Student Support Services program staff meet often with participating students to monitor their academic progress and track their use of available services. For many students, the Student Support Services office is a "home base" for them on campus—a place they can go at any time and receive needed help or guidance, whether for academic or personal reasons. For those in need of academic help, the program provides supplementary instruction through tutoring, workshops, group study sessions and computer-based exercises.

Research indicates that Student Support Services programs have had positive results on student retention and persistence. Overall, the 950 programs nationwide serve more than 200,000 students. According to the U.S. Department of Education's analysis of the program, those students are more likely to persist through college and attain a degree than other low-income and first-generation students. The more involved the students are—by spending more time in the program or using more services—the more likely they are to complete college.[20]

State Educational Opportunity Programs Legislators can encourage colleges to apply for federal Student Support Services grants or can provide state funding for institutions to provide similar services. California and New York, for example, have state-funded Educational Opportunity Programs to help low-income, academically disadvantaged youth succeed in college through financial aid and comprehensive student support. Implementation varies by college; while some require participants to enroll in summer bridge programs or orientations, others require a specific course load. Institutions provide Educational Opportunity Program students with individual attention and extensive academic and personal counseling. Nyack College in New York testifies that it has seen noticeable positive effects from the program. Many of its program students have become leaders on campus, have made the dean's list and have graduated with honors.[21]

Early Warning Systems Effective support services help students stay enrolled in college by proactively targeting those in need before they drop out. Many postsecondary institutions have early warning systems to identify students who are struggling academically and provide them with immediate help. At Hudson Valley Community College, for

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example, faculty use the early warning system to alert academic counselors of students who are struggling in class, are misbehaving or are frequently absent. Faculty members notify counselors early in the semester to give students ample time to improve. The early warning system provides training and support to help faculty identify at-risk students.

High-Impact Practices In addition to providing support services for students, colleges and universities can promote other practices that increase degree attainment. Student research, service-learning courses, and internships have proven to help students remain in college and graduate.

The Association of American Colleges and Universities considers research with faculty, service learning and internships "high-impact practices" because of their positive results. Students that participate in these activities not only have higher rates of persistence and graduation, but also gain more personally, intellectually and culturally from their education. These positive results apply to all students, but appear to be even more evident in minorities and low-income students. Compared to non-Hispanic students, Hispanic students that participated in "high-impact" activities had better grade point averages, and African American students had higher chances of persisting in college than whites.[22]

Research Experience Undergraduate research opportunities give students the chance to work closely with faculty. Research experience can motivate students to continue their education toward advanced degrees. According to the *High-Impact Educational Practices* report, "Students who do research with faculty also are more likely to persist, gain more intellectually and personally, and choose a research-related field as a career."[23] The report also indicates that students have positive and supportive relationships with the faculty.

Service Learning Service learning courses require that students apply what they are learning in class to a community service experience. For example, a public policy course on women as leaders could have its students mentor at-risk girls at local middle schools. The students then would reflect on their mentoring experiences in class. By connecting the classroom with the community, learning becomes more meaningful and engaging—the students integrate what they learn in school into their lives and careers. They also learn the importance of civic responsibility and giving back to their communities. Further, by having a service project that classmates work and reflect on together, service learning courses can increase the social connection among students.

Internships Internships embed students in a job in a career field of interest and enable them to see how their degree can help them. These experiences can lead to greater persistence because students see a tangible result of their educational efforts. Internships also allow students to encounter a work environment with which they may not be familiar, increasing student confidence that they can do the job. If the internship leads them to see that job is not something they want to do after college, students still have time to change their major.

Encouraging underrepresented students to participate in activities such as research with faculty, service learning and internships can be an effective strategy for increasing graduation rates and overall student success. Although most institutions develop and implement their own programs, legislators can offer funding or other incentives to promote high-impact activities. A state plan or agenda on higher education is a good place for legislators to encourage institutions to provide and promote high-impact practices.

Creating State Agendas that Promote College Success

State legislators can take leadership to improve college completion by letting institutions know that student retention and success are state priorities and that the institutions will be held accountable for results. A state agenda on college success can send that signal. These agendas identify priorities, set goals, and recommend policies and practices to improve college completion. Several legislatures have created task forces that bring together policymakers and higher education stakeholders to articulate state agendas.

Arkansas In 2007, the Arkansas General Assembly passed Act 570, creating the Legislative Task Force on Higher Education Remediation, Retention and Graduation Rates. The task force consisted of the governor, legislative leaders, college administrators, faculty and state education board members. The task force was charged with researching and analyzing Arkansas trends and data on student success, and creating a plan to decrease remedial education and increase student retention and graduation. The task force held 16 meetings, during which outside stakeholders presented members with comprehensive testimony and information.

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In 2008, the task force released a report of its findings with a set of recommendations, incorporating many of the practices highlighted in this brief.

For example, the task force suggests requiring colleges and universities to use an early warning system to identify students struggling academically. The report also encourages colleges to increase student support services and recommends appropriating $500,000 for the expanded services. Specifically, the task force mentions such strategies as learning communities, academic help measures and personal support services. Another recommendation is for colleges to take into special consideration the needs of underrepresented students and the fact that they are most likely to drop out during their first year. The task force suggests that colleges offer first-year experiences and evaluate how introductory courses could be redesigned to improve student success. Finally, the task force proposes an annual statewide conference where two- and four-year institutions could share strategies on retention and graduation. The conference could be valuable in continuing reform efforts and providing an opportunity for collaboration.[24]

Illinois In 2007, the Illinois General Assembly adopted House Joint Resolution 69, which created the Public Agenda Task Force and directed it to study higher education challenges and opportunities. As in Arkansas, the task force consisted of policymakers, state education leaders, and administrators and faculty from postsecondary institutions. The task force held six formal meetings and conducted regional forums and special briefings. The task force developed a state plan for higher education, taking into consideration input from a wide range of stakeholders. The final report, the *Public Agenda for College and Career Success*, lays out the state plan and serves as a guide for policymakers and higher education institutions as they consider policies, priorities and funding. It defines four main goals for Illinois: to increase access to postsecondary education; to make affordability a priority; to increase the number of degree holders in the state; and to use education, research and innovation to meet economic needs.

Legislators played an integral part in developing the public agenda, and also have a key role in implementing it and monitoring institutional progress. To facilitate institutional accountability to the legislature, the public agenda report advocates more robust state data systems that can accurately track retention and graduation rates.[25]

South Carolina In South Carolina, the Higher Education Study Committee was formed by the General Assembly to create a state agenda to improve the higher education system. To accomplish that task, the study committee developed a project plan involving participants from the education, business and government sectors. Subcommittees and additional task forces were formed to study specific issues in depth. The result, a comprehensive report titled *Leveraging Higher Education for a Stronger South Carolina*, includes detailed analysis and recommendations. The report provides information regarding cost, priority, timeline and responsibility for each recommendation.[26]

The report highlights the need for redesigning introductory courses that currently have high failure rates. Another recommendation urges institutions to develop early warning systems to provide students with immediate academic help, particularly during their first year. The report also advises continuing and expanding support for retention programs such as "academic support services, new student orientation, service learning, academic advisement, counseling, tutoring, cultural enrichment, 'freshman year' and 'sophomore year' programs."[27] Summer transition and bridge programs also are mentioned as useful to help students adapt to college.

Conclusion

To maximize a state's investment in higher education and reach state goals for higher college completion rates, state legislators will want to understand the array of college success programs and know which are effective. Students who are supported in their classes and involved on campus are more likely to graduate. Therefore, student success programs should aim to increase the academic and social engagement of the students beginning in the first year of college and continuing until graduation.

As policymakers work to improve college success for underrepresented students, some points to consider include the following.

- Recognize the common risk factors that underrepresented students face and consider them in developing success programs.
- Use funding or other incentives to encourage institutions to target programs to first-year students.
- Encourage institutions to promote first-year programs such as learning communities, bridge and orientation programs, and first-year seminars to help students remain in school.

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- Press institutions to measure the comparative effectiveness of the success programs.
- Support the redesign of introductory courses that have high failure rates to help students be more successful, and use technology to lower costs and improve efficiency.
- Consider funding or incentives to help institutions expand student support services that help students progress from first year to graduation.
- Fully leverage federal funding such as the TRIO programs, which award grants to institutions for student support.
- Recommend that institutions expand programs that keep students engaged academically and socially, such as research with faculty, service learning and internships.
- Create legislative task forces to bring together various stakeholders to develop a state agenda on student success. Institutions need clear signals from state legislatures that retention and success are priorities and that they will be held accountable for results.

Notes

1. National Center for Higher Education Management Systems, "Progress and Completion: Graduation Rates" (Boulder: NCHEMS, 2009); www.higheredinfo.org/dbrowser/index.php?measure=19; Statistics refer to first-time, full-time students.

2. Patrick Callan, *The 2008 National Report Card: Modest Improvements, Persistent Disparities, Eroding Global Competitiveness* (San Jose: National Center for Public Policy and Higher Education, 2008).

3. Jennifer Engle and Vincent Tinto, *Moving Beyond Access: College Success for Low- Income, First-Generation Students* (Washington, D.C.: The Pell Institute, 2008), 2.

4. Sandy Baum and Jennifer Ma, *Education Pays: The Benefits of Higher Education for Individuals and Society* (Washington, D.C.: The College Board, 2007), 10.

5. Baum and Ma, *Education Pays*, 2.

6. Engle and Tinto, *Moving Beyond Access*, 21

7. Vincent Tinto, *Student Retention and Graduation: Facing the Truth, Living with the Consequences* (Washington, D.C.: The Pell Institute, 2004), 6.

8. Engle and Tinto, *Moving Beyond Access*, 9; Joe Smydo, "First-year college students often fail as 'life intervenes,'" *Pittsburgh Post-Gazette*, Sept. 2, 2008; www.post-gazette.com/pg/08246/908705-298.stm.

9. Bill Schackner, "Colleges on 'early alert' to help frosh," *Pittsburgh Post-Gazette*, Sept. 3, 2008; www.post-gazette.com/pg/08247/908848-298.stm.

10. Engle and Tinto, *Moving Beyond Access*, 12.

11. Ibid., 25.

12. Lana Muraskin, John Lee, Abigail Wilner, and Watson Scott Swail, *Raising the Graduation Rates of Low-Income College Students* (Washington, D.C.: The Pell Institute, 2004), 18; Mary Beth Marklein, "Report: Community colleges must expect more," *USA Today*, Nov. 21, 2008; www.usatoday.com/news/education/2008-11-16-CCSSE_N.htm.

13. Engle and Tinto, *Moving Beyond Access*, 26.

14. Kathleen Goodman and Ernest T. Pascarella, "First-Year Seminars Increase Persistence and Retention: A Summary of the Evidence from *How College Affects Students*," *Peer Review* 8, no. 3 (Summer 2006): 27.

15. Muraskin, Lee, Wilner, and Swail, *Raising the Graduation Rates*, 21; Susan Scrivener, et al., *A Good Start: Two-Year Effects of a Freshman Learning Community Program at Kingsborough Community College* (New York: MDRC, 2008), ES-5 - ES-6.

16. Carol A. Twigg, *Increasing Success for Underserved Students: Redesigning Introductory Courses* (Saratoga Springs, N.Y.: The National Center for Academic Transformation, 2005), 2.

17. Ibid., 3.

18. Ibid., 5, 8, 30.

19. Ibid., 7-8, 28.

20. Engle and Tinto, *Moving beyond Access*, 7, 27.

21. Center for Student Opportunity, *College Access and Opportunity Guide* (Dubuque, Iowa: Kendall/Hunt Publishing Company, 2008), 199.

22. George D. Kuh, *High-Impact Educational Practices: What They Are, Who Has Access to Them, and Why They Matter* (Washington, D.C.: Association of American Colleges and Universities, 2008), 9, 11, 17-19, 25-27.

23. Ibid.,14.

24. Arkansas Task Force on Higher Education Remediation, Retention, and Graduation Rates, *Access to Success: Increasing Arkansas's College Graduates Promotes Economic Development* (Little Rock: Arkansas Association of Public Universities, 2008); arkapu.org/wp-content/uploads/2008/08/task-force-report.pdf, 8-9, 33.

25. Illinois Board of Higher Education and Public Agenda Task Force, *Public Agenda for College and Career Success* (Springfield: IBHE, 2008); www.ibhe.state.il.us/masterPlanning/materials/010909_PublicAgenda.pdf, 3-5, 7, 16.

26. Higher Education Study Committee, *Leveraging Higher Education for a Stronger South Carolina*, (Columbia: SCCHE, 2009); www.che.sc.gov/InfoCntr/HESC_Files/che_2169_Leverage_Report_web.pdf, 4, 19-20.

27. Ibid., 17.

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Senator Gary Stevens
President of the Senate

SECTIONAL ANALYSIS
CS for Senate Bill 221(EDU)

SECTION 1:
Establishes an advisory task force on higher education and career readiness for the purpose of compiling data and advising the legislature on matters pertaining to college or career readiness of students who graduate from public secondary schools in Alaska.

It's composed of 18 members representing the Governor, the Alaska Commission on Postsecondary Education, the University of Alaska, the Alaska School Board Association, the superintendents, career and technical training centers, the Alaska Federation of Natives, the National Education Association, Alaskan private colleges or universities, other public (non-UA) postsecondary institutions in Alaska, relevant faculty from around the UA system, both secondary and post-secondary students, and the chairpersons of the respective House and Senate Education Committees.

The respective entity that each task force member represents is expected to pay for their share of the expenses of participating in the task force.

The staff of the legislative members of the task force shall serve as staff for the task force.

The members of the task force shall elect a chair from among its members.

The task force shall compile research and summarize data regarding remediation, retention, and graduation rates in the state. There shall be developed a definition of remediation. The task force shall identify contributing causes for lack of college readiness, and best practices to reduce the need for remediation, and prepare a report to the legislature outlining strategies and recommendations to reduce remediation, improve college readiness, and increase college graduation rates. The report is to be submitted by March 1, 2011.

SECTION 2:
Repeals the act and dissolves the task force on July 1, 2011.

SECTION 3:
Makes the act take effect the day after the governor signs it.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSSB 221(EDC)
(S) Publish Date: 2/1/10

Identifier (file name): SB221-EED-ACPE-01-25-10
Dept. Affected: Education
Title: An Act establishing an advisory task force on higher education in the legislative branch of government;...
RDU: ACPE
Component: Program Administration and Operations
Sponsor: Senator Stevens
Requester: (S)EDC
Component Number: 2738

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

Participation in higher education related working groups, advisory bodies, etc. are within the regular duties of ACPE's executive. As currently drafted, ACPE costs related to quarterly meetings would be diminimus and absorbed within existing budget authority.

Prepared by: Diane Barrans, Executive Director
Phone 907-465-6740
Division: Alaska Commission on Postsecondary Education
Date/Time 1/25/10 9:00 AM
Approved by: Diane Barrans, Executive Director
Date 1/25/2010
Alaska Commission on Postseconary Education

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSSB 221(EDC)
(S) Publish Date: 2/1/10

Identifier (file name): SB221-LEG-LOB-01-25-10
Dept. Affected: Legislature
Title "An Act establishing an advisory task force on higher education in education in the legislative branch of government;..."
RDU Legislative Operating Budget
Component Legislative Operating Budget
Sponsor Senators Stevens, McGuire
Requester Senate Education Committee
Component Number 796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel	14.0						
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**14.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	14.0						
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**14.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SB 221 establishes an Advisory Task Force on Higher Education in the Legislative Branch of government. The Task Force consists of 13 members from various education and government entities. Members serve without compensation but are entitled to per diem and travel expenses. The legislation provides that per diem and travel expenses shall be paid from the budget of the agency or institution the member represents on the Task Force. The agency or institution can opt out of participating to avoid payment of per diem and travel expenses. The Legislature has two members on the Task Force, the Chairs of the Senate and House Education Committees.

It is anticipated that the Task Force will hold six meetings. Travel costs for the Legislators and staff are included in this fiscal note for two meetings in Anchorage and two meetings in Fairbanks. The other two meetings will be teleconferenced. The costs for employees of the Education Committee Chairs to staff the Task Force, costs for teleconferencing meetings, and printing the final the report which is due March 1, 2011 will be absorbed within existing budgets.

Prepared by: Karla Schofield, Deputy Director
Phone 465-6626
Division Legislative Affairs Agency
Date/Time 1/25/10 1:43 PM
Approved by: Pamela Varni, Executive Director
Date 1/25/2010
Legislative Affairs Agency

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSSB 221(EDC)
(S) Publish Date: 2/1/10

Identifier (file name): SB221-EED-ESS-1-22-10
Title "An Act establishing an advisory task force on higher education in the legislative branch of government..."
Sponsor Senators Stevens & McGuire
Requester Education, Finance

Dept. Affecte Education & Early Development
RDU Education Support Services
Component Executive Administration
Component Number 2736

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

There is no fiscal impact on the Department of Education and Early Development

Prepared by: Eddy Jeans
Division School Finance
Phone 465-8679
Date/Time 1/22/10 12:00 AM

Approved by: Larry LeDoux
Commissioner
Date 1/22/2010

(Revised 10/13/2009 OMB)

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 4
Bill Version: **CSSB 221(EDC)**
(S) Publish Date: 3/10/10

Identifier (file name):
Dept. Affected: Legislature
Title: Legislative Task Force on Higher Education
RDU: Legislative Operating Budget
Component: Legislative Operating Budget
Sponsor: Stevens
Requester: Senate Finance Committee
Component Number: 796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2011**	**FY 2011**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ( )							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2010) cost:

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

SB 221 establishes an Advisory Task Force on Higher Education in the Legislative Branch. The Task Force consists of 13 members from various entities. Members serve without compensation but are entitled to per diem and travel expenses paid from the budget of the agency or institution the member represents. It is anticipated that the Task Force will hold six meetings; two in Anchorage, two in Fairbanks and two via teleconference. The Legislature has two members on the Task Force, the Chairs of the Senate and House Education Committees Travel and support costs for the Legislators and staff will be absorbed within the Legislature's existing budget.

Prepared by: Senate Finance Committee
Co-Chair Bert Stedman
Phone 465-3873
Date/Time 3/5/10 12:50 PM

Approved by:
Date 3/5/2010

(Revised 11/6/2009 OMB)

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Senator Gary Stevens
President of the Senate

SPONSOR STATEMENT
Senate Bill 221

Excerpt from NCSL's "The Path to a Degree" by Brenda Bautsch, November 2009:

"America is no longer the world leader in education. U.S. performance at the K-12 and postsecondary levels is falling behind other countries. According to the Organization for Economic Co-operation and Development (OECD), America and Germany are the only two OECD countries where the younger generation is actually less educated than the older generation. In February 2009, President Obama declared the lack of educational attainment in the United States a 'prescription for economic decline, because we know the countries that out-teach us today will out-compete us tomorrow,' and he set a goal for the United States to reclaim its position as the leader in college graduates by 2020. To accomplish that, states need to set their own college completion goals; study and diagnose where and why students are dropping out of the education system; and target state policy to those problem areas. Effective state policy can help more students obtain college degrees, be successful in life and contribute to the economy. "

Alaska has seen this problem growing for many years. There is a disconnect in our education system. If enrollment in and completion of some form of higher education is the goal, then we must clearly identify why our students are failing to perform and devise a means to help them succeed. There are several challenges that must be faced. We have the resources to improve the situation, and Senate Bill 221 calls for the stakeholders to assemble and devise a plan to do so.

This task force will serve to identify ways to strengthen the education pipeline, improve student preparation for college, decrease the need for remediation in college, improve access to financial aid, increase retention and graduation rates in postsecondary education, provide enhanced funding and governance for our education system, address data and tracking needs, and ultimately to support economic development vis-à-vis a better trained, better educated citizenry.

Thank you for your consideration of this worthwhile legislation.