

LEG. FINANCE - BILLS 1977-1978 820

HB 842 cont., thru HB 848 830

1 * Sec. 6. AS 14.56 is amended by adding a new section to read:

2 Sec. 14.56.135. EFFICIENCY AND COMPUTERIZATION. The center shall,
3 to the extent practicable, avoid duplication, coordinate its activities
4 with other state agencies charged with record-keeping functions, and
5 employ computerization to compile or organize research data and other
6 materials.

7 * Sec. 7. AS 14.56.140 is amended to read:

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10 and to other libraries upon request, a list of available state publica-
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12 125 of this chapter.

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22 use, and the geographical location of the library for ease of access to
23 residents in all areas of the state.

24 * Sec. 9. AS 14.56.160 is amended to read:

25 Sec. 14.56.160. DEPOSITORY LIBRARY DESIGNATIONS. Libraries may be
26 designated as either "complete depository" or "selective depository." A
27 complete depository library shall be sent one copy of every state publi-
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3 service may be limited by considerations of time, practicality and
4 availability.

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13 Reasonable fees for mailing and distribution of materials may be imposed
14 by the center.

15 * Sec. 11. AS 14.56.180 is amended to read:

16 Sec. 14.56.180. DEFINITIONS. In secs. 90 - 180 of this chapter,
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18 (1) "center" means the state [PUBLICATIONS] library distri-
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Draft

4/11

Proposed Amendment to CSHB 842

Page 1, line 17. After the word "shall", delete "through its operations" and replace with the following language: , in co-operation with federal, local and private research efforts,

Introduced: 2/14/78
Referred: Health, Education &
Social Services and Finance

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BY COWPER

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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7 of the state publications library distribution cen-
8 ter."

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

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HB 842

1 copies of each publication may be requested by the center for deposit in
2 quantities necessary to meet the needs of the depository library system
3 and to provide inter-library service to those libraries not having
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24 the appropriate division shall prepare an abstract or summary of the
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CORRECTION

**THIS DOCUMENT
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TESTIMONY ON HB 842
AN ACT RELATING TO THE FUNCTIONS AND ORGANIZATION
OF THE STATE PUBLICATIONS LIBRARY DISTRIBUTION CENTER
BY
LINDA PERRY DWIGHT

Mr. Chairman, my name is Linda Perry Dwight. I am supervisor of Information Services for the University of Alaska's Arctic Environmental Information and Data Center (AEIDC), research analyst on joint appointment with the University's Institute of Water Resources, have served as this year's chairman of the Intc. Agency Hydrology Committee for Alaska, and have been involved with information referral and exchange in Alaska for five years.

There are many problems and shortcomings associated with science information referral in the state. In many cases these problems originate with the planning and conduct of the research and extend through to the publication of reports and the dissemination of results. To explain further, Alaskan scientific research has historically followed the haphazard evolution of Alaskan resource development. Each phase of resource exploration and development activity has been accompanied by a belated effort to find out what is known about the particular area of Alaska in question. In addition to this lack of a comprehensive scientific policy to guide northern research, there has been a lack of support for Alaskan information management and transfer.

Both planning and development activities require the availability of all possible data related to the Alaskan environment. Despite the misconception that we know little about Alaska, the opposite is true. However, the information and data are not readily available to those who need it. Government agencies, the academic community, and industry frequently conduct research without knowing what has already been done or what is ongoing. More than once I have found myself describing to one state agency employee the studies that are being conducted by others in his department on the same topic. To further hamper good communication, reports are not always published in a timely fashion and are not distributed to appropriate repositories.

Several efforts have been made, however, to improve information exchange and transfer. Alaska's federal, state, local, and university libraries exercise a strong cooperation through the Alaska Library Association. All state, university, and local government publications are required by law to be distributed to 13 regional libraries in Alaska. On-line access to national data systems is becoming available. AEIDC, established by the Alaska Legislature in 1972 to provide information referral, has annually published the Current Research Profile for Alaska. This report lists all ongoing research, and there are presently over 1500 research projects underway. AEIDC maintains a file of investigators and resource specialists cross-indexed by areas of expertise.

Inventories of data files within Alaska have been conducted by several groups. Under contract to the U.S. Environmental Data Service, AEIDC inventoried over 600 files and the description of these files is computer-retrievable through ENDEX, a national data base.

However, many individuals and organizations feel that dissemination of data from different sources to the public can be enhanced by the establishment and operation of a statewide network for information exchange. Resolutions in support of these concepts were endorsed at the 28th AAAS Alaska Science Conference. House Bill 722, an act relating to science and technology, would establish a council to review, determine, and set priorities for the scientific and technological research needs of the state government. This council will require accurate information on existing data and current research to carry out this mandate.

As yet no legislation has been introduced to ensure that this need will be fulfilled. House Bill 842, an act relating to the functions and organization of the state publications library distribution center, refers only to the distribution of research data used for publication and thus only solves part of the problem of making information more readily available.

All research data relating to Alaska, whether used in support of a published document or not, should be available to the public. However, such data exist in a variety of formats. Many of these formats are meaningless to those unfamiliar with the specific methods used for collecting the data, whereas in a publication, such methods and limitations are described. Therefore, the individuals most capable of disseminating research data are those who compiled the data.

I support amendments to AS 14.56 which would add new sections providing for the preparation and dissemination of a summary and index of research data. As previously mentioned, AEIDC inventoried baseline

environmental data files of Alaska federal, state, university, and local agencies. The Office of the Governor's Division of Policy Development and Planning assisted the State Library last spring by updating the listing of state publications and by initiating a computer-listing of data files.

However, I recommend that the distribution of such data be the responsibility of the agency which collected them. All state agencies by statute have certain data collection responsibilities. Although the dissemination of the type of file should be a centralized function, the dissemination of the file material must remain with the agency.

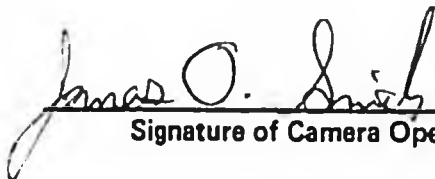
Thus HB 842 at present is only a partial solution to a much larger problem. I recommend that the committee expand and revise the bill to incorporate the concept of a network in which agencies would retain discrete files while making available all inventories or summaries of these files to a central coordinating organization, which in turn could refer users to the appropriate sources. Furthermore, this organization could keep track of research and inventories proposed and underway, direct requests for research, data, and publications to the appropriate agency, and provide a science and technology council with information to determine research needs.

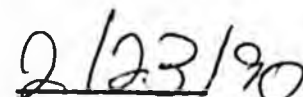


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Signature of Camera Operator


Date

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20 Sec. 14.56.150. DEPOSITORY LIBRARY CONTRACTS. The center may
21 enter into depository contracts with municipal, university or community
22 college libraries, public library associations, state library agencies
23 and the Library of Congress. The requirements for eligibility to con-
24 tract as a depository library shall be established by the Department of
25 Education upon the recommendation of the state librarian and shall in-
26 clude and take into consideration the type of library, its ability to
27 preserve publications or data and to make it [THEM] available for public
28 use, and the geographical location of the library for ease of access to
29 residents in all areas of the state.

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2 Sec. 14.56.160. DEPOSITORY LIBRARY DESIGNATIONS. Libraries may be
3 designated as either "complete depository" or "selective depository." A
4 complete depository library shall be sent one copy of every state publi-
5 cation. A selective depository library shall be sent one copy of every
6 publication from the specific state agencies it designates. Both li-
7 brary designations shall be sent only research data which it designates
8 from the index distributed under sec. 140 of this chapter, and this
9 service may be limited by considerations of time, practicality and
10 availability.

11 * Sec. 10. AS 14.56.170 is amended to read:

12 Sec. 14.56.170. [LIMITED] DISTRIBUTION OF STATE PUBLICATIONS AND
13 RESEARCH DATA. The center may not engage in general public distribution
14 of either (1) state publications or lists of publications or (2) re-
15 search data or the index of research data, but unless expressly pro-
16 hibited by law, the center shall make available to any person, upon
17 request, and under procedures established by it, publications, summar-
18 ies, research data, indexes and other materials in its possession.
19 Reasonable fees for mailing and distribution of materials may be imposed
20 by the center.

21 * Sec. 11. AS 14.56.180 is amended to read:

22 Sec. 14.56.180. DEFINITIONS. In secs. 90 - 180 of this chapter,
23 unless the context otherwise requires

24 (1) "center" means the state [PUBLICATIONS] library distri-
25 bution and data center;

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27 agencies, boards, associations, commissions, corporations and offices;

28 (3) "municipal" and "municipality" includes cities and orga-
29 nized boroughs of every class;

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(4) "state publication" includes any official document, compilation, journal, bill, law, resolution, bluebook, statute, code, register, pamphlet, list, book, report, study, hearing transcript, leaflet, order, regulation, directory, periodical or magazine issued or contracted for by a state agency.

#

Original sponsor: Cowper

Offered: 5/2/78
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 842

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the functions and organization of
7 the state publications library distribution center."

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

9 * Section 1. AS 14.56.090 is amended to read:

10 ARTICLE 2. STATE [PUBLICATIONS] LIBRARY

11 DISTRIBUTION AND DATA CENTER.

12 Sec. 14.56.090. STATE [PUBLICATIONS] LIBRARY DISTRIBUTION AND DATA
13 CENTER ESTABLISHED. There is established in the state library the [A]
14 state [PUBLICATIONS] library distribution and data center.

15 * Sec. 2. AS 14.56.100 is amended to read:

16 Sec. 14.56.100. DUTIES OF CENTER. The state [PUBLICATIONS] li-
17 brary distribution and data center shall, through its operation, promote
18 the establishment of an orderly depository library and research data
19 distribution and access system.

20 * Sec. 3. AS 14.56.120 is repealed and re-enacted to read:

21 Sec. 14.56.120. DEPOSIT OF PUBLICATIONS AND RESEARCH DATA. (a)
22 Each state agency shall deposit, upon release, at least four copies of
23 each of its state publications in the state library distribution and
24 data center. Additional copies of each publication may be requested by
25 the center for deposit in quantities necessary to meet the needs of the
26 depository library system and to provide inter-library service to those
27 libraries not having depository status.

28 (b) Each state agency shall notify the center of the creation of
29 all data compiled at public expense and developed for use and shall

1 supply the data or provide for its accessibility through the center,
2 unless prohibited from so doing by law. Research data required to be
3 deposited under this subsection shall be clearly identified and labeled
4 before deposit with the center. If the research data was prepared under
5 contract, a copy of the contract document shall be filed with the re-
6 search data.

7 (c) The state library distribution and data center is also a
8 depository for municipal publications, including surveys and studies
9 produced by a municipality or for it on contract. Four copies of each
10 municipal publication shall be deposited with the center for record and
11 distributory purposes.

12 * Sec. 4. AS 14.56 is amended by adding new sections to read:

13 Sec. 14.56.123. STATE AGENCIES TO DESIGNATE LIAISON WITH CENTER.

14 Each state agency shall designate one of its employees to be responsible
15 for depositing the materials specified in sec. 120 of this chapter.

16 Sec. 14.56.125. SUMMARY AND INDEX OF RESEARCH DATA TO BE PREPARED.

17 (a) Upon receipt of the research data under sec. 120 of this chapter,
18 the center shall prepare an abstract or summary of the research data on
19 file, but in no case may it dispose of the material which is the subject
20 of the summary or abstract, unless expressly authorized by the issuing
21 agency.

22 (b) The appropriate division shall prepare and keep current an
23 index of all research data and publications on file.

24 * Sec. 5. AS 14.56.130 is amended to read:

25 Sec. 14.56.130. OTHER DOCUMENTS REQUIRED OF STATE AGENCIES. Upon
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27 a complete list of its current state publications, research data as
28 specified by sec. 120 of this chapter, and a copy of its mailing or
29 exchange lists.

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2 Sec. 14.56.135. EFFICIENCY AND COMPUTERIZATION. The center shall,
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19 Education upon the recommendation of the state librarian and shall in-
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29 publication from the specific state agencies it designates. Both li-

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21 agencies, boards, associations, commissions, corporations and offices;

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26 register, pamphlet, list, book, report, study, hearing transcript,
27 leaflet, order, regulation, director, periodical or magazine issued or
28 contracted for by a state agency.

Original sponsor: Cowper

Offered: 5/9/78
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 842 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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25 the center for deposit in quantities necessary to meet the needs of the
26 depository library system and to provide inter-library service to those
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13 the University of Alaska and no state funding is involved, the Univer-
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15 copies of the final report available to the state library under this
16 chapter. If permission is granted by the party, the reports shall be
17 deposited with the state library under this chapter.

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#

Original sponsor: Cowper

Offered: 5/9/78
Referred: Rules

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30 CSHB 842(Finance) am

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#

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 842
 Title An act relating to the functions and organization of the state publications library
 Requested by Representative Parr March 3, 1978 Date distribution center,

H
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R

II. FISCAL DETAIL

Agency Affected Department of Education
 Program Category Affected State Library
 Budget Request Unit(s) Affected State Library - Regular Operations

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			47,180			
200 TRAVEL			3,500			
300 CONTRACTUAL			41,520			
400 COMMODITIES			1,000			
500 EQUIPMENT			6,800			
600 LAND & STRUCTURES			-			
700 GRANTS, CLAIMS, ETC.			-			
TOTAL			100,000			

FUNDING (Thousands of Dollars)

GENERAL FUND			100,000			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			3*			
PART TIME						
TEMPORARY						

* Part year total of 26 months

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

It is extremely difficult to estimate costs for this project. However, I believe the above total is realistic for the first year. Included under contractual is \$20,000 for a study by an expert team to establish parameters, procedures, and guidelines. Personal services includes a Librarian II (range L7) and Clerk IV (range 9) for 10 months and a Librarian I (range 15) for six months. Immediate steps will be taken to input the Alaska State Publications cataloging information (which now exists in magnetic tape format) into the Washington Library Network. Estimates were based on utilizing WLN. If the study indicates another approach is more viable, the WLN input can be used. Equipment estimate includes Terminal, Typewriters (2), and desks and chairs. Also included is \$4,500 for long line communication charges (probably Watts line or Telenet type service.) Future year costs are not attempted as experience and the study will be necessary for such estimates. However, I estimate approximately the same level for FY 1980 with the funds for the study then being used for operation increases.

IV. DATE 3 March 1978

PREPARED BY Dick Engen DC
 AGENCY Alaska State Library
 PHONE (907) 465-2910

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

COMMITTEE REPORT
SENATE

5/23/78

FURTHER: NONE

Date: _____

Mr. President:

The Committee on FINANCE has had CSHB 842(Fin) am
functions and organization of the state publications library distribution
center

under consideration and (a majority of the committee) (the committee
reports it back as follows)

- recommends it do pass recommends it do not pass
 recommends it do pass with attached amendment(s)
 recommends it be replaced with CS for _____

- and _____ new title same title
 AND attaches a Letter of Intent New Fiscal Note
 reports it back without recommendation
 and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

COMMITTEE REPORT

SENATE

Quinn (added 5/16/78)
FURTHER: None

5/12/78

Date: 5-22-78

Mr. President:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSHB 842 (Fin) am functions and organization of the state publications library distribution center

under consideration and (a majority of the committee) (the committee reports it back as follows)

- recommends it do pass
- recommends it do not pass
- recommends it ~~do pass~~ ^{as follows} with attached amendment(s)
- recommends it be replaced with CS for _____

and _____ new title same title

AND attaches a Letter of Intent New Fiscal Note

reports it back without recommendation ^{INDIVIDUAL} WITH AMEND;

and ^{further} recommends it be referred to the Finance Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1 Ed Willes

2 3 copies w/o Rec.

Stewart Hachem
Chairman
DO PASS

A M E N D M E N T

OFFERED IN THE SENATE:

By: SENATE HESS

To: _____ SENATE BILL No. _____

HOUSE BILL No. CSHB 842 (Finance) am

PAGE: 1

LINE: 7

line 7: after "state" delete to end of line and insert "library
distribution and data center."

Original sponsor: Cowper

Offered: 5/9/78
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 842 (Finance) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the functions and organization of
7 the state (publications) library distribution ^{and data} center."

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

9 * Section 1. AS 14.56.090 is amended to read:

10 ARTICLE 2. STATE [PUBLICATIONS] LIBRARY
11 DISTRIBUTION AND DATA CENTER.

12 Sec. 14.56.090. STATE [PUBLICATIONS] LIBRARY DISTRIBUTION AND DATA
13 CENTER ESTABLISHED. There is established in the state library the [A]
14 state [PUBLICATIONS] library distribution and data center.

15 * Sec. 2. AS 14.56.100 is amended to read:

16 Sec. 14.56.100. DUTIES OF CENTER. The state [PUBLICATIONS] li-
17 brary distribution and data center shall, in cooperation with federal,
18 local and private research efforts, promote the establishment of an
19 orderly depository library and research data distribution and access
20 system.

21 * Sec. 3. AS 14.56.120 is repealed and re-enacted to read:

22 Sec. 14.56.120. DEPOSIT OF PUBLICATIONS AND RESEARCH DATA. (a)
23 Each state agency shall deposit, upon release, at least four copies of
24 each of its state publications in the state library distribution and
25 data center. Additional copies of each publication may be requested by
26 the center for deposit in quantities necessary to meet the needs of the
27 depository library system and to provide inter-library service to those
28 libraries not having depository status.

29 (b) Each state agency shall notify the center of the creation of

1 all data compiled at public expense and developed for use and shall
2 supply the data or provide for its accessibility through the center,
3 unless prohibited from so doing by law. Research data required to be
4 deposited under this subsection shall be clearly identified and labeled
5 before deposit with the center. If the research data was prepared under
6 contract, a copy of the contract document shall be filed with the re-
7 search data.

8 (c) The state library distribution and data center is also a
9 depository for municipal publications, including surveys and studies
10 produced by a municipality or for it on contract. Four copies of each
11 municipal publication shall be deposited with the center for record and
12 distributory purposes.

13 (d) When a research project or study is conducted for a party by
14 the University of Alaska and no state funding is involved, the Univer-
15 sity of Alaska shall make a request of the party for permission to make
16 copies of the final report available to the state library under this
17 chapter. If permission is granted by the party, the reports shall be
18 deposited with the state library under this chapter.

19 * Sec. 4. AS 14.56 is amended by adding new sections to read:

20 Sec. 14.56.123. STATE AGENCIES TO DESIGNATE LIAISON WITH CENTER.
21 Each state agency shall designate one of its employees to be responsible
22 for depositing the materials specified in sec. 120 of this chapter.

23 Sec. 14.56.125. SUMMARY AND INDEX OF RESEARCH DATA TO BE PREPARED.
24 (a) Upon receipt of the research data under sec. 120 of this chapter,
25 the center shall prepare an abstract or summary of the research data on
26 file, but in no case may it dispose of the material which is the subject
27 of the summary or abstract, unless expressly authorized by the issuing
28 agency.

29 (b) The appropriate division shall prepare and keep current an

1 index of all research data and publications on file.

2 * Sec. 5. AS 14.56.130 is amended to read:

3 Sec. 14.56.130. OTHER DOCUMENTS REQUIRED OF STATE AGENCIES. Upon
4 the request of the center, a state agency shall furnish the center with
5 a complete list of its current state publications, research data as
6 specified by sec. 120 of this chapter, and a copy of its mailing or
7 exchange lists.

8 * Sec. 6. AS 14.56 is amended by adding a new section to read:

9 Sec. 14.56.135. EFFICIENCY AND COMPUTERIZATION. The center shall,
10 to the extent practicable, avoid duplication, coordinate its activities
11 with other state agencies charged with record-keeping functions, and
12 employ computerization to compile or organize research data and other
13 materials.

14 * Sec. 7. AS 14.56.140 is amended to read:

15 Sec. 14.56.140. LIST OF PUBLICATIONS AND INDEX. The center shall
16 publish and distribute regularly to contracting depository libraries,
17 and to other libraries upon request, a list of available state publica-
18 tions and the index of state research data on file as specified in sec.
19 125 of this chapter.

20 * Sec. 8. AS 14.56.150 is amended to read:

21 Sec. 14.56.150. DEPOSITORY LIBRARY CONTRACTS. The center may
22 enter into depository contracts with municipal, university or community
23 college libraries, public library associations, state library agencies
24 and the Library of Congress. The requirements for eligibility to con-
25 tract as a depository library shall be established by the Department of
26 Education upon the recommendation of the state librarian and shall in-
27 clude and take into consideration the type of library, its ability to
28 preserve publications or data and to make them available for public use,
29 and the geographical location of the library for ease of access to

1 residents in all areas of the state.

2 * Sec. 9. AS 14.56.160 is amended to read:

3 Sec. 14.56.160. DEPOSITORY LIBRARY DESIGNATIONS. Libraries may be
4 designated as either "complete depository" or "selective depository." A
5 complete depository library shall be sent one copy of every state publi-
6 cation. A selective depository library shall be sent one copy of every
7 publication from the specific state agencies it designates. Both li-
8 brary designations shall be sent only research data which it designates
9 from the index distributed under sec. 140 of this chapter, and this
10 service may be limited by considerations of time, practicality and
11 availability.

12 * Sec. 10. AS 14.56.170 is amended to read:

13 Sec. 14.56.170. [LIMITED] DISTRIBUTION OF STATE PUBLICATIONS AND
14 RESEARCH DATA. The center may not engage in general public distribution
15 of either (1) state publications or lists of publications or (2) re-
16 search data or the index of research data, but unless expressly pro-
17 hibited by law, the center shall make available to any person, upon
18 request, and under procedures established by it, publications, summar-
19 ies, research data, indexes and other materials in its possession.
20 Reasonable fees for mailing and distribution of materials may be imposed
21 by the center.

22 * Sec. 11. AS 14.56.180 is amended to read:

23 Sec. 14.56.180. DEFINITIONS. In secs. 90 - 180 of this chapter,
24 unless the context otherwise requires

25 (1) "center" means the state [PUBLICATIONS] library distri-
26 bution and data center;

27 (2) "state agency" includes state departments, divisions,
28 agencies, boards, associations, commissions, corporations and offices,
29 and the University of Alaska and its affiliated research institutes;

1 (3) "municipal" and "municipality" includes cities and orga-
2 nized boroughs of every class;

3 (4) "state publication" includes any official document, com-
4 pilation, journal, bill, law, resolution, bluebook, statute, code,
5 register, pamphlet, list, book, report, study, hearing transcript,
6 leaflet, order, regulation, directory, periodical or magazine issued or
7 contracted for by a state agency.
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ALASKA STATE LEGISLATURE

TENTH Legislature SECOND Session

HOUSE BILL NO. 842

By COWPER

"An Act relating to the functions and organization of the state publications library distribution center."

state publications lib.distr.ctr.

Introduced in the House 2-14-1978

HISTORY IN THE HOUSE

1978	Feb. 14	Read first time and referred to Committee on HESS and Finance												
May 2		Reported back with recommendation that <i>new report CS - refer to Finance</i>												
May 9		<i>senior report CS (Finance) adopted. 20 Rules</i>												
May 11		Read second time and <i>CS (Finance) adopted, amended 15-20</i>												
May 11		Read third time and												
May 11		<table border="0"> <tr> <td>PASS <i>28</i></td> <td>Effective Date</td> </tr> <tr> <td>Yeas <i>34</i></td> <td>Yeas</td> </tr> <tr> <td>Nays <i>0</i></td> <td>Nays</td> </tr> <tr> <td>Absent <i>—</i></td> <td>Absent</td> </tr> <tr> <td>Excused <i>6</i></td> <td>Excused</td> </tr> </table>	PASS <i>28</i>	Effective Date	Yeas <i>34</i>	Yeas	Nays <i>0</i>	Nays	Absent <i>—</i>	Absent	Excused <i>6</i>	Excused		
PASS <i>28</i>	Effective Date													
Yeas <i>34</i>	Yeas													
Nays <i>0</i>	Nays													
Absent <i>—</i>	Absent													
Excused <i>6</i>	Excused													
May 11		<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date													
Yeas	Yeas													
Nays	Nays													
Absent	Absent													
Excused	Excused													
May 11		Reported correctly engrossed												
May 11		Signed by Speaker												
May 11		Sent to Senate												
<i>James C. Carter</i>														
CHIEF CLERK OF THE HOUSE														

HISTORY IN THE SENATE

1978	5 12	Read first time and referred to Committee on												
5 16		<i>HESS</i>												
5 23		Reported back with recommendation that <i>20 pass w/ am. increase to Finance</i>												
		Read second time and												
		Read third time and												
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Absent	Absent													
Excused	Excused													
		Reported correctly engrossed												
		Signed by President												
		Returned to House												
SECRETARY OF THE SENATE														

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.



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 records after microfilm reproductions have been made.

James O. Irish
Signature of Camera Operator

2/23/90
Date

LETTER OF INTENT FOR CSHB-848

The House HESS Committee recognizes that many teachers are expected to provide educational services for mainstreamed exceptional children. The Committee further recognizes that many of these teachers have had little or no training in the teaching of exceptional children.

It is the intent of the Committee that CSHB 848 provide the financial support for a program of training non-specialized teachers of exceptional children.

In addition, the Department of Education is strongly urged to require by regulation, pursuant to AS 14.20.020 (c), that teacher training in the education of exceptional children be a requirement for both certification and recertification. The Department of Education is additionally urged to require by regulation, pursuant to AS 14.03.030, that each district board provide a minimum of two days inservice training for all teachers in the district in the education of exceptional students.

CRITICAL ASSESSMENT OF SB 482 & HB 848

HB 848

In accordance with your request here is my assessment of Senate Bill 482 and House Bill 848. Thanks for your interest.

The first two pages are full of forbidding schedules, equivalents, instructional unit formulas and percentages seemingly intended to make you more dependent on H.E.S.S recommendations. Page three, section 180 starts off under Findings and Purpose: "the legislature finds etc., etc." It's difficult to believe that this legislation originated in any understaffed Alaska legislator's office. This is a very obtuse and complicated piece of legislation which is now being introduced in almost identical form in several other states. I just returned from NSBA's national convention in Anaheim, California where I spoke to, and heard complaints from, other school board members about this very same legislation. I believe with good reason that this bill originated in a Chicago think tank called Thirteen-thirteen funded by large foundations for their own motives. Motives which seem to dovetail comfortably with the federal government's intention of gaining complete control of all education in the United States. If you do not believe me, try to amend section 181 "Receipt of Federal Assistance", and see what reaction you get from the bill's sponsors. The bill would grant the commissioner of education great new power to enter into agreements with federal and other state agencies.

Section 183 establishes a division of Special Education within the Department of Education. The new division would have 18 enumerated functions starting with full control of all special education in the State of Alaska as function number 1. That's only the first one, other functions include compiling data on all exceptional children in the State. What child is not exceptional in some way? Functions 6 and 7 grant the power to receive, allocate and withhold federal funds from cities, boroughs, REAAs and even private schools which run afoul of regulations.

Section 187 provided for a director of the new division with power to establish and staff offices in many locations in the State and to conduct investigations with the power of subpoenas to compel attendance and testimony of witnesses and to compel production of papers, books, and documents.

Section 193 would establish Local Special Education Advisory Councils in each city, borough and REAA. Some of these council members shall be selected to represent parents and guardians, teachers, administrators, minorities and regional corporations. Advisory council members shall receive per diem and expenses including payment of babysitters. Then we have another council - 197 on a state wide level consisting of nine members appointed by the Governor to overlapping terms of three years. The duties of the state wide council include assisting the United States Commissioner of Education in the performance of his duties and responsibilities under federal laws PL 94-192 of 1975.

Section 205: Each city, borough and REAA shall appoint a supervisor of special education. Even if there are no special education children? Maybe they (special education children) would not be an absolute necessity since he has, among other duties, to receive complaints relating to the provision

of a free appropriate public education for any child. The definition of child appears at the end of the bill but I believe it's necessary to quote it here "School age child means any person from birth through age 21." Under this bill 12 programs would be provided from standard educational programs to day care schools, hospital schools, itinerant home schools, learning centers, diagnostic clinics and any combination or modification of the above. Then under Evaluation Procedures - 211 the bill would provide for a child study team for each case which would include the child's parents or guardian, the receiving specialist, a psychologist, the child's current teacher and an administrative officer of the school district. Also other specialists who may be required to establish an individualized educational program for each such child.

Starting on page 22-218 maximum class sizes are listed for special children in regular classrooms with factors for "weighting" the class load according to types of disability, etc. The class load could be as few as four to a teacher and one aide.

Section 222, paragraph C: The way I read this no child could ever be expelled from our schools without written prior approval of the Department of Education. Even if he or she is a desperate discipline problem?

Section 224: If there is disagreement over the placement of a child there will be a hearing with due process including advice of counsel and experts. The right to confront, cross-examine and compel attendance of witnesses; and to receive a written or electronic verbatim record of the hearing all subject to appeal to superior courts de novo. Aren't we going a bit far?

We are coming to the controversial part pretty soon now.

Sections 229 & 233 pertains to records and reports, "at the time, in the manner and on the forms which the department may require." and affords access as the United States Commissioner of Education may require.

Section 234: (b) If a report made under sec. 233 (c) of this chapter shows a substantial discrepancy in the occurrence of the characteristics of sex, national origin, race, and religion between children in special education classes in contrast to the remainder of the children in a city or borough school district or rural educational attendance area, the department shall file a complaint with the State Commissioner for Human Rights alleging discriminatory conduct prohibited by AS 18.80.255.

Sections 235-237: The department shall staff with a director and others a program of special education in each institution operated by the Department of H.E.S.S. which cares for children with exceptional needs. It seems we will have directors and staff, officers and advisors, boards, experts and teams of teachers coming out of the woodwork.

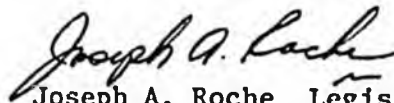
Critical Assessment of SB 482 & HB 848
Page 3

Page 34, line 4: A parent may obtain an independent educational evaluation of the child at public expense.

Page 34, line 11, section 347, the rest of page 34 and page 35 down to line 20 has to do with special transportation needs, special equipment on buses, training for drivers, distance limitations, on bus special attendants, etc.

Section 350 - 1 is the beginning of definitions which need to be quoted in full. See page 35, line 22 down and all of page 36 and 37. (See attachment)

Without assessing the cost in terms of money which I hear is about 170 million the first year, this bill if enacted will cause social disruptions along racial lines amounting to a tragedy for Alaska. The over emphasis on adversarial roles for parents against the system, the out of focus attention to detail and the interplay of highly educated specialists with politics would be sickening to see. The concentration of more and more power in the hands of administrative personnel at state and federal levels is what I fear most. The ultimate test of any program is need or benefit as determined by the public balanced against cost. I hear nothing at our local level indicating a real need or potential benefit, but in the area of costs we hear plenty. The public seems to be getting a picture of an educational tail wagging - a tax payer dog. Notice what is happening in California. A tax revolt in full swing. I would vote against its passage in any form if I were you.



Joseph A. Roche, Legislative Chairman
Copper River School District Board
c/o Tonsina Lodge
Copper Center, AK 99573

JAR:pm

Enclosures

1 one or more children younger than age four with substantial difficul-
2 ties, or which transports any exceptional child who is prone to behavior
3 which could distract the driver;

4 (3) inservice training, to be completed within six months of
5 employment, for operators and attendants of vehicles transporting excep-
6 tional children to acquaint them with the needs of children and to equip
7 them to meet those needs;

8 (4) that any need or problem which may cause difficulty
9 during transportation, such as seizures, a tendency to suffer motion
10 sickness, and disabilities such as an inability to see, hear, or com-
11 municate, are ascertained through consultation with the child's parents,
12 guardian, or teachers, and communicated to the operator and attendant of
13 the vehicle in which the child is transported;

14 (5) that the exceptional child is assisted on and off the
15 vehicle and in and out of the classroom, whenever such assistance is
16 necessary;

17 (6) whatever special equipment is necessary for the safety
18 and comfort of the child;

19 (7) that all special equipment necessary for the transporta-
20 tion of the exceptional child is kept in operational order at all times.

21 * Sec. 11. AS 14.30.350(1) is repealed and re enacted to read:

22 (1) "exceptional child" or "exceptional children", means a
23 school age child, or children, who, because of temporary or more per-
24 manent adjustment difficulties or attributes arising from intellectual,
25 sensory, emotional, or physical factors, including giftedness, cerebral
26 dysfunctions, perceptual factors, speech and language disorders, or
27 other specific learning disabilities or abilities or any combination of
28 these, is certified as unable to progress effectively in a regular
29 school program and requires special classes, instruction periods, or

1 other special education services, including transportation, in order to
2 develop successfully his individual educational potential;

3 * Sec. 12. AS 14.30.350 is amended by adding new paragraphs to read:

4 (3) "child study team" means a group of individuals respon-
5 sible for certifying, assessing and reviewing the needs of a child re-
6 ferred to it and for developing a written individualized educational
7 program based upon its assessment of a child who is to be assigned to a
8 special education program;

9 (4) "director" means the director of the division of special
10 education;

11 (5) "division" means the division of special education;

12 (6) "instructional support services" means any necessary
13 services that are required to supplement or enhance the basic special
14 education program or the regular education program; these shall include
15 but not be limited to nurses, speech and language therapists, psycholo-
16 gists, physical therapists, occupational therapists, librarian-media
17 specialists, special reading teachers, counselors, social workers,
18 physicians, music, art and physical education teachers and teacher
19 aides;

20 (7) "integrated classes" means classes within the regular
21 educational program to which exceptional children have been assigned;

22 (8) "regular education" means the school program and pupil
23 assignment which normally leads to college preparatory or technical
24 education or to a career;

25 (9) "school age child requiring special education" means any
26 child with special needs who requires special education as determined in
27 accordance with secs. 180 - 350 of this chapter and the regulations
28 adopted by the department;

29 (10) "school age child" means any person from birth through

1 the age of 21, inclusive, who has not attained a high school diploma or
2 its equivalent or who has not yet completed his prescribed education
3 program; a pupil who becomes 22 years of age while participating in a
4 program under this chapter may continue his participation in the program
5 for the remainder of the current school year;

6 (11) "special education" means educational programs and
7 assignments, namely special classes, programs or services designed to
8 develop the educational potential of children with special needs, in-
9 cluding but not limited to speech pathology, group therapy, and voca-
10 tional training, special education includes, but is not limited to,
11 educational placements of children by city or borough school districts
12 or regional educational attendance areas, the Department of Health and
13 Social Services, and the Department of Education in accordance with the
14 regulations of the Department of Education;

15 (12) "school term" means the regular school year plus addi-
16 tional days, up to and including the full 12 months for those exception-
17 al children who may need the extra days in order to maintain or retain
18 the accomplishments made during the regular school year; the determina-
19 tion of eligibility for the extended term will be made by the child
20 study team;

21 (13) "institution" means any agency, other than the public
22 agencies charged with education, which has exceptional students on the
23 premises.

24 * Sec. 13. AS 14.30.186(a), (b) and (c); 14.30.191(a) and (d); and 14.-
25 30.231 are repealed.

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 848 and SB 482
 Title An Act relating to Special Education
 Requested by Meekins (House) Date 2-14-78
Sumner, Croft, et. al. (Senate) 2-10-78

II. FISCAL DETAIL

Agency Affected Education
 Program Category Affected Education
 Budget Request Unit(s) Affected EPS, Financial Support

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			2,200.0	2,332.0	2,472.0	2,620.0
200 TRAVEL			134.0	142.0	151.0	160.0
300 CONTRACTUAL			350.0	371.0	393.0	417.0
400 COMMODITIES			38.0	40.0	43.0	45.0
500 EQUIPMENT			150.0	159.0	169.0	179.0
600 LAND & STRUCTURES			340.0	360.0	382.0	405.0
* 700 GRANTS, CLAIMS, ETC.			173,704.0	184,126.0	195,173.0	206,883.0
TOTAL			176,916.0	187,530.0	198,783.0	210,709.0

FUNDING (Thousands of Dollars)

GENERAL FUND			176,916.0	187,530.0	198,783.0	210,709.0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			80	80	80	80
PART TIME						
TEMPORARY						

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

* Reflects deduction of \$20,000,000 estimated for special education next year under present foundation program.

See attached fiscal summary. Inflation @ 6% per year.

** Depending upon the interpretation of the instructional unit allotment for programs provided under section 206(a) of this act, the amount required under the grants portion could increase by as much as \$30,000.0 over the \$173,000.0 included above.

IV. DATE March 10, 1978 PREPARED BY Nathaniel Cole, Deputy Commissioner
 AGENCY Education
 Original: Legislative Finance PHONE 465-2800
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

HB 848

ATTACHMENT #1

SECTION # 2

DISTRICTS	ADM	UNIT VALUE	% STATE SUPPORT	(SUPPORT UNITS) ADM/175	(SUPPORT UNITS) X (UNIT VALUE) %=
ADAK	615	40,600	-0-	4	162,400
ALASKA CENTRAL RAILBELT	371	36,781	--0-	3	110,343
ALASKA GATEWAY	398	34,800	-0-	3	104,400
ALEUTIAN CHAIN	260	43,500	-0-	2	87,000
ANCHORAGE	34,692	29,000	97.9873	199	5,654,847
ANNETTE ISLAND	325	30,160	-0-	2	60,320
BERING STRAITS	512	44,950	-0-	3	134,850
BRISTOL BAY	228	44,950	97.9923	2	88,095
CHATHAM	188	31,320	-0-	2	62,640
CHUGACH	51	34,800	-0-	-0-	-0-
COPPER RIVER	738	33,350	-0-	5	166,750
CORDOVA	497	33,350	98.9768	3	100,050
CRAIG	192	31,320	99.5756	2	62,640
DELTA/GREELY	822	34,800	-0-	5	174,000
DILLINGHAM	373	44,950	99.2929	3	133,896
FAIRBANKS	8,608	32,480	97.1591	50	1,577,863
GALENA	162	44,950	99.7456	-0-	-0-
HAINES	388	33,350	98.6358	3	100,050
HOONAH	276	32,480	99.7027	2	64,960
HYDABURG	112	31,320	99.8024	-0-	-0-
IDITAROD	271	44,950	-0-	2	62,640
JUNEAU	4,307	29,000	98.6976	25	715,557
KAKE	200	31,320	99.8158	2	62,640
KENAI	6,046	31,320	97.000	35	1,063,314
KETCHIKAN GATEWAY	2,484	29,000	98.3215	15	427,698
KING COVE	118	43,500	99.6266	-0-	-0-
KLAWOCK	75	31,320	99.7895	-0-	-0-
KODIAK	2,136	32,480	98.7415	13	416,926
KUSPUK	256	44,950	-0-	2	89,900
LAKE & PENNINSULA	412	44,950	-0-	3	134,850
LOWER KUSKOKWIM	1,606	44,950	-0-	10	449,500
LOWER YUKON	934	44,950	-0-	6	269,700
MAT-SU	4,207	31,160	97.9788	25	763,250
NENANA	210	36,781	99.6062	2	73,272
NOME	786	44,950	99.3393	5	223,265
NORTH SLOPE	1,202	44,950	97.000	7	305,210
NORTHWEST ARCTIC	1,563	44,950	-0-	9	404,550
PELICAN	37	32,480	98.0706	-0-	-0-
PETERSBURG	591	30,160	99.1135	3	92,651
PRIBILOF	175	43,500	-0-	1	43,500
SITKA	1,777	30,160	98.4444	10	296,908
SKAGWAY	220	31,320	97.9122	2	61,332
SOUTHEAST ISLANDS	448	30,160	-0-	3	93,480
SOUTHWEST	544	44,950	-0-	4	179,800
ST. MARY'S	101	44,950	99.7844	-0-	-0-
UNALASKA	132	43,500	98.0682	-0-	-0-
VALDEZ	940	33,350	97.000	6	194,097
WRANGELL	516	30,160	98.8788	3	89,724
YAKUTAT	187	34,800	99.1649	2	69,018
YUKON FLATS	332	44,950	-0-	2	89,900
YUKON/KOYUKUK	651	44,950	-0-	4	179,800
ANCHORAGE ON-BASE	3,082	29,000	-0-	18	522,000
FAIRBANKS ON-BASE	2,489	32,480	-0-	-0-	487,200

TOTAL SECTION # 2

16,671,986

SECTION 3 FISCAL ANALYSIS
WEIGHTED ADM/FTE by subsection

Sub-part FTE	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	Total FTE	UNITS	FY 79 FOUNDATION VALUE	% STATE SUPPORT	TOTAL COST
ADAK	72	42	0	0	0	3				36	42	195	19	40,600		771,400
AK. CENTRAL RAILBELT	97.5	10	7.5	0	0					3	60	178	17	36,781		625,277
ALASKA GATEWAY	120	84	15	0	21					45	75	360	34	34,800		1,183,200
ALEUTIAN CHAIN	99	62	35	6	84					0	60	346	33	43,500		1,435,500
ANCHORAGE	2,543.5	2,124	607.5	3,669	1,697.5	692	186	60	207	657	2,630	15,029.5	1,368	29,000	97.9973	38,873,521
ANNETTE ISLAND	118.5	90	32.5	6	73.5	6				15	73	414.5	39	30,160		1,176,240
BEPING STRAITS	99	80	32.5	3	14	6				15	36	291.5	28	44,950	97.9923	1,253,601
BRISTOL BAY	156	28	7.5	6	1.75	6					60	265.25	25	44,950		1,123,750
CHATHAM	48	36	10	6	7	12					30	152	15	31,320		459,000
CHULASCH	22.5	0	0	0	0	6					15	43.5	5	34,800		174,000
COPPER RIVER	186	42	57.5	36	49	60				15	123	568.5	53	33,350		1,767,350
COPKITA	196.5	192	40	57	36.75	102				3	133	762.25	71	33,350	98.9769	2,343,222
COYOTE	114	118	15	0	0	0				30	69	346	33	31,320	99.5756	1,029,175
DELTA/GREELY	339	220	27.5	6	8.75	93				90	205	589.25	91	34,800		3,165,000
DELLINGHAM	114	6	7.5	9	0	3					69	209.5	20	44,950	99.2929	932,643
FAIRBANKS	1,431	1,068	415	930	15.75	198	102			429	1,138	5,726.75	522	32,430	97.1591	16,472,507
GALENA	16.5	22	10							3	15	66.5	7	44,950	99.7456	313,250
HAINES	198	108	45			3				39	120	513	43	33,350	98.3658	1,575,241
HONAN	199.5	119	85		22.75	27				90	120	662.25	62	32,400	99.7927	2,007,773
HONOLULU	27	12	20		10.5	12				0	15	96.5	10	31,320	95.8024	312,551
INDIAPOD	39	6	15	6	17.5	3	144			3	24	257.5	25	44,950		1,123,750
ISADRA	1,141.5	902	245	357	229.25	228				158	792	4,092.75	373	29,000	98.6976	10,676,119
KAKE	65	20	25		38.5	51				9	40	249.5	24	31,320	99.8158	750,255
KENAI	1,170	616	390	552	654.5	90				138	868	4,478.5	408	31,320	97.000	12,395,201
KETCHIKAN GATEWAY	603	322	257.5	108	390.25					9	430	2,179.75	199	29,000	98.3215	5,674,134
KING COVE	54	22	2.5	6							104	188.5	18	43,500	99.6266	783,976
KLANCOK	23.5	6	12.5								47	67	6	31,320	99.7335	187,524
KODIAK	589.5	418	12.5	465	99.75	93				39	493	2,331.25	213	32,480	98.7415	6,831,174
KUPUK	49.5	42	7.5	9	0	27					33	168	17	44,950		764,750
LAKE & PENINSULA	34	2	65	21	38.5						57	267.5	26	44,950		1,166,700
LOWER KODIAK	195.5	48	45	60	52.5	60				21	136	619	58	44,950		2,697,100
LOWER YUKON	255	174	37.5	81	7	33				3	177	767.5	71	44,950		3,191,450
MAT-SU	592.5	323	237.5	333	187.25	69				135	110	1,993.25	183	31,160	97.9769	5,557,026
NEENAH	73.5	6	75	21	0					9	50	234.5	23	36,781	99.6362	842,632
NOME	282	50	57.5	39	29.75	36					184	684.25	64	44,950	99.3332	2,857,732
NORTH SLOPE	397.5	226	117.5	152	162.75	51				9	284	1,399.75	129	44,950	97.000	5,624,544
NORTHWEST ARCTIC	405.5	16	267.5	9	52.5	21				21	247	1,040.5	96	44,950		4,315,200
PELLICAN	0	0	0	0	0						-	-	-	32,480	98.0706	0
PETERSBURG	103	152	47.5	48	0	27				24	123	604.5	56	30,160	99.1135	1,673,937
PRIDILOF	67	23	42.5	9	0					15	39	193.5	19	43,500		825,500
SITKA	417	244	150	45	0					102	264	1,222	112	30,160	98.4444	3,325,173
SPADAY	66	48	10	6	0	3				9	41	183	18	31,320	97.9122	551,400
SOUTHEAST ISLANDS	130.5	148	32.5	9	0	12				0	81	413	3	30,160		1,176,240
SOUTHWEST	175.5	46	20	96	0					0	105	502.5	47	44,950		2,112,650
ST. MARY'S	127	6	0	3	0					-	73	202	20	44,950	99.7844	537,062
UNALASKA	45	30	12.5	3	0					9	28	127.5	13	43,500	98.0632	554,526
VALDEZ	222	146	25	270	1.75	117			255	45	214	1,295.75	119	33,350	97.000	3,849,591
WASILLA	156	142	20	36	0	24				-	104	482	45	30,160	98.8739	1,341,543
YAKUTAT	69	44	20	0	0	48				3	49	233	22	34,800	99.1649	759,206
YUKON FLATS	73.5	72	0	0	61.25					9	45	260.75	25	44,950		1,123,750
YUKON/YUKON	175.5	80	15	9	14	66				9	103	476.5	45	44,950		2,832,750
ANCHORAGE ON-BASE	444	393	107.5	396	334.25		171			66	-	1,916.75	176	29,000		5,184,600
FAIRBANKS ON-BASE	415.5	298	167.5	117	7					105	-	1,110	102	32,480		3,312,960

GRAND TOTAL 170,932,357

HB 848 - SB 482

The Department has very carefully read these two companion bills - line by line - and made an attempt to analyze their possible impact upon special education in this state.

Because of the size and complexity of the bills, we have limited our comments to those items that will change what is presently in statute and/or regulation. All analyses are based upon the February 1, 1978 enrollments as reported to the Department's Office for Exceptional Children. The section by section analysis is as follows:

SECTION 1

Explanation

This section, while retaining the current ADM/FTE formula for special education, specifically allows duplicate counting of children in special education programs, which means that one child may be counted separately for each portion of the special education program from which that child receives services.

Analysis

The full impact of this provision can be seen in the ADM weighting schedules of Section 3 (see attachment #2).

SECTION 2

Explanation

A support services schedule is added to AS 14.17.041 that provides foundation units to districts to provide support services as a function of their total enrollments. The analysis of fiscal impact (see attachment #1) was derived by examination of districts' estimated enrollments for FY 79.

Analysis

The probable cost to the state was found to be \$16,671.0.

SECTION 3

Explanation

This section weights special education enrollments according to the services offered by program(s) in which an exceptional child may be enrolled. For instance, a student may receive an ADM/FTE weight for each separate service received. The weighting ranges from 1.5 ADM/FTE to 4.0 ADM/FTE in contrast to current law and regulation that limits an individual special education FTE to

Analysis

A district by district fiscal analysis can be found in attachment #2. The total cost to the state is estimated to be in excess of \$153,000.0.

Section 4 - Cont.

Explanation

1.0, regardless of the types of service provided. Conceivably, under the multiple weightings allowed under Section 1 of this bill, individual FTE generation could significantly exceed even 4.0.

SECTION 4

Explanation

This section contains no provisions not already in practice or permissible under state laws and regulations.

Analysis

There is no fiscal impact as a result of this section.

SECTION 5

Explanation

Section 5 proposes several major changes from current practices and procedures of the Department of Education. It would create a Division of Special Education whose Director would serve at the pleasure of the Governor. Many present Department functions would become the responsibility of the Division. Such activities would include the development of special education certification standards; receipt and control of all federal funds for special education; control of all nonpublic school special equipment; independent contracting authority for educational services; and recommending Board action for districts found to be in noncompliance with the provisions of this bill, should it be enacted. Additionally, Section 184(18) would hold the state totally responsible for all costs incurred in transferring an exceptional child to a private school if referred by any public school agency. The fiscal impact of this provision has not been estimated.

Analysis

Section 189 requires that the Division will have offices, appropriately staffed. While the exact number of such offices is unclear, an estimate of the fiscal needs of the Division was derived through an analysis of estimated costs to staff five regional offices and a divisional central office in Juneau:

Personnel Services	2200.0
Travel	134.0
Contractural	350.0
Commodities	38.0
Equipment	150.0
Lands/Bldgs.	340.0
	<u>2872.0</u>

This figure is based upon an estimated manpower need of 80 full-time positions in five regional sites and the Department of Education. All but 200.0 of these funds would have to come from the state's general fund.

Section 5 - Cont.

Explanation

Sections 194-196 would require all LEA's and REAA's to elect at large a special education advisory board. Membership requirements would be established by statute. While the source of funding for these elections is not known, it is presumed they would be the responsibility of the local districts. The local advisory councils may report directly to the State Division of Special Education on the availability of services in LEA's, and could apply directly to the state for services and facilities, possibly circumventing local boards and administrations.

Sections 197-204 reenact the State Special Education Advisory Council and specifically establish membership requirements, minimum meeting times, quorum requirements and compensation to members. It is assumed that costs are the responsibility of the division's budget. Specific monitoring and evaluation duties are required of the council, including a strong directive role to the division, as well as conducting public hearings and arbitrating disputes between parents and local districts.

Section 205 mandates that every LEA and REAA shall have a supervisor of special education, with specific duties under law. This individual would be required to perform duties as assigned by the State Special Education Division.

Section 206 contains a detailed explanation of the class groups weighted under Section 3. The following are the categories of Program Services in which students are to be weighted:

- (1) Any mainstreamed child is weighted at 1.5 FTE, regardless of the amount of time spent in direct special education endeavors. Presently, this would include all level 1, 2 and 3 children;

Section 5 - Cont.

Explanation

- (2) Any level 1 child who receives special small group instruction;
- (3) Any level 1 child, or one who requires 60 percent of the day in special instruction;
- (4) Any level 4 child, or one who requires a full-time special education;
- (5) Any child served by a traveling teacher;
- (6) Special education students in vocational education programs;
- (7) Students in special education day schools;
- (8) Students in hospital schools with non-traveling staff;
- (9) Children in residential schools;
- (10) Preschool children (ages 0-5);
- (11) Secondary special education students;
- (12) Experimental programs.

Analysis

The cost of number (12) of Section 206 cannot be estimated.

Sections 207-215 codify most of what is now in regulations. A few significant changes should be noted:

- (1) Student reevaluations would be required every 10 months instead of annually as required by present state statute;
- (2) Child Study Team input must include a psychologist's report;
- (3) A description of home living conditions must be included in the assessment process.

Section 5 - Cont.

Explanation

Analysis

- (4) The Child Study Teams must include parents, special education teachers, evaluator, regular teacher, administrator, et al. This could be cumbersome.
- (5) Implies that parental permission to change a child's special education program need not be obtained prior to enactment;
- (6) Individualized education plans must indicate the appropriateness of family guidance procedures for special education students' families;
- (7) Insures reimbursement for special transportation needs above those now afforded under law.

This is estimated at \$10,000/day x 180 or \$180.0 per year.

Section 216 allows a child to be placed in a special education program for further study for a limited time. Since this process would bypass the due process procedures adopted under PL 94-142, its legality is questionable.

Sections 217-219 establish maximum class sizes for both integrated and segregated special education programs. Using a weighted categorical numbering system, a "class" is limited in the number of children that can be in one room at one time. The effect of this section would be felt statewide, as virtually every class in the public schools of the state has one or more students with an exceptionality. It should be noted that the usually accepted list of 10 exceptionalities has been increased with the addition of two more - behavior disorders and hyperactive.

It should be noted that the Child Study Team can also reduce class sizes (Section 219). Since every child in special education could have a different Child Study Team, it is not clear which team will be given this authority.

Section 5 - Cont.

Explanation

Section 224 relegates "certain hearings to the State Special Education Advisory Council. Any party at these hearings is given subpoena power, a power that currently exceeds even that of the State Board of Education. Appeals are to be de novo in the Superior Court.

Several provisions of this section pose serious legal questions with respect to compliance with student confidentiality requirements of PL 93.380.

Sections 233-234 require a significant increase in reporting and accounting procedures that would be imposed upon districts, including the identification of students by race and religion. This section also requires the Department to monitor special education civil Rights quotas by sex, race, religion and national origin.

Sections 236-238 refer to institutionalized youngsters and their educational programs. A director of programs is required for each institution, and school is year-round.

Section 239 requires reimbursement to districts or cities of one-half of all costs incurred in recreation programs for exceptional children.

Section 241 requires that any educational cost derived from a clinical nursery school or day care center for the retarded be fully reimbursed to the district that made the placement.

Analysis

The cost impact of this particular provision was not estimated, as there was no historical data available to make meaningful predictions. This section further allows for 100% reimbursement of the cost of vehicle purchase or renovation. The cost is estimated to be 150.0 the first year, and 50.0 plus thereafter. Reimbursement for costs of transporting children to and from recreation programs at "any state facility" is also mandated. This will result in an estimated cost to the state in excess of \$1,400.0 million per year. This figure is based upon

Section 5 - Cont.

Analysis

14,000 students times 2.5 trips per month
x 9 mo. x \$4.5)/per student day of bus
usage.

SECTION 6

Explanation

This section uses specific language to
permit cooperative agreements between school
districts and REAA's.

Analysis

(No fiscal impact.)

SECTION 7

Explanation

This section requires separate accounting
of all funds received by cooperating districts
which are associated with interdistrict programs
for exceptional children.

Analysis

(No fiscal impact.)

SECTION 8

Explanation

Provides for free, independent evalua-
tions of exceptional students if requested by par-
ents.

Analysis

(No cost estimate made.)

SECTION 9

Explanation

This section allows children to be moved
from site to site as a function of administrative
convenience. This practice is of doubtful legal-
ity, as it could easily defy the concept of least
restrictive alternative, which is required by
PL 94.142.

Analysis

(No cost estimate made.)

SECTION 10

Explanation

This section limits the amount of time an individual student may be on a bus on any given day. Hence, more buses and aides will be required.

Analysis

It is estimated that the additional costs statewide will be in excess of \$3,500/day or \$630.0/year. These costs are based upon the need for 22 additional buses at \$150/day per bus, plus part-time drivers' aides, times 180 days. Additionally, the training requirements of this section could cost \$30.0 per year.

SECTION 12

Explanation

This section provides for an extended school term.

Analysis

(Fiscal impact unknown.)

Original sponsor: Meekins

Offered: 5/31/78
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 848

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Department of Education for training of teachers in methods of instructing exceptional children; and providing for an effective date."

7

8

9

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

11

* Section 1. The sum of \$500,000 is appropriated from the general fund to the Department of Education for the purpose of providing training for public elementary and secondary school teachers in instruction of methods for exceptional children who have been mainstreamed into regular classrooms.

12

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* Sec. 2. This Act takes effect July 1, 1978.

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COMMITTEE REPORT

HOUSE

5/31/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 848

"An Act relating to special education."

under consideration and (a majority of the committee) (the committee reports it back as follows)

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

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

COMMITTEE REPORT
HOUSE

FURTHER: FINANCE

2-14-78

Date: _____

Mr. Speaker:

The Committee on HESS has had HB 848
"An Act relating to special education."

under consideration and (a majority of the committee) (the committee reports it back as follows)-

- () recommends it do pass () recommends it do not pass
- () recommends it do pass with attached amendment(s)
- (X) recommends it be replaced with CS for HB 848

and that it do pass (X) new title () same title

- (X) AND attaches a Letter of Intent () New Fiscal Note
- () reports it back without recommendation
- () and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
Chairman

4951
Guthrie

Original sponsor: Meekins

Offered: 5/31/78
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 848

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education for training of teachers in methods
8 of instructing exceptional children; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$500,000 is appropriated from the general fund to
12 the Department of Education for the purpose of providing training for public
13 elementary and secondary school teachers in instruction of methods for
14 exceptional children who have been mainstreamed into regular classrooms.

15 * Sec. 2. This Act takes effect July 1, 1978.

Introduced: 2/14/78
Referred: Health, Education &
Social Services and Finance

4951
Guthrie

1 IN THE HOUSE

BY MEEKINS .

2 HOUSE BILL NO. 848

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to special education."

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

8 * Section 1. AS 14.17.041(f) is amended to read:

9 (f) Special education schedule:

10 ADM

11 Full-Time Equivalent

No. Instructional Units

12 5 - 8

1

13 9 - 15

2

14 16 - 24

3

15 25 - 35

4

16 36 and over

4 plus 1 for each 11 pupils

or fraction of 11 pupils

in Full-Time Equivalent

ADM

17
18
19
20 In the computation of ADM full-time equivalent under this subsec-
21 tion, the aggregate period of pupil membership shall reflect the contri-
22 bution of each program authorized under sec. 206 of this chapter from
23 which a child derives benefit, regardless of whether two or more pro-
24 grams are benefiting a child simultaneously.

25 * Sec. 2. AS 14.17.041 is amended by adding a new subsection to read:

26 (g) Instructional Support Services Schedule:

27 ADM

No. Instructional Units

28 175

1

29 176 and over

1 plus 1 for each 175 pupils

COMMITTEE COPY

or fraction of 175

* Sec. 3. AS 14.17.051 is amended by adding a new subsection to read:

(b) The instructional unit allotments under (a)(1) - (9) of this section shall be further increased by the percentages of the base instructional unit allotment enumerated in (1) - (12) of this subsection when, in the course of figuring that part of basic need attributable to programs of special education under sec. 21(b) of this chapter, the instructional unit allotment is multiplied by the number of instructional units allowed under sec. 41(d) of this chapter. Percentage increases in the base instructional unit allotment shall be as follows when multiplying by those instructional units allowed for ADM full-time equivalent in a program required to be made available under the following paragraphs:

(1) sec. 206(a)(1) of this chapter, 150 per cent of the base instructional unit allotment;

(2) sec. 206(a)(2) of this chapter, 200 per cent of the base instructional unit allotment;

(3) sec. 206(a)(3) of this chapter, 250 per cent of the base instructional unit allotment;

(4) sec. 206(a)(4) of this chapter, 300 per cent of the base instructional unit allotment;

(5) sec. 206(a)(5) of this chapter, 175 per cent of the base instructional unit allotment;

(6) sec. 206(a)(6) of this chapter, 300 per cent of the base instructional unit allotment;

(7) sec. 206(a)(7) of this chapter, 300 per cent of the base instructional unit allotment;

(8) sec. 206(a)(8) of this chapter, 300 per cent of the base instructional unit allotment;

HB 848

1 (9) sec. 206(a)(9) of this chapter, 400 per cent of the base
2 instructional unit allotment;

3 (10) sec. 206(a)(10) of this cha er cent of the base
4 instructional unit allotment;

5 (11) sec. 206(a)(11) of this chapter, 300 per cent of the base
6 instructional unit allotment;

7 (12) sec. 206(a)(12) of this chapter, as negotiated between
8 the city or borough school district, or regional educational attendance
9 area, and the department at the time approval of the program is obtained
10 under sec. 206(12) of this chapter.

11 * Sec. 4. AS 14.30.180 is repealed and re-enacted to read:

12 Sec. 14.30.180. FINDINGS AND PURPOSE. (a) The legislature finds
13 that past development of special education programs has resulted in a
14 great variation of services to children with special needs with some
15 children having a greater educational opportunity than others in less
16 favored categories or environments. The legislature further finds that
17 past methods of labeling and defining the needs of children have had a
18 stigmatizing effect and have caused special education programs to be
19 overly narrow and rigid, both in their content and their inclusion and
20 exclusion policies.

21 (b) In light of the policy of the state to provide an adequate,
22 publicly supported education to every child resident in the state, it is
23 the purpose of secs. 180 - 350 of this chapter to provide for a flexible
24 and uniform system of special education program opportunities for all
25 exceptional children; to provide a flexible and nondiscriminatory system
26 for identifying and evaluating the individual needs of children requir-
27 ing special education, with an evaluation of the needs of the child and
28 adequacy of the special education program before placement and periodic
29 evaluation of the benefits of the program to the child and the nature of

1 the child's needs thereafter; and to prevent denials of equal
2 educational opportunity on the basis of national origin, sex, economic
3 status, race, religion, and physical or mental handicap in the provision
4 of differential education services.

5 (c) Sections 180 - 350 of this chapter are designed to remedy past
6 inadequacies and inequities by defining the needs of children requiring
7 special education in a broad and flexible manner, recognizing that these
8 children have a variety of characteristics and needs, all of which must
9 be considered if the educational potential of each child is to be
10 realized; by providing the opportunity for a full range of special
11 education programs for children requiring special education; by requir-
12 ing that a program which holds out the promise of being special actually
13 benefits children assigned to the program; and by replacing the present
14 inadequate formula for distribution of state aid for special education
15 programs with one which encourages local and regional school districts
16 to develop and operate adequate special education programs within a
17 reasonable period of time.

18 * Sec. 5. AS 14.30 is amended by adding new sections to read:

19 Sec. 14.30.181. RECEIPT OF FEDERAL ASSISTANCE. The division shall
20 do everything necessary to cooperate with the federal government to make
21 the state and its political subdivisions eligible for federal assistance
22 under sec. 611 of the Education for all Handicapped Children Act of 1975
23 (20 U.S.C. 1411), secs. 121 and 305(b)(8) of the Elementary and Secon-
24 dary Education Act of 1965 (20 U.S.C. 241(c)(2) and 20 U.S.C. 844a(b)(8)
25 respectively) or its successor authority, sec. 122(a)(4)(B) of the
26 Vocational Education Act of 1963 (20 U.S.C. 1262(a)(4)(B)), or any other
27 federal programs.

28 Sec. 14.30.182. AUTHORITY AND DUTIES OF THE COMMISSIONER. (a)
29 The commissioner shall supervise the administration of the division of

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1 special education.

2 (b) The commissioner may

3 (1) establish reasonable procedures and adopt reasonable
4 regulations necessary to carry out secs. 180 - 350 of this chapter and
5 may, when necessary, issue directives or orders to the director to carry
6 out specific functions and duties; all regulations adopted by the com-
7 missioner shall be adopted under the Administrative Procedure Act (AS
8 44.62);

9 (2) enter into agreements which he considers necessary to
10 carry out the purposes of secs. 180 - 350 of this chapter, including
11 agreements with federal and state agencies;

12 (3) review any order or action of the director;

13 (4) exercise the powers and do the acts necessary to carry
14 out the provisions and objectives of secs. 180 - 350 of this chapter.

15 Sec. 14.30.183. DIVISION OF SPECIAL EDUCATION. There is in the
16 Department of Education the division of special education.

17 Sec. 14.30.184. FUNCTIONS OF THE DIVISION OF SPECIAL EDUCATION.
18 The division of special education shall

19 (1) exercise general supervision over all educational pro-
20 grams for exceptional children in the state, including all programs
21 administered by any local agency or other state agency, and accordingly
22 issue those directives which are necessary to carry out the purposes of
23 secs. 180 - 350 of this chapter;

24 (2) insure that all educational programs for exceptional
25 children in the state, including all programs administered by any other
26 state or local agency, meet education standards established by the divi-
27 sion;

28 (3) consult with and assist city and borough school districts
29 and regional educational attendance areas in the identification, classi-

1 fication, referral and placement of exceptional children, and in the
2 developmnet of programs of special education;

3 (4) compile data on all exceptional children in the state, as
4 well as data on programs of special education administered by city,
5 borough, regional educational attendance areas and private schools pro-
6 viding special education for children referred to those schools under
7 secs. 180 - 350 of this chapter;

8 (5) evaluate programs of special education and approve curri-
9 culum, instruction, and facilities offered by public and private agen-
10 cies which is equivalent, insofar as feasible, to the curriculum pro-
11 vided for exceptional children of comparable age and ability in the
12 public schools of the state;

13 (6) disseminate to the public, upon request, statistical data
14 pertaining to exceptional children while maintaining the confidentiality
15 of data pertaining to individuals;

16 (7) inform the public about the nature and extent of the edu-
17 cational needs of exceptional children and the availability of programs
18 in special education appropriate to meeting those needs;

19 (8) develop and recommend to the board certification stan-
20 dards for educational personnel employed in special education programs;

21 (9) assist public and private colleges and universities in
22 the state to develop courses and programs designed to meet the educa-
23 tional needs of exceptional children;

24 (10) receive and allocate federal funds in accordance with
25 priorities established in compliance with sec. 612(3) of P.L. 94-142 (20
26 U.S.C. 1412(3)), and other applicable federal law;

27 (11) provide for public hearings, adequate notice of those
28 hearings, and an opportunity for the public to comment before the adop-
29 tion of policies, programs, and procedures under secs. 180 - 350 of this

1 chapter; in addition, provide for consultation concerning matters
2 covered by the provisions of secs. 180 - 350 of this chapter with indi-
3 viduals involved in or concerned with the education of exceptional
4 children, including exceptional individuals and parents or guardians of
5 exceptional children;

6 (12) approve the purchase, lease, and operation of all special
7 equipment for instruction outside the classroom of exceptional children
8 for whom attendance in public school is not feasible;

9 (13) conduct or contract with any federal, state, or private
10 agency for the conduct of research and development projects designed to
11 improve the quality of special education programs or increase the effi-
12 ciency of those programs;

13 (14) allocate resources proportionately in the event of fund-
14 ing shortages;

15 (15) insure that expenditures of the state and political sub-
16 divisions of the state inure to the maximum feasible benefit of every
17 child receiving or requiring special education;

18 (16) recommend to the board that it withhold funds under AS
19 14.07.070 for special education programs from a city or borough school
20 district, regional educational attendance area, or private school pro-
21 viding special education for children referred to that school under
22 secs. 180 - 350 of this chapter which does not comply with secs. 180 -
23 350 of this chapter or regulations adopted under secs. 180 - 350 of this
24 chapter, or does not carry out plans for such compliance within a rea-
25 sonable period of time; however, nothing in this paragraph shall be
26 construed to prevent the board from withholding state and federal funds
27 to the extent it considers necessary;

28 (17) provide or supervise the education of exceptional chil-
29 dren cared for in institutions in accordance with secs. 180 - 350 of

1 this chapter;

2 (18) in implementation of the goal of making a free, appropri-
3 ate education available to all exceptional children, make available to
4 exceptional children enrolled in private preschool, elementary, secon-
5 dary, and postsecondary schools a program of special education and
6 instructional support services and pay the cost of the education if the
7 exceptional child is referred to the school by the division or a city or
8 borough school district or regional educational attendance area, as a
9 means of implementing the provisions of secs. 180 - 350 of this chapter,
10 if the private school complies with all the requirements of secs. 180 -
11 350 of this chapter.

12 Sec. 14.30.187. DIRECTOR. The division of special education is
13 administered by a director who is appointed by, and serves at the
14 pleasure of, the governor. A person appointed as director shall have
15 experience and advanced training in the field of special education.

16 Sec. 14.30.188. AUTHORITY AND DUTIES OF THE DIRECTOR. (a) The
17 director shall

18 (1) supervise and administer the activities of the division;
19 (2) execute laws, regulations and orders adopted by the
20 commissioner.

21 (b) The director may

22 (1) exercise the powers specifically delegated to him;
23 (2) employ and fix the compensation of assistants and em-
24 ployees necessary for the operations of the division;
25 (3) approve vouchers for disbursements of money appropriated
26 to the division;
27 (4) delegate the administrative duties and functions imposed
28 upon him to a responsible employee in the division.

29 Sec. 14.30.189. OFFICES. (a) The director shall create within

1 the division, offices responsible for the performance of one or more of
2 the functions enumerated in sec. 184 of this chapter. Offices shall be
3 created in sufficient number to carry out the powers and duties of the
4 division.

5 (b) The director shall appoint to head each office a person with
6 training and experience in the areas for which that office is respon-
7 sible.

8 (c) Designated employees within each office shall be responsible
9 for the conduct of the duties of that office within specific geographi-
10 cal areas.

11 Sec. 14.30.192. INVESTIGATIONS AND HEARINGS. (a) The division
12 may conduct investigations, inquiries, and hearings concerning matters
13 covered by the provisions of secs. 180 - 350 of this chapter.

14 (b) The division may administer oaths and affirmations, certify to
15 all official acts, issue subpoenas, compel the attendance and testimony
16 of witnesses and the production of papers, books and documents.

17 (c) If a person fails to comply with a subpoena or order issued
18 under the authority of this chapter, the division may invoke the aid of
19 any court in this state. The court may order that person to comply with
20 the requirements of the subpoena or to give evidence upon the matter in
21 question. Failure to obey the order of the court is punishable by the
22 court as contempt.

23 Sec. 14.30.193. LOCAL SPECIAL EDUCATION ADVISORY COUNCILS. There
24 is established in each city and borough school district, and in each
25 regional educational attendance area, a local special education advisory
26 council.

27 Sec. 14.30.194. COMPOSITION. (a) If fewer than 2,500 children
28 are served by a city or borough school district or regional educational
29 attendance area, the membership of the local special education advisory

1 council consists of the city, borough, or regional educational atten-
2 dance area school board and one person nominated and elected by the
3 parents or guardians of exceptional children in the district or atten-
4 dance area. Parents and guardians shall be polled by mail to garner
5 nominations for election of their representative.

6 (b) If 2,500 children or more are served by a city or borough
7 school district or regional educational attendance area, the membership
8 of the local special education advisory council consists of 12 members
9 nominated and elected to represent (1) parents or guardians of children
10 with learning disabilities; (2) parents or guardians of severely handi-
11 capped children; (3) parents or guardians of children in a work study
12 program; (4) parents or guardians of gifted children; (5) parents or
13 guardians of children in vocational programs; (6) teachers of special
14 education elementary and secondary integrated programs; (7) teachers of
15 self-contained units; (8) counselors in secondary and vocational pro-
16 grams; (9) principals of integrated units; (10) minority and ethnic
17 groups; (11) professional organizations which are concerned with the
18 problems of exceptional children, such as API, Hope, ARCA, ATC, Students
19 from SAVE, Association for the Talented and Gifted, National Association
20 for the Gifted, the University of Alaska, and the medical profession;
21 (12) the Native regional corporations. These groups shall be polled by
22 mail to garner nominations for election of their representative.

23 Sec. 14.30.195. COMPENSATION, PER DIEM, AND EXPENSES. Members of
24 local special education advisory councils receive no salary, but are
25 entitled to payment from the division of per diem, reimbursement for
26 travel and costs of child care consequent to service on the council, and
27 other expenses authorized by law for boards and commissions.

28 Sec. 14.30.196. DUTIES. (a) A local special education advisory
29 council shall