

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2970 SCOMM 130: HOUSE SPECIAL COMMITTEE ON EDUCATION, 2003-04

1 14.40.368 AND POLICIES OF THE BOARD OF REGENTS OF THE UNIVERSITY
2 OF ALASKA.]

3 * Sec. 3. AS 14.40.400(a) is amended to read:

4 (a) The Board of Regents shall establish a separate endowment trust fund in
5 which shall be held in trust in perpetuity all

6 (1) net income derived from the sale or lease of the land granted under
7 the Act of Congress approved January 21, 1929, as amended;

8 (2) receipts transferred to the fund under AS 14.40.505 [NET
9 INCOME DERIVED FROM THE SALE, LEASE, OR MANAGEMENT OF THE
10 LAND SELECTED BY AND CONVEYED TO THE UNIVERSITY OF ALASKA
11 UNDER AS 14.40.365]; and

12 (3) monetary gifts, bequests, or endowments made to the University of
13 Alaska for the purpose of the fund.

14 * Sec. 4. AS 14.40 is amended by adding new sections to read:

15 Sec. 14.40.495. Education trust and education trust fund established. (a)
16 The education trust and education trust fund are established as a trust and a separate
17 education trust fund of the state.

18 (b) The education trust corpus is composed of the undivided interest in lands
19 conveyed to it under AS 14.40.507.

20 (c) The principal of the education trust fund consists of

21 (1) sums transferred to the fund under AS 14.40.505; and

22 (2) gifts, bequests, and contributions of cash or other assets from a
23 person.

24 (d) The amount available for appropriation from the education trust fund shall
25 be calculated by the commissioner of revenue under AS 14.40.503.

26 Sec. 14.40.497. Powers and duties of the commissioner of revenue. The
27 commissioner of revenue is the treasurer of the education trust fund and has the power
28 and duty, subject to the oversight of the Education Trust Fund Board under
29 AS 14.40.501, to

30 (1) act as official custodian of the cash and investments belonging to
31 the education trust fund by securing adequate and safe custodial facilities;

1 (2) receive all items of cash and investments belonging to the
2 education trust fund;

3 (3) collect the principal and income from investments owned or
4 acquired by the education trust fund and deposit the amounts in the education trust
5 fund;

6 (4) invest and reinvest the assets of the education trust fund as
7 provided in this section and as provided for the investment of funds under
8 AS 37.14.170;

9 (5) exercise the powers of an owner with respect to the assets of the
10 education trust fund;

11 (6) maintain accounting records of the education trust fund in
12 accordance with investment accounting principles and AS 14.40.503;

13 (7) engage an independent firm of certified public accountants to
14 annually audit the financial condition of the education trust fund's investments and
15 investment transactions;

16 (8) enter into and enforce contracts or agreements considered
17 necessary for the investment purposes of the education trust fund;

18 (9) report to the board the condition and investment performance of the
19 education trust fund; and

20 (10) do all acts, whether or not expressly authorized, that the
21 commissioner of revenue considers necessary or proper in administering the assets of
22 the education trust fund.

23 **Sec. 14.40.499. Administration of the education trust fund; Education**
24 **Trust Fund Board established.** (a) The education trust fund shall be administered
25 by the Education Trust Fund Board.

26 (b) The Education Trust Fund Board is established in the Department of
27 Education and Early Development. The board is composed of

28 (1) two members of the State Board of Education and Early
29 Development, selected by the president of the board;

30 (2) the commissioner of education and early development or the
31 commissioner's designee; and

1 (3) two public members appointed by the governor; in appointing the
2 public members, the governor shall give a preference to persons who have experience
3 and expertise in education.

4 (c) Each public member of the board is appointed for a term of four years, and
5 may be reappointed.

6 (d) Members of the board are entitled to per diem and travel allowances as
7 provided by law for members of state boards and commissions.

8 **Sec. 14.40.501. Powers and duties of the Education Trust Fund Board.**
9 When acting as administrator of the education trust fund, the Education Trust Fund
10 Board shall

11 (1) hold regular and special meetings it considers necessary; the board
12 may hold meetings by teleconference;

13 (2) keep audio tape recordings of each meeting of the board to be made
14 available on request; and

15 (3) oversee the administration of the education trust fund by the
16 commissioner of revenue;

17 (4) submit to the governor and make available to the legislature by
18 February 1 each year a report describing the annual level of contributions to, income
19 of, and expenses of the education trust fund.

20 **Sec. 14.40.503. Use of education trust fund; percentage of market value.**
21 Up to five percent of the market value of the education trust fund, as established under
22 AS 14.40.495, may be annually appropriated by the legislature equally for the support
23 of public elementary and secondary education.

24 **Sec. 14.40.505. Funding from education trust and university lands.** By
25 November 15 of each year, the commissioner of revenue shall transfer to the principal
26 of the education trust fund created in AS 14.40.495 and to the University of Alaska
27 endowment trust fund created in AS 14.40.400 equal shares of a sum equal to the total
28 receipts derived from the management of state and University of Alaska land
29 described under AS 14.40.507, including amounts paid to the state as proceeds of sale
30 or annual rent of surface rights, mineral lease rentals, royalties, or royalty sale
31 proceeds from the previous fiscal year.

1 **Sec. 14.40.507. Education trust and university land endowment.** The
2 commissioner of natural resources shall separately convey to the University of Alaska
3 and the education trust created under AS 14.40.495, as tenants in common, an
4 undivided two percent interest in all lands conveyed under secs. 6(a) and 6(b), Alaska
5 Statehood Act (P.L. 85-508, 72 Stat. 339), which constitutes the education trust and
6 university land endowment. Notwithstanding the transfer of ownership, the rights of
7 management and development of land conveyed under this section shall be retained by
8 the Department of Natural Resources. The Department of Natural Resources,
9 however, does not owe a heightened fiduciary duty to the University of Alaska or the
10 education trust as a result of the management and development of land under this
11 section.

12 **Sec. 14.40.509. Definitions.** In AS 14.40.495 - 14.40.509,

13 (1) "board" means the Education Trust Fund Board;

14 (2) "fund" means the education trust fund established in AS 14.40.495.

15 * **Sec. 5.** AS 29.45.030(a) is amended to read:

16 (a) The following property is exempt from general taxation:

17 (1) municipal property, including property held by a public corporation
18 of a municipality, state property, property of the University of Alaska, or land that is
19 in the trust established by the Alaska Mental Health Enabling Act of 1956, P.L. 84-
20 830, 70 Stat. 709, except that

21 (A) a private leasehold, contract, or other interest in the
22 property is taxable to the extent of the interest; however, an interest created by
23 a nonexclusive use agreement between the Alaska Industrial Development and
24 Export Authority and a user of an integrated transportation and port facility
25 owned by the authority and initially placed in service before January 1, 1999,
26 is taxable only to the extent of, and for the value associated with, those specific
27 improvements used for lodging purposes;

28 (B) notwithstanding any other provision of law, property
29 acquired by an agency, corporation, or other entity of the state through
30 foreclosure or deed in lieu of foreclosure and retained as an investment of a
31 state entity is taxable; this subparagraph does not apply to federal land granted

1 to the University of Alaska under AS 14.40.380 or 14.40.390, to other land
2 granted to the university by the state to replace land that had been granted
3 under AS 14.40.380 or 14.40.390, or to land conveyed by the state to the
4 university under AS 14.40.507 [AS 14.40.365];

5 (C) an ownership interest of a municipality in real property
6 located outside the municipality acquired after December 31, 1990, is taxable
7 by another municipality; however, a borough may not tax an interest in real
8 property located in the borough and owned by a city in that borough;

9 (2) household furniture and personal effects of members of a
10 household;

11 (3) property used exclusively for nonprofit religious, charitable,
12 cemetery, hospital, or educational purposes;

13 (4) property of a nonbusiness organization composed entirely of
14 persons with 90 days or more of active service in the armed forces of the United States
15 whose conditions of service and separation were other than dishonorable, or the
16 property of an auxiliary of that organization;

17 (5) money on deposit;

18 (6) the real property of certain residents of the state to the extent and
19 subject to the conditions provided in (e) of this section;

20 (7) real property or an interest in real property that is exempt from
21 taxation under 43 U.S.C. 1620(d), as amended;

22 (8) property of a political subdivision, agency, corporation, or other
23 entity of the United States to the extent required by federal law; except that a private
24 leasehold, contract, or other interest in the property is taxable to the extent of that
25 interest;

26 (9) natural resources in place including coal, ore bodies, mineral
27 deposits, and other proven and unproven deposits of valuable materials laid down by
28 natural processes, unharvested aquatic plants and animals, and timber.

29 * Sec. 6. AS 14.40.365, 14.40.366, 14.40.368, and 14.40.461 are repealed.

30 * Sec. 7. The uncoded law of the State of Alaska is amended by adding a new section to
31 read:

- 1 INITIAL TERMS OF PUBLIC MEMBERS. Of the two public members first
2 appointed under AS 14.40.499(b)(3), added by sec. 4 of this Act,
3 (1) one person shall serve a term of two years; and
4 (2) one person shall serve a term of four years.
5 * Sec. 8. This Act takes effect July 1, 2004.

Subject: Rep. Ogg's request - spreadsheet, States Land Grant stat.s comparison

Date: Thu, 11 Mar 2004 18:14:09 -0900

From: Joseph Beedle <joseph.beedle@alaska.edu>

To: Cliff Stone <Cliff_Stone@legis.state.ak.us>

CC: Pete Kelly <pete.kelly@alaska.edu>, Pat Pitney <pat.pitney@alaska.edu>,
Mari Montgomery <mari.montgomery@alaska.edu>,
"Greene, Meg" <meg.greene@alaska.edu>

Regarding the attached list, Alaska is last, with grant land only representing approximately one tenth of one percent of our state's land grant total going to our university. Only Delaware received less at 90,000 acres compared to UA's 112,000. If UA received the average percentage of all states (5.09% of state land grant total) we would have been awarded 5 million acres. In nominal terms, New Mexico received 1,346,546 acres and Oklahoma received 1,050,000 acres, etc. Some State's like Texas added much more acres to their university land grant from state lands.

Representative Ogg also asked for some other state examples of Land Grant Trusts for Education:

In Texas, the state added to their federal land grant. They created the Permanent University Fund (PUF) with 2,109,190 total acres with mineral receipts converted to investments equaling \$8 billion today. They pay out on a POMV basis 1/3 to A&M System and 2/3 to UT System.

For examples of states that favored K-12, like Arizona, their State Trust Land is distinguished from public lands (parks, forests, etc.). The Common Schools (K-12) are the largest beneficiary owning approximately 87% of the land and receiving close to 90% of the revenue. Their current permanent fund balance is \$1.1 billion.

In New Mexico, their Land Grant Permanent Fund (from royalties on State Lands and Income from Land Sales) is \$6.7 billion (\$11 billion with severance tax account) with \$300+ million annually distributed to public schools and 19 other specifically identified state institutions on POMV basis. K-12 receives about 82%, post secondary schools receive about \$10 million per year. Under New Mexico's Constitution, the State Land Office is responsible for administering 9 million acres of surface lands and 13 million acres of mineral rights for its beneficiaries. Each acre is designated to a specific beneficiary, with the state's public schools receiving about 82 percent of the total.

In Washington State, "Common School" (K-12) received 2.4 million acres, separate from the University Land Grant of 336,000 acres. Recognizing that UW & WSU systems received extremely valuable urban land.

Please note that the attached file does not include federal acres transferred for "common schools" (K-12) nor does the schedule include state grant of land to their universities. Therefore, I would argue that 2% each to K-12 and UA is extremely minimal when compared to other states!

Rep. Ogg's request - spreadsheet, States Land Grant stat.s comparison

Let me know if you need additional information.

I understand that your next hearing on HB333 is Tuesday, March 16 at 11 a.m. Please confirm that time and let me know how I can call in to listen and testify if necessary.

Joe Beedle
UA VP Finance

UNIVERSITY LAND GRANTS (IN ACRES)

State	University Land Grant	State Land Grant	% of Total Grant to State
New York	990,000	990,000	100.00%
Pennsylvania	780,000	780,000	100.00%
Massachusetts	360,000	360,000	100.00%
Tennessee	300,000	300,000	100.00%
Virginia	300,000	300,000	100.00%
Georgia	270,000	270,000	100.00%
North Carolina	270,000	270,000	100.00%
Maine	210,000	210,000	100.00%
Maryland	210,000	210,000	100.00%
New Jersey	210,000	210,000	100.00%
Connecticut	180,000	180,000	100.00%
South Carolina	180,000	180,000	100.00%
Texas	180,000	180,000	100.00%
New Hampshire	150,000	150,000	100.00%
Vermont	150,000	150,000	100.00%
West Virginia	150,000	150,000	100.00%
Rhode Island	120,000	120,000	100.00%
Delaware	90,000	90,000	100.00%
Kentucky	330,000	354,607	93.06%
Oklahoma	1,050,000	3,095,760	33.92%
Ohio	699,120	2,758,862	25.34%
Washington	336,080	3,044,471	11.04%
Indiana	436,080	4,040,518	10.79%
South Dakota	366,080	3,435,373	10.66%
North Dakota	336,080	3,163,552	10.62%
New Mexico	1,346,546	12,794,718	10.52%
Idaho	386,686	4,254,448	9.09%
Illinois	526,080	6,234,655	8.44%
Arizona	849,197	10,543,753	8.05%
Alabama	383,785	5,006,883	7.67%
Utah	556,141	7,501,737	7.41%
Montana	388,721	5,963,338	6.52%
Mississippi	348,240	6,097,997	5.71%
Missouri	376,080	7,417,022	5.07%
Nevada	136,080	2,725,226	4.99%
Nebraska	136,080	3,458,711	3.93%
Iowa	286,080	8,061,262	3.55%
Wisconsin	332,160	10,179,804	3.26%
Wyoming	136,080	4,342,520	3.13%
Colorado	138,040	4,471,604	3.09%
Michigan	286,080	12,142,846	2.36%
Louisiana	256,292	11,441,343	2.24%
California	196,080	8,825,508	2.22%
Kansas	151,270	7,794,669	1.94%
Oregon	136,165	7,032,847	1.94%
Arkansas	196,080	11,936,834	1.64%
Minnesota	212,160	16,422,051	1.29%
Florida	182,160	24,214,366	0.75%
Alaska	112,064	104,569,251	0.11%

Alaska = Florida

784,269

104,569,251

0.75%

Alaska = Average

5,322,575

104,569,251

5.09%

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB333-DNR-LSME-03-02-0
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
 Title Endowment for public education RDU Resource Development
 Component Title Acquisition & Defense
 Sponsor Rep. OGG
 Requester (H) RES Component No. 2459

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	327.0	327.0	152.5	152.5	152.5	152.5
Travel	34.5	34.5	10.0	10.0	10.0	10.0
Contractual	58.8	58.8	20.0	20.0	20.0	20.0
Supplies	27.5	27.5	10.0	10.0	10.0	10.0
Equipment	12.0	12.0	5.0	5.0	5.0	5.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	459.8	459.8	197.5	197.5	197.5	197.5

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	(unknown)	(unknown)	(unknown)	(unknown)	(unknown)	(unknown)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	459.8	459.8	197.5	197.5	197.5	197.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	459.8	459.8	197.5	197.5	197.5	197.5

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

POSITIONS

Full-time	5	5	2	2	2	2
Part-time	1	1	2	2	2	2
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note is the minimum necessary for DNR to identify and convey land to the University of Alaska and State of Alaska. Costs could be higher depending on what lands are selected and the level of controversy relating to individual parcels. Most costs for the conveyance work must come from state funds.

HB 333 appears to be intended as a revenue bill but is in fact it is a lands bill as written. Should the bill be amended to eliminate the conveyance requirement and implement strictly the fiscal intent then the expenditures identified on this fiscal note will revert to zero(0).

It is impossible at this point to determine the negative revenue impact to the state's general fund. It could range from the state's entire revenue base (if all of Prudhoe Bay oil fields were conveyed) to nearly zero (if only lands in the Kuskokwim Flats area were conveyed).

Prepared by: Bob Loeffler, Director Phone 269-8600
 Division Mining, Land and Water Date/Time 3/2/04
 Approved by: Thomas Irwin, Commissioner Date 3/2/04
 Agency Natural Resources

FISCAL NOTE

STATE OF ALASKA 2004 LEGISLATIVE SESSION

BILL NO. HB333-DNR-LSME-03-02-04

ANALYSIS CONTINUATION

As written, this legislation requires the department to convey to itself and to the University of Alaska, as tenants in common, one (1) percent of all land conveyed to the state under the Alaska Statehood Act. These lands would include general grant lands, Community Grant Lands and National Forest Service Grant lands. To date 88.6 million acres out of the original 102.5 million acre entitlement have been conveyed to the state, one percent of these lands would be about 886,000 acres. Future conveyances to the state under the statehood act would also be subject to this requirement. Under the provisions of the bill the department would maintain the responsibility of managing the lands.

The bill requires that all the earnings derived from the management of these lands be annually deposited into a new Education Fund, for the benefit of the university.

The bill does not designate which lands are to be conveyed nor does it include a method or establish standards by which the department and the university would select these lands.

It is impossible to project how much revenue these conveyances will generate for the University, and will be lost to the state, without knowing exactly what lands will be transferred. However, it can be assumed the University will desire to select the most valuable parcels it can find. The effect is to divert a significant revenue stream out of the general fund, where it would have been available for those public purposes the Legislature deemed most important in a given year, into the newly established Education Fund for strictly university purposes. Also, by removing the most valuable parcels from the state's asset base, the bill reduces one of the most important incentives for local government to incorporate: the opportunity to select top-quality commercial, residential, and industrial land for municipal ownership under AS 29.65.

In developing this fiscal note certain assumptions were made concerning the methods by which this legislation would be implemented;

- DNR would be required to work with the university to determine which lands would be selected. This would include selections from the state's unencumbered current holdings and ongoing conveyances over the next 5 to 50 years as lands are acquired from the federal government.
- Any lands that may be conveyed would need to undergo title review to identify encumbrances and conflicts, develop legal descriptions and prepare conveyance documents.
- No additional survey work would be required as long as lands are conveyed by existing surveys, or aliquot part descriptions, or in their entirety as received by DNR.
- Land records systems would have to be modified and records updated to note ownership change and to track transactions and management of the land.
- All land management decisions would be reviewed through the University's lands department under a model similar to that employed in the interim Mental Health Trust Settlement management scheme.

Cost for Section AS 14.40.507 The new program requires selection and conveyance of a large amount of acreage initially with annual management of all properties and additional conveyances of future lands ongoing as the statehood entitlement is completed.

DNR estimates that the initial identification and conveyance portion of the program will require the following staff for two years:

- 1 NRM I - @\$66.0 = \$66.0
- 1 NRS II - @\$58.0 = \$58.0
- 1 NRS I - @\$52.0 = \$52.0
- 1/2 Land Survey Assistant II - @\$58.0/year = \$29.0
- 1 Cartographer II - @\$56.0 = \$56.0
- 1 Analyst programmer - @\$66.0 = \$66.0

This additional staff would require \$6,000 per position or \$36,000 for office space, \$3,000 per person or \$18,000 for space set up costs. These new positions would also require \$4,800 for phone services and \$12,000 for computer equipment, approximately \$34.5 for travel to the field and liaison work with UA land staff within the state, and \$27.5 is estimated annually for supplies.

Ongoing management of Education Fund lands and management of future conveyance efforts will require the following staff:

- 1 NRM I - @\$65.6 = \$66.0
- 1 NRS II - @\$58.0 = \$58.0
- 1/4 Land Survey Assistant II - @\$58.0 = \$14.5
- 1/4 Cartographer II - @\$56.0 = \$14.0

FISCAL NOTE

**STATE OF ALASKA
2004 LEGISLATIVE SESSION**

BILL NO. HB333-DNR-LSME-03-02-0

ANALYSIS CONTINUATION

This staff is required to be maintained in addition to existing staff because DNR must consult with and receive concurrence from UA for all land authorizations and also must continue to convey a one percent portion of all new lands conveyed by the feds under 6(a) and (b) of the Statehood Act.

Support costs would include expenses for travel, contractual supply and equipment expenses.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 333
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Development
 Title "An Act relating to an endowment for public RDU Education Support Services
education; and providing for an effective date." Component Executive Administration
 Sponsor Representative Ogg
 Requester House Special Committee on Education Component No. 2736

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel	2.6	2.6	2.6	2.6	2.6	2.6
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	2.6	2.6	2.6	2.6	2.6	2.6

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.6	2.6	2.6	2.6	2.6	2.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	2.6	2.6	2.6	2.6	2.6	2.6

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Cost estimates are based on a one-day meeting in Anchorage per year, with two Anchorage based participants, two Fairbanks based participants and two Juneau based participants. Assumptions used include 21-day advance notice and ticket purchase, off season hotel rates and no meeting room costs.

Prepared by: Eddy Jeans, School Finance Manager Phone 465-8679
 Division Education Support Services Date/Time 3/2/04 2:01 PM
 Approved by: _____ Date 3/2/2004
 Agency Education & Early Development

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB333
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title Public School Endowment RDU Revenue Programs & Services
 Component Treasury Management
 Sponsor Representative Ogg
 Requester House Education Component No. 121

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual	45.0	90.0	135.0	180.0	225.0	270.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Debt Service		0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	45.0	90.0	135.0	180.0	225.0	270.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	45.0	90.0	135.0	180.0	225.0	270.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	45.0	90.0	135.0	180.0	225.0	270.0

Estimate of any current year (FY2004) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

For purposes of this fiscal note the endowment fund established with CSHB333 is assumed to accumulate \$10 million per year net of any appropriations. The cost of managing that amount is 45 basis points as shown above. The cost for amounts over \$10 million would drop to 16 basis points. The bill provides for separate principal and income accounts; the assumption is that this would not be necessary. The bill does not provide for money management fees; the assumption is that they would be provided from the fund. The bill provides for unspecified education fund board costs; the assumption is that those would come from DEED.

Our understanding is that fund income will become better defined as more about the bill becomes known.

Prepared by: Tom Boutin, Deputy Commissioner Phone 465-3750
 Division Treasury Division Date/Time 3/01/04, 4 PM
 Approved by: Landa Baily, Special Assistant Date 3/1/2004
 Agency Department of Revenue

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____

Bill Version: _____

HB333 (version1)

() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: _____

UA

Title PUBLIC SCHOOL ENDOWMENT

BRU

Component _____

Sponsor OGG, COGHILL, HOLM, Wilson

Requester _____

Component No. _____

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	0.0	5.0	15.0	30.0	50.0	75.0
TOTAL OPERATING	0.0	5.0	15.0	30.0	50.0	75.0

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 (UA Receipts)	0.0	5.0	15.0	30.0	50.0	75.0
TOTAL	0.0	5.0	15.0	30.0	50.0	75.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

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. In FY11 (yr7) UA would have \$100,000 of operating revenue and by FY14 (yr10) revenue would be \$175K - these figures are based on the following assumptions: 1) DNR does all the land development and transfers only the resulting funding, 2) DNR returns \$100 Million in eligible revenue, of which 3) UA deposits 0.5% (50% of the 1% for education) into its LGTF. Given assumption (1) above, the land development responsibility resides entirely with DNR, therefore the resulting operating revenue is available for UA priority programs. The spreadsheet in the attached worksheet labeled HB333 comparison and titled "HB333 comparison of version one and version two," shows the annual estimates FY05-FY14.

Prepared by: Pat Pitney
 Division: University of Alaska
 Approved by: Pat Pitney
 Agency: University of Alaska

Phone 474-5889
 Date/Time 3/15/04 3:38 PM
 Date 3/15/2004

SCOMM

130:11

Alaska State Legislature

Session:
State Capitol
Juneau, AK 99801
Phone: (907) 465-2995
Fax: (907) 465-6592



Interim:
716 W 4th Avenue, Suite 430
Anchorage, AK 99501-2133
Phone: (907) 269-0250
Fax: (907) 269-0249

Representative Lesil McGuire

Chair, Judiciary Committee

HB 338

"An Act relating to attendance at public school; and providing for an effective date."

SPONSOR STATEMENT

HB 338 accomplishes two simple, but necessary, statutory changes that govern the entry age for attendance into public school and the process by which local school districts may allow early entry applicants to be accepted.

Currently, AS 14.03.080(c) stipulates that a child under school age may be admitted only if the child can demonstrate "minimum standards prescribed by the board evidencing that the child has the mental, physical, and emotional capacity. . ." Under the current statute, this language requires a full board vote in order to approve such early entry applications. The new language included in HB 338 would allow local school boards to delegate this authority to their chief school administrator, thus relieving the boards from this minor administrative burden more appropriately left to career education professionals.

Further, HB 338 adjusts the date certain, from August 15th to September 1st, by which a child must have attained the age of five for standard entry in kindergarten. Alaska is one of only three states that have an entrance cut-off date on or before August 15th. 35 states have kindergarten entrance cut-off dates between August 31 and October 16th with September 1 being shared by 19 states. Because of the large number of new residents arriving from other states with their respective cut-off dates and varying school start dates among Alaska's school districts, we believe this change will create a less confusing standard that will allow the greatest number of Alaskan students to begin school each year without having a disruptive impact on a classroom environment. It is for these reasons that this change is supported by a number of Alaska school districts and the Alaska Department of Education and Early Development.

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FOLLOWING
DOCUMENT(S)
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MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
OFFICE OF THE CHIEF SCHOOL ADMINISTRATOR
501 NORTH GULKANA STREET
PALMER, ALASKA 99645

Phone: 907-746-9255 • Fax: 907-761-4076

January 21, 2004

Representative Lesil McGuire
State Capitol, Room 118
Juneau, AK 99801-1182

Dear Representative McGuire:

Please consider this letter a statement of our support for House Bill 338, which would extend the deadline for Kindergarten eligibility to September 1 of each school year. We appreciate your initiative in introducing this bill for consideration.

Each year, our School Board receives requests to allow Kindergarten enrollment for students who miss the current registration deadline, yet turn five years of age prior to the start of school (traditionally the day following Labor Day in Mat-Su Schools). The current deadline of August 15 appears to be arbitrary, especially in light of the fact our district does not start school until the first week in September. In attempting to explain this disparity to concerned parents, it is difficult to account for the necessity of the August 15 deadline. A deadline aligning with the start of the school year seems much more logical and reasonable.

In sum, our district and its School Board support a change to existing statute to allow an extension of the Kindergarten registration deadline. Again, we appreciate your sponsorship of this bill. Please let us know how we may help in its passage.

Sincerely,

Robert Doyle
Chief School Administrator



StateNotes

Kindergarten

700 Broadway, Suite 1200 Denver, CO 80203-3460 303.299.3600 Fax: 303.296.8332 www.ecs.org

Access to Kindergarten: Age Issues in State Statutes

May 2003

This *StateNote* documents how state lawmakers have addressed kindergarten-related age issues, including compulsory school age, kindergarten entrance age, early entrance to kindergarten, skipping kindergarten and kindergarten exemption.

Kindergarten Entrance Age

The entrance age cut-off dates for kindergarten are not uniform across states.

- Only six states have cut-off dates between December 1 and January 1. This practice leads to a robust mix of 4-year-olds and 5-year-olds enrolled in kindergarten.
- Thirty-five states have kindergarten entrance cut-off dates between August 31 and October 16. These policies lead to fewer 4-year-olds entering kindergarten, but classrooms consist of a combination of 4- and 5-year-olds entering each fall.
- Three states have cut-off dates on or before August 15. While legislative intent cannot be determined without additional research, it can be supposed that these states want to ensure all children are 5 years old before they enter kindergarten.
- Another six states leave the entrance-age question up to local district decision.

Early Entrance

No matter where the age of entry is set, most kindergarten classrooms have an age span of at least one year among students. Further contributing to this age span are allowances for early entrance to kindergarten. Statutes in 27 states allow children to enter kindergarten before they reach age eligibility; one state does not permit early entrance; and 22 state laws are silent on the issue.

Compulsory School Attendance

Only eight states have a compulsory school age of 5 that effectively, if not explicitly, mandates kindergarten attendance for all children. Compulsory attendance ages in the other states range from age 6-8. These laws allow parents and schools to delay a child's entrance into kindergarten for a year. The reasons for delaying entry into kindergarten include beliefs that some children are not yet developmentally ready to succeed and beliefs that older children are more able to adapt to the intellectual, social-emotional and academic demands of kindergarten.

Permissive Kindergarten Attendance, Skipping Kindergarten and Kindergarten Exemption

Thirteen states require students attend kindergarten. Of those states, only Tennessee does not allow exemptions from kindergarten attendance. Delaying entrance to kindergarten and skipping kindergarten altogether – whether because the state does not mandate kindergarten attendance, because a student enters early into 1st grade or because a student exempts out of school until compulsory school age – raise equity issues because both the causes and the effects of such practices vary. For instance, access to high-quality early childhood education programs and/or enriched educational environments at home are likely effective replacements for kindergarten at age 5. Children from better-educated and wealthier families, however, are more likely to have access to such experiences than poorer children from less-educated homes.

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Alabama	7	September 1	Transfer	Permissive	Transfer	NA
Alaska	7	August 15	Transfer	Permissive	Not specified	NA
Arizona	6	September 1	Decision – parent, child, teacher and principal	Permissive	Decision – parent, child, teacher and principal	NA
Arkansas	5	September 15	Transfer	Mandatory	Not specified	Readiness and Parent request
California	6	December 2	Decision – school district and parent	Permissive	Decision – school district and parent	NA
Colorado	7	LEA option	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Connecticut	5	January 1	Decision – local school board	Mandatory	Not specified	Parent request
Delaware	5	August 31	Decision – local school authorities	Mandatory	Not specified	Parent request
Florida	6	September 1	Not specified	Permissive	Not specified	NA
Georgia	7	September 1	Transfer	Permissive	Transfer	NA
Hawaii	6	December 31	Not specified	Permissive	Not specified	NA
Idaho	7	September 1	Not specified	Permissive	Transfer	NA
Illinois	7	September 1	Decision – school district	Permissive	Not specified	NA
Indiana	7	July 1	Decision – parent and superintendent	Permissive	Not specified	NA
Iowa	6	September 15	Not specified	Permissive	Readiness	NA
Kansas	7	August 31	Transfer	Permissive	Transfer	NA
Kentucky	6	October 1	Not specified	Permissive	Not specified	NA
Louisiana	7	September 30	Gifted	Mandatory	Readiness	Readiness
Maine	7	October 15	Transfer	Permissive	Not specified	NA
Maryland	5	September 1	Not specified	Mandatory	Not specified	Parent request or Readiness
Massachusetts	6	LEA option	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Michigan	6	December 1	Not specified	Permissive	If district does not offer kindergarten	NA
Minnesota	7	September 1	Not specified	Permissive	Policy – local school board	NA
Mississippi	6	September 1	Not specified	Permissive	Not specified	NA
Missouri	7	August 1	Not specified	Permissive	Not specified	NA
Montana	7	September 10	Decision – board of trustees	Permissive	Not specified	NA
Nebraska	7	October 15	Transfer or Readiness	Permissive	Not specified	NA
Nevada	7	September 30	Not permitted	Permissive	Not permitted	Parent request
New Hampshire	6	LEA option	Not specified	Permissive	Not specified	NA
New Jersey	6	LEA option	Decision – local school board	Permissive	Not specified	NA
New Mexico	5	September 1	Not specified	Mandatory	Not specified	Parent request
New York	6	LEA option	Not specified	Permissive	Not specified	NA
North Carolina	7	October 16	Transfer or Gifted	Permissive	Decision – principal	NA
North Dakota	7	September 1	Transfer or Readiness	Permissive	Transfer or Gifted	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Ohio	6	September 30 or August 1	Policy – school district	Mandatory	Not specified	Parent request and Readiness
Oklahoma	5	September 1	Not specified	Mandatory	Not specified	Parent request
Oregon	7	September 1	Policy – local school board	Permissive	Policy – local school board	NA
Pennsylvania	8	LEA option	Not specified	Permissive	Policy – state board of education	NA
Rhode Island	6	December 31 (until 1/1/04) September 1 (after 1/1/04)	Not specified	Mandatory	Not permitted	Not specified
South Carolina	5	September 1	Transfer or Decision – school district	Mandatory	Decision – school district	Parent request
South Dakota	6	September 1	Transfer	Permissive	Transfer	NA
Tennessee	6	September 30	Not specified	Mandatory	Not permitted	Not permitted
Texas	6	September 1	Readiness and Policy – school district	Permissive	Transfer	NA
Utah	6	September 2	Not specified	Permissive	Not specified	NA

State	Compulsory School Age	Kindergarten Entrance Age (Child must be 5 on or before this date)	Early Entrance to Kindergarten Allowed?	Student Attendance in Kindergarten	Skipping Kindergarten Allowed (Enter 1st grade at age 5)?	Kindergarten Exemption Allowed?
Vermont	6	January 1 or LEA option	Not specified	Permissive	Not specified	NA
Virginia	5	September 30	Readiness	Mandatory	Not specified	Parent request
Washington	8	August 31	Decision – LEA	Permissive	Decision – LEA	NA
West Virginia	6	September 1	Decision – county board	Mandatory	Decision – county board	Readiness
Wisconsin	6	September 1	Policy – school district	Permissive	Policy – school district	NA
Wyoming	7	September 15	Not specified	Permissive	Not specified	NA

Key:

Decision – (parties listed)

A decision to allow early admittance to individual children on a case-by-case basis may be made by the parties listed.

Policy – (authorities listed)

The authorities listed may adopt a policy to allow early admittance; this policy must be applied equally to every student seeking early admittance.

Gifted

A child may be allowed early admittance if he is determined to be gifted.

LEA

Local education agency

NA

Not Applicable. Kindergarten attendance is not mandatory in this state.

Not permitted

Under no circumstances may a child be allowed early admittance.

Not specified

This issue is not addressed in state statute.

Parent request

A child may be exempted from kindergarten upon the request of a parent or guardian.

Readiness

A child may be allowed early admittance if it is determined the child is ready to attend at a younger age. A child may be admitted to 1st grade without attending kindergarten if a readiness screening is passed.

Transfer

A child who was enrolled in another state or district may continue to attend the grade he was enrolled in when transfer to the new district or state occurred. If a child has completed kindergarten in another district or state, he may be admitted to 1st grade.

This ECS StateNote was completed by Kristie Kauerz, program director, and Jessica McMaken, researcher, as part of ECS' study, Full-Day Kindergarten: An Exploratory Study of Finance and Access in the United States, which is funded by a grant from the Foundation for Child Development.

Full details on each category in this *StateNote* will be available in July 2003 when ECS releases an online searchable database of kindergarten policies in all 50 states.

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From: McRae_Patricia
Sent: Monday, February 16, 2004 12:45 PM
To: 'ryan_macinster@legis.state.ak.us'
Cc: Ginder_Julie; Long_Eunice
Subject: change of entry date for kindergarten students

I am writing to support the proposed change of entry date for Alaskan children into kindergarten from August 15th to September 1st. This change will allow children who turn 5 years of age by September 1st to begin kindergarten in that school year.

As the Executive Director for Elementary Education, I have worked with many, many families whose child turns 5 years of age between August 15th and the first day of school (the day after Labor Day in Anchorage). These parents want their child to begin school with their like-age peers. Because of the August 15th deadline, we must turn these families away, when their children would have turned 5 years of age by the first day of school. This is difficult for many families to understand. It is also my understanding that the entry date for kindergarten in most states across the U.S. is September 1st, and because of the large military populations we deal with in Alaska, the consistency provided in such a change will additionally benefit the children of military families.

My colleagues, Elementary Supervisors Julie Ginder and Eunice Long, concur with the proposed change to September 1st as well. We believe this will allow us to better serve these children and that coming in line with the majority of other states across the union will provide consistency for families who are moving to Alaska.

Thank you,
Patricia McRae

Patricia McRae, Executive Director
Elementary Education
742-4254

"Prosperity is a great teacher; adversity a greater."
-William Hazlitt

SCOMM

130:12

Representative Mary Kapsner

State Capitol • Juneau, Alaska 99801-1182

Phone: (907) 465-4942 • Fax: (907) 465-4589

E-Mail: Representative_Mary_Kapsner@legis.state.ak.us



House District 38

Yukon Kuskokwim Delta

MEMORANDUM

Aktachak

Aktak

Atmaultuak

Bethel

Chefornak

Eek

Goodnews Bay

Kasigluk

Kipruk

Kongiganak

Kwethluk

Kwigillingok

Lower Kalskag

Mekoryuk

Napakiaak

Napaskiak

Newtok

Nightmute

Nunapitchuk

Oscarville

Platinum

Quinhagak

Toksook Bay

Tuluksak

Tununak

Tuntutuliak

Upper Kalskag

TO: Representative Carl Gatto, Chair
House Special Committee on Education

FROM: Representative Mary Kapsner *Mary Kapsner*

DATE: January 27, 2004

RE: HB 353 – Jury duty exemption for certain teachers

I would appreciate your scheduling of HB 353 for a hearing in the House Special Committee on Education. I've worked on this issue for several years at the request of my home school district, which is greatly impacted by the absence of teachers. Bethel maintains a superior court in the Fourth Judicial District and because of the caseload and geographic challenges, the pool of jurors has placed an undue burden on district teachers.

The court has instituted a pilot project for the Bethel court this year that reduces the time requirements for petit jury duty from three months to one month and grand jury from four months to one month. This eases the burden on the general population but it doesn't solve the problem facing educators and children in classrooms.

I've attached my sponsor statement, a letter of support from the Lower Kuskokwim School District, and a snapshot of comments I've received from teachers themselves on this issue.

Thank you for your consideration.

Representative Mary Kapsner

State Capitol • Juneau, Alaska 99801-1182

Phone: (907) 465-4942 • Fax: (907) 465-4589

E-Mail: Representative_Mary_Kapsner@legis.state.ak.us



House District 38

Yukon Kuskokwim Delta

SPONSOR STATEMENT

HB 353 provides an exemption from jury duty for teachers in schools that have failed to meet adequate yearly progress under state and federal law.

The role of the classroom teacher has taken on new importance in recent years with the passage of state and federal laws aimed at accountability in education. The ultimate winners or losers of these mandates will be our children. This year high school seniors will be required to pass the high school graduation qualifying exam to receive their diploma. We have added "No Child Left Behind" to our personal vocabulary when we talk about education. NCLB imposes requirements for highly qualified teachers and sanctions on districts that fail to meet "adequate yearly progress."

Jury duty can be lengthy, resulting in a significant impact on classroom learning. When a teacher is absent from the classroom the flow of learning is affected. In many small communities in Alaska, qualified substitute teachers are simply not available, and the person placed in charge of the classroom may be an aide pulled from other responsibilities or an individual who holds a high school diploma. Moreover, ratio of scale in small communities creates an additional burden on the school. For example, five of the eleven certified teachers in one of the schools in my district were called to Bethel for jury duty this year before this school year was half over.

Although jury duty is an important civic responsibility and part of the foundation of our legal system exemptions are appropriate under certain circumstances. HB 353 limits its impact by exempting only those teachers whose school has failed to meet AYP. In a time of so many educational mandates and with a lack of available educational resources in some areas of the state this is a reasonable solution to the problem.

Thank you for your consideration.

Aktachak

Akiak

Atmautluak

Bethel

Chefornak

Eek

Goodnews Bay

Kasigluk

Kipruak

Kongiganak

Kwethluk

Kwigillingok

Lower Kalskag

Mekoryuk

Napakiaak

Napaskiak

Newtok

Nightmute

Nunapitchuk

Oscarville

Platinum

Quinhagak

Toksook Bay

Tuluksak

Tununak

Tuntutuliak

Upper Kalskag



Lower Kuskokwim School District

Personnel and Student Services Department
P.O. Box 305 • Bethel, Alaska 99559
907 543-4885/4886/4887
FAX 907 543-4900

1/23/04

Representative Mary Kapsner
State Capitol
Juneau, Alaska 99801

Dear Representative Kapsner,

This letter is in support of HB 353 dealing with jury duty for teachers in schools that have not met the Adequate Yearly Progress requirements of the No Child Left Behind Act. In the Lower Kuskokwim School District we have several schools that are severely impacted by the amount of jury duty that our teachers are required to perform. From September 1 to December 15, 2003, for example, our payroll records show a total of 107.5 days that our teachers were out of the classroom performing jury duty. The negative impact on student learning is further compounded by the fact that certified substitutes are virtually non-existent in our district and in some cases it is not possible to find subs at all.

Quality instruction is the most important component in meeting the high academic standards brought about by legislation at the state and federal levels. The NCLB act recognizes this with its heavy emphasis on "highly qualified" teachers. HB 353 will help ensure that our highly qualified teachers remain in the classroom where they can help our students reach these standards.

Educating our children is the most important responsibility of the State of Alaska. Teachers have the greatest impact on the quality of education, but only when they are in the classroom. Legislators can help to ensure that teachers stay in the classroom by their support of HB 353.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Baldwin". The signature is fluid and cursive, with the first name "Gary" and last name "Baldwin" clearly distinguishable.

Gary Baldwin
Assistant Superintendent of Personnel and Student Services

HB 353 – Jury duty exemption for certain teachers
Email comment in support (emphasis added)

I believe all of our teachers need to be in the classroom to get ready for testing, as none of our substitutes are trained teachers. Out of 11 certified teachers, 5 have already been requested for jury duty, which is close to half, and the year is not over.

Marie Wierema
Lower Kuskokwim School District

Many of my school staff have been called for jury duty, and often, more than one each quarter. I, myself, have been called several times for service in Bethel, and more recently for federal service in Anchorage.

My experience with the Bethel jury service is that it is not possible for teachers to make "real" lesson plans for the duration of their service. The system is set so that one cannot know until 4:30 if jury members need to appear in Bethel the following morning. By the time you get notice that you have to go to Bethel in the evening to be present for an 8:30 jury call, there isn't time to alter one's lesson plans for a substitute. Therefore, teachers tend to write plans for easy to follow activities for a non-certified substitute.

Village teachers are faced with two problems. First, airplanes must fly in the daylight, and during much of the school year there isn't a great deal of that after school is dismissed. By the time a teacher calls in to Bethel and discovers that s/he must fly to Bethel, there is barely time to grab a change of clothes and run to the airport to catch the mail plane. The second issue is that we don't have any people with teaching certificates sitting around the village waiting to be called in as a substitute. When a teacher is out, the best we can manage is to bring in a recent high school graduate who isn't otherwise employed. The students are the ones who suffer from interruption of their learning.

I've always felt that a well-educated population is less likely to commit crimes, and that effective teachers in the classroom contribute to a lower crime rate. Let the teachers teach, and the students learn, and we might not have need for so many trials and juries.

Felicia Griffith-Kleven
Lower Kuskokwim School District

I just finished the three month long stint of jury duty service last month. I can assure you that it did have a negative impact on my students and our school. Partly because I missed many of my classes and partly because of the stress it caused. I never knew until the morning if I would have to fly into Bethel for jury duty or not. Several times the jury was cancelled at the last minute, sometimes before I left the village and sometimes after I arrived in Bethel. Sometimes ice or weather conditions made it impossible to go and all the time I worried that ice or weather conditions would prevent me from returning home if I did make it in. In the end I was never selected to be on a jury.

Franklin A. Cook
Nunapitchuk

I would like to voice my support of the Jury Duty Bill. As the site administrator at Eek School I am very concerned about the impact of having teachers, administrators, and other staff members pulled away from their duties at the school for jury duty. This has a negative impact on our instructional program in terms of student academic growth and achievement.

It is almost impossible to find qualified substitute teachers to fill these vacancies. If we are serious about improving student academic growth and achievement we need to seriously consider exempting school staff (teachers, administrators, aides) from jury duty. It is extremely difficult to run an effective educational program with the constant disruption of having our highly qualified staff members pulled away from their duties.

Daniel Walker
Eek

I am the Director of Special Education for LKSD, which includes 21 village schools and four schools in Bethel and have been in this position for 6 years.

Jury duty has a tremendous impact when a special education teacher or district office special education specialist is called to serve. As you know, special education services are mandated by law. There are times when a student must, by law, be served by a certified special education teacher, not a sub or an aide. When a certified special education teacher is gone, we are out of compliance on some of our students' IEP's. This means that the parents can file a complaint against us with EED or file for due process. Both of these options are extremely costly to the district and stressful to the people involved.

We do the best we can to serve the student appropriately within the law and per their IEP's, but if the certified sp ed teacher or district office specialis is absent for any length of time, then it puts the district into situation of potential liability.

Linae Sanger
Special Education Director
Lower Kuskokwim School District

Serving for one month instead of three would be a great improvement for the teacher and his/her students, but would not eliminate the impact, and it would not in itself reduce the total burden of missing staff serving jury duty. The burden would just be spread around to more teachers and classrooms.

Larry Ctibor, Site Administrator
M.E. Primary School
Lower Kuskokwim School District

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB353-ACS-TC-2-12-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: _____

Title Jury Duty For Teachers

BRU Alaska Court System

Component Trial Courts

Sponsor Representative Kapsner

Requester _____

Component No. _____

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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

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 (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of HB 353.

Prepared by: Doug Wooliver Administrative Attorney

Division: Alaska Court System

Approved by: Stephanie Cole Administrative Director by Doug Wooliver

Agency: Alaska Court System

Phone 463-4750

Date/Time 2/12/04 9:54 AM

Date 2/12/2004

SCOMM

130:13

SPONSOR STATEMENT

HOUSE BILL 387

"AN ACT RELATING TO FINES FOR OFFENSES COMMITTED WITHIN SCHOOL ZONES."

HB 387 doubles the fine assessed for motor vehicle or traffic offenses committed in a school zone. This bill mirrors a law passed by the Alaska State Legislature in 1998, which doubled the fine for violations committed in a highway work zone.

Doubling fines in school zones serves several purposes; it increases public awareness of the need for increased school zone safety, confirms our commitment to student safety, and serves as a further deterrent to motor vehicle violations in school zones.

Due to the particular difficulties presented by Alaska's climate walking to school and in school zones can be dangerous for students. This bill attempts to mitigate this risk to students through the deterrent effect of increased fines.

Please join me in protecting our children by endorsing and passing House Bill 387.

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**FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT**

520 Fifth Avenue

Fairbanks, Alaska 99701-4756

(907) 452-2000

www.northstar.k12.ak.us

January 23, 2004

The Honorable Gary Wilken
Alaskan Senate
State Capitol Building
Juneau, Alaska 99801-1182

Dear Senator Wilken:

It has been brought to my attention that you are sponsoring legislation that would address fines for offenses committed within school zones through SB244, specifically a fine or bail would in essence double if committed within a school zone.

As superintendent of an urban school system, I wholeheartedly support this concept. Approximately two-thirds of our 15,000 students walk to school each day. The majority of our school year these children walk in dark conditions, oftentimes without the advantage of streetlights or sidewalks while their visibility may be hindered because of being dressed in winter gear. As you can imagine, our younger students may forget traffic safety when they get excited as they see their friends close to the school grounds. We do what we can for safety by hiring crossing guards, teaching traffic safety, sewing reflective tape on outer wear, etc., but alerting drivers about higher traffic fines in school zones cannot hurt and would be one more measure of safety.

I believe it is a good idea to bring to the forefront that drivers need to obey the traffic speeds in school zones or pay double the consequence. This has been the case in other states and I am proud that Alaska is willing to make this worthwhile step in the protection of our youngsters.

Please count me as a supporter of SB244.

Respectfully submitted,

Ann E. Shortt, Ed. D.
Superintendent of Schools
/plh

NewsBank InfoWeb

Anchorage Daily News (AK)

Anchorage Daily News (AK)

October 24, 2003

Street safety gets closer look

LAKE OTIS: Officials seek long-term solutions to keep kids and cars apart.

Author: TATABOLINE BRANT
Anchorage Daily News
Staff

Edition: Final
Section: Alaska
Page: B1

Estimated printed pages: 3

Article Text:

Steps have been taken to make things safer for kids who need to get across Lake Otis Parkway to school, but city and Anchorage School District officials said Thursday they are still investigating longer-term safety measures.

Getting kids across the street safely has long been a concern at Hanshew Middle School and Spring Hill Elementary, which sit side by side on Lake Otis, a busy four-lane road with a posted speed limit of 45 mph.

Those concerns were pushed to the forefront of public discussion earlier this month when a 13-year-old Hanshew girl was hit by a van while trying to cross Lake Otis on her way to school. Kimberly Osborn died from her injuries a few days after the accident.

Since Osborn's death, city officials have erected more than a dozen no-pedestrian-crossing signs along Lake Otis between O'Malley and Abbott roads, where the two schools are. The signs direct pedestrians to an under-road tunnel between the schools.

School officials have long encouraged students to take the tunnel to school or ride the bus, even if they live just across the street. But since Osborn's death, several parents have said they don't think the tunnel is safe for kids either.

Siegfried Kirchner, whose son used to attend Hanshew, recently wrote to Mayor Mark Begich that the tunnel "is a filthy, dimly lit invitation for encounters of the worst kind. It is precisely the kind of place that women and children should avoid."

City traffic engineer Glenda Radvansky and district transportation director Steve Kalmes said Thursday that steps are being taken to make the tunnel safer. Cages have been put over the lights to protect them

from vandals, Radvansky said, and the lights are now on 24 hours a day. In addition, two streetlights are going to be erected at each end of the tunnel, she said.

"It's definitely not going to be dark in there."

The city also is going to look at drainage issues in the tunnel, Radvansky said. The tunnel gets filled with water in spring and snow in winter.

The district also has temporarily stationed adults along Lake Otis before and after school hours to watch for jaywalkers and encourage kids to take the tunnel.

Several parents are clamoring for crosswalks, stoplights and a speed reduction along Lake Otis, but a group of city, district and state transportation officials that met Thursday said they do not favor the idea.

The Hazardous Transportation Committee did not rule out the idea of crosswalks and lights but strongly favored keeping the kids off the street altogether -- the district's approach thus far.

The stretch of Lake Otis in which some people want the changes is more than a mile long, officials said. Getting every driver to slow to 25 mph for that long of a stretch, on a road that's built for higher speeds, is going to be next to impossible, they said.

"As comforting as a school zone sounds, it's not going to give you the amount of protection you think it is," said Gary Apperson, a recently retired police sergeant. All it will take is one driver on a cell phone in a pickup and you could have another dead child, he said.

About 460 drivers were cited for speeding in school zones in 2002, according to the Anchorage Police Department's Annual Statistical Report. But police officials said Thursday they can't catch or deter all the speeders, even when they do stings for days at a time.

"The size of the problem is huge," said Mark Mew, the district's security director and a former deputy police chief at APD.

The other problem with crosswalks on Lake Otis is that the road is neither straight nor flat, which could leave even the best drivers with little time to respond.

Still, the committee seemed to agree that more needs to be done to prevent kids from darting across Lake Otis -- a growing problem since two new subdivisions went up on Lake Otis near O'Malley, some distance away from the under-road tunnel.

Radvansky said she was going to look into the feasibility of an overpass, the most expensive idea so far. Other ideas discussed at the meeting included erecting fences to keep kids off the street, increasing lighting on the streets, putting up speed reader boxes and hiring attendants to watch students during the beginning and end of the school day.

"There's not going to be a magic bullet," Apperson said. "It's going to be a combination of things, including having parents work with their kids."

The district plans to discuss the ideas with parents at a meeting at Hanshew at 7 p.m. Tuesday, Kalmes said. That feedback will be relayed to the Hazardous Transportation Committee, which plans to meet again in November to further discuss the options.

Daily News reporter Tataboline Brant can be reached at tbrant@adn.com or 257-4321.

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Record Number: 336042410/24/03

Article Bookmark(OpenURL Compliant): Anchorage Daily News (AK) : Street safety gets closer look
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Anchorage Daily News (AK)

Anchorage Daily News (AK)

October 14, 2003

District looks for safer crossing

Girl's death, complaints spur new look at old policy

STUDENTS BRAVE LAKE OTIS TRAFFIC

Author: TATABOLINE BRANT

Anchorage Daily News

Staff

Edition: Final

Section: Main

Page: A1

Estimated printed pages: 4

Article Text:

The death of a 13-year-old student who was hit by a van, and complaints about other kids darting into traffic have city and School District officials trying to find safer ways for students to get to two schools on Lake Otis Parkway.

Traffic has long been a thorny issue for Spring Hill Elementary and Hanshew Middle School, which sit side by side on Lake Otis, a busy arterial road with four lanes of traffic in two directions and a posted speed limit of 45 mph.

Last Monday, Kimberly Osborn tried to cross Lake Otis to get to Hanshew and was hit by a van whose driver didn't see her until it was too late. She died two days later.

As school officials try to figure out what they can do to prevent a similar accident, some parents are questioning why the officials didn't act sooner.

"The speed limit is way too high," said Baron Davis, whose 6-year-old daughter attends Spring Hill. "Cars go faster than 50 miles per hour down that road. I've caught a school bus going 50 miles per hour."

The district says it has tried numerous approaches to get kids safely from one side of Lake Otis to the other, including encouraging them to take a pedestrian tunnel and authorizing bus stops for students who live right across the street. The district has been reluctant to put in school crossing signs and crosswalks because officials don't want to encourage students to cross Lake Otis, said Steve Kalmes, the district's director of transportation services.

"It's a very sticky question," Kalmes said. "The problem with school zones is that people in this community don't pay any attention to them. It's criminal the disregard for school zones in this

community. ... Our position has been let's do whatever we can to protect the students."

But new housing developments along Lake Otis have led to more kids trying to cross the road, and Superintendent Carol Comeau said Monday that the district may now have to rethink that long-held stance.

"That's the big challenge for us," Comeau said. "We do not want kids to cross Lake Otis. But on the same token, I think we need to recognize that there are two schools across the street from these subdivisions."

The area in front of Hanshew Middle School and Spring Hill Elementary does not look like a school zone. The schools are set back from the road, and there are few signs to let drivers know there could be children nearby. The speed limit is 45 mph, and there are no crosswalks to break up the mile-long stretch of Lake Otis between O'Malley and Abbott roads.

According to Kalmes, a pedestrian tunnel was built under Lake Otis in the early 1990s. But from the beginning it was a struggle to get kids to use the tunnel, said Comeau, who used to be principal at Spring Hill.

"It was a constant battle," she said. Vandals often knocked out lights in the tunnel, and the passage would fill up with water in spring and snow in winter, she said.

The effort to get kids to use the tunnel was compounded in recent years when new subdivisions went in on Lake Otis near O'Malley. The tunnel is closer to Abbott, and students in the new subdivisions took to darting across Lake Otis instead of making the longer walk to school via the tunnel.

The district received several complaints about this about two years ago, Kalmes said, and after observing the jaywalking, they authorized bus stops for the students.

But the bus rides sometimes last 15 to 20 minutes, said Comeau and K.P. Targe, president of the Hanshew Parent Teacher Student Association. "A lot of the kids don't want to ride the bus," Comeau said.

Parents and drivers have voiced concerns about traffic near the schools for years.

Davis, the father of the 6-year-old Spring Hill student, said he wrote to Anchorage Assembly members about a month before Osborn was killed, suggesting that the speed limit in front of the schools be reduced. He said he got a cool response. They said, "Well, we've got this tunnel," Davis said in a telephone interview Monday.

"It seems like everybody is pointing at the kids," he said. "It's the adults that are creating the environment."

Davis thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggested a crosswalk. "I'll paint it myself if they want," he said.

Statistics on how many accidents have occurred in front of the two schools were not immediately available Monday.

"I've heard there've been some pretty close calls," Comeau said.

Since Osborn's death, the district is rethinking its approach. Comeau said she and other district officials met with police and city traffic engineers Monday to talk about how to get kids safely across Lake Otis.

Assemblywoman Janice Shamberg has suggested an on-demand pedestrian stop light and crosswalk, similar to the one on Northern Lights Boulevard near East High. Kids think they're invulnerable, Shamberg said, and if they're running too late for school to take the tunnel or the bus, "they could easily decide to just cross the street."

Comeau said city officials are considering Shamberg's suggestion, and a number of others, including slowing traffic down to 20 to 25 mph with blinking lights when the school day begins and ends. Comeau said she's also looking into installing vandal-proof lights in the tunnel and trying to make bus rides shorter for kids who live nearby, among other things.

"I personally believe we need to slow the traffic down," she said.

Daily News reporter Tataboline Brant can be reached at tbrant@adn.com or 257-4321.

Caption:

Illustrated by Ron Engstrom

ILLUSTRATION SHOWS MAP OF SCHOOL CROSSING ON LAKE OTIS AND PHOTO OF KIMBERLY OSBORN

Photos by BILL ROTH / Anchorage Daily News

Hanshew Middle School students who crossed Lake Otis Parkway near the O'Malley Road intersection walk back toward the subdivision across from the school.

Baron Davis, whose daughter attends Spring Hill Elementary School, thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggests a crosswalk. "I'll paint it myself if they want," he said. Vandals have knocked out lights in the tunnel, and the passage can fill up with water in spring and snow in winter.

Hanshew Middle School students walk toward the O'Malley Road intersection to avoid crossing near a guard.

Photo 1: schoolcrossing_101403.tif

Photo 3: schoolcrossing5_101403.jpg

Photo 4: 14 Hanshew_Spring Hill__101403.jpg

Graphic 2: schoolcrossing3_101403.eps

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Article Bookmark(OpenURL Compliant): [Anchorage Daily News \(AK\): District looks for safer crossing](http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:ADNB&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=0FE3280FA080FA84&svc_dat=InfoWeb:current&req_dat=0FC00EA2EBA62E28)

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Anchorage Daily News (AK)

Anchorage Daily News (AK)

October 11, 2003

Student hit by car on way to bus stop

NOT IN CROSSWALK: Teen wasn't supposed to ride bus after his family moved.

Author: KATIE PESZNECKER
Anchorage Daily News
Staff

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Section: Alaska
Page: B1

Estimated printed pages: 3

Article Text:

A Wendler Middle School student was hit by a car as he crossed Bragaw Street on Friday morning to catch a school bus, becoming the second Anchorage School District student to be struck this week.

Police said Pupualii Uele, 13, was hit by a Subaru SUV about 7:44 a.m. Friday. Pupualii was taken to Alaska Regional Hospital with a broken right leg and abrasions to his left elbow, said his mother, Mary Uele.

"It's broken really bad," Uele said.

On Monday morning, Hanshew Middle School student Kimberly Osborn, 13, was hit by a van while crossing Lake Otis Parkway between O'Malley and Abbott Loop roads on her way to school. She suffered broken bones and massive head injuries and died Wednesday.

Uele said she learned her son was hurt when a police officer called her house. "I thought that (Pupualii) had been suspended. But no, when the police officer said there had been an accident, it was shocking. And then I'm looking at the time, thinking he just left the house."

District officials and police on Friday again said students and drivers need to pay extra attention to their surroundings with the increasingly dark mornings. Principals and teachers were reminding their students to use safe routes when walking to school, said Roger Fiedler, district spokesman.

Pupualii on Friday walked from his home on Reka Drive to a bus stop on the west side of DeBarr, said Steve Kalmes, district transportation director. But that isn't actually Pupualii's bus stop, Kalmes said.

"We would never have a child cross a four-lane road to catch a school bus," Kalmes said. "We just don't do that. He shouldn't have been going across."

Pupualii lives on Reka Drive, in the Clark Middle School attendance area, and attends Wendler on a zone exemption, Kalmes said.

District policy says parents are responsible for transporting zone-exempted students to their chosen school. Those students are not supposed to ride school buses, Kalmes said.

But, Uele said, when the school year started, the family lived on the west side of Bragaw, in the Wendler attendance area. They have since moved to their home on Reka and with the bus stop just down the street, it just made sense for Pupualii to continue riding the bus, Uele said.

Wendler students this year have a much longer ride to school because they're using the old Dimond High School building in South Anchorage while their school, at Lake Otis and Northern Lights Boulevard, is remodeled.

Police said Pupualii was walking west across Bragaw Street at an angle, near Reka Drive.

"I guess he was rushing and thought he was going to miss (the bus)," Uele said.

Pupualii was struck by a Subaru that was southbound on Bragaw, driven by Thomas J. Snell, 40. Witnesses told police that Snell had the green light to proceed along Bragaw when Pupualii stepped in front of his car. Snell was not cited.

Daily News reporter Katie Pesznecker can be reached at kpesznecker@adn.com.

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http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:ADNB&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=0FE3280AEF67ABB9&svc_dat=InfoWeb:current&req_dat=0FC00EA2EBA62E28

WRAL.com

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Police Emphasize School-Zone Safety Following Cary Hit-And-Run

Authorities Search For Suspect, Truck As Students Seek Safe Way To Cross Street

POSTED: 5:26 p.m. EDT October 23, 2003

UPDATED: 12:56 a.m. EDT October 24, 2003

RALEIGH, N.C. -- A Cary High School student is still recovering from a hit-and-run accident that occurred near campus Monday. The accident raised concerns not only about crosswalk confusion, but school-zone safety.



can prove dangerous for students on their way to school.

The accident has police trying to crack down on safety at many schools.

Dodging traffic is part of the daily routine for students at Broughton High School. Drivers are supposed to slow down and give students the right of way at crosswalks. School-zone signs are posted everywhere as reminders. But students say too many drivers ignore them.

"I think it's ridiculous," student Caroline Griffin said. "They drive like they're crazy. It's not safe for people who cross the street at school."

Said Broughton student Katie Banner: "I think it's unsafe. Last year, somebody was hit."

Cary High School senior Kristina Grahn, 18, was hit by a car Monday morning as she crossed the street to campus. Police said a driver made an illegal right turn in the school zone before hitting the girl.

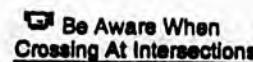
The authorities are still looking for the truck and driver.

Police said the Cary accident proves that people can not be too careful with cars and kids.

"We are always in fear of something like that happening," said Capt. D.S. Overman, of the Raleigh Police Department.



Overman said Raleigh police put a lot of manpower into keeping school zones safe. He said drivers need to slow down, read the signs -- or pay the price.

 Be Aware When
Crossing At Intersections

He said drivers need to remember that the penalties are tougher for speeding in a school zone.

"We want people to see us out here," Overman said, "to know that if they blatantly disregard the laws, there's a penalty for that."

Slowing down not only can save drivers some cash, but possibly a life, as well.

Previous Stories:

- October 23, 2003: Authorities Identify Vehicle Type Involved In Cary Hit-And-Run
- October 21, 2003: Police Continue Search For Green Truck In Cary Hit-And-Run

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Children First: School Zone Safety

Danielle Banks

Local law enforcement gathered recently in an effort to keep children safe. Officers and other city officials want to get the word out about school zone safety.

While the officials didn't reveal any new laws, they did stress the importance of obeying the current ones. They simply want to remind you to use extra caution on the roads when school buses are around and put children first.

"Law enforcement has set a goal for zero traffic related crashes or injuries in the 2002-2003 school year and we need your help while on the roadways," said Harrisonburg police officer Greg Deeds.

So what can you do?

"You must stop anytime you approach a stopped bus on the roadway or at any intersection when the red lights are flashing unless there is an actual physical barrier between you and the bus," said Harrisonburg police officer D.J. Albertson.

A \$250 fine will go to the registered owner of any vehicle reported owner of any vehicle reported passing a stopped school bus.

"If you're the owner of the car, you have to come into court and explain to us or give us a reason to believe that you weren't driving or you could be penalized for a violation involving your vehicle," Albertson said.

Officials said the matter won't taken lightly in court either.

"We prosecute to the fullest extent of the law on these cases because we do believe that children have the right to be safe in their transport to and from school," said commonwealth attorney Marsha Garst.

Speeding in a school zone or failing to yield to a pedestrian crossing the road are other important issues.

"Even if the vehicle has a green traffic light, they must be cautious to all pedestrians either crossing at intersections or on crosswalks. A pedestrian should remember they cannot enter a roadway against a walk light," Albertson said.

Officials said your best bet is easier than you may think.

"Slow down, leave more time to get to your destinations especially during the mornings and afternoons when children are on or near the roadways and we want to ensure the safety of our children in the communities," Deeds said.

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Join

National Bus Safety Week is the third week in October.

whsv.com Extended Web Coverage

Safety Tips For Children:

- When you get off, take five giant steps away from the bus, out of the danger zone.
- Cross in front of the bus, and make sure you maintain eye contact with the driver.
- Never go back for anything and never bend down near or under the bus.

Safety Tips For Parents:

- Assure your children you won't get mad if they don't go back for a jacket they've left on the bus, or school work they've dropped under a wheel.
- Encourage them to sit quietly in their seat and follow the driver's instructions on bus safety.

Safety Tips For Motorists:

- Stop when the bus's warning lights are flashing, or the stop arm comes out.
- Share the road with the yellow bus.

General Facts

- School buses are one of the safest forms of transportation in the nation - nearly 2,000 times safer than the family car.
- The reality of school bus safety is that more children are hurt outside a bus than inside one.
- The child who bends over to retrieve a dropped school paper, or who walks too close to the bus while crossing the street, needs to be aware that every yellow school bus is surrounded by a danger zone.

Source: www.nhtsa.dot.gov (National Highway Traffic Safety Administration Web site) contributed to this report.

More Stories

Children First: Report Cards

Children First

Children First: Kids and Etiquette

Children First: EMU Tuition Plan

Children First: Foster Care Crisis

Children First: Talking to Kids About

Annual Statistical Report
Traffic



2002

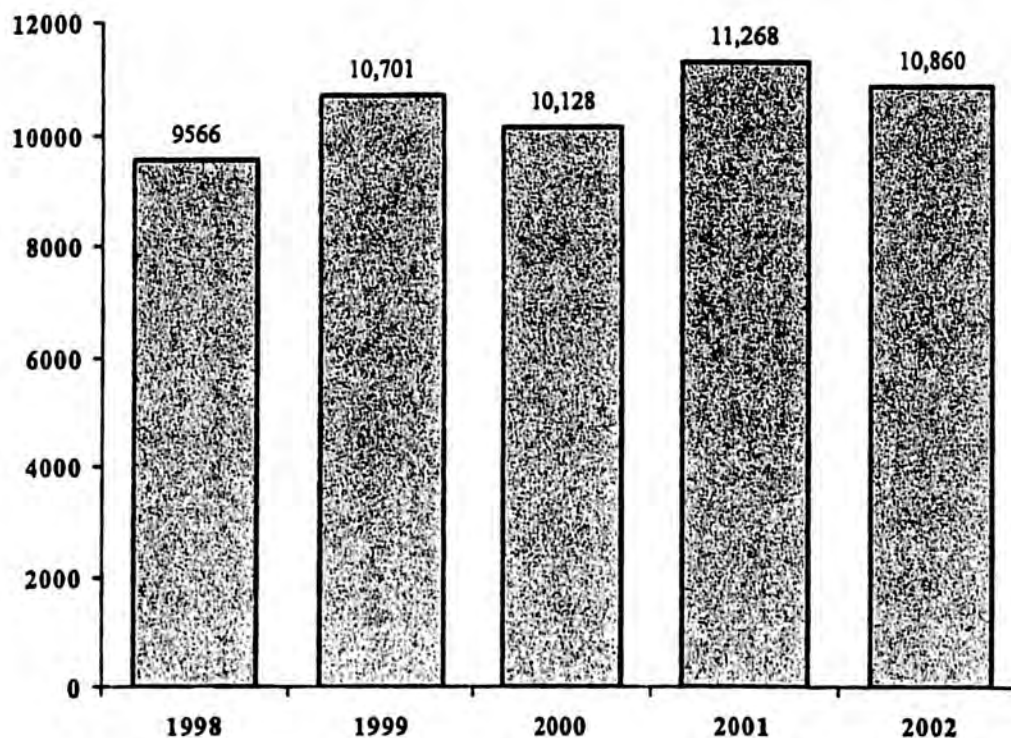
Anchorage Police Department

Traffic Section



Traffic Accidents

1998-2002



	1998	1999	2000	2001	2002
Total Vehicle Accidents	9,566	10,701	10,128	11,268	10,860
with Fatalities involved ¹	17	19	28	27	34
with DUI involved ²	293	340	350	371	391
with Injuries	2,143	2,496	3,329	3,757	3,958
with Non-Injury Property Damage	7,022	8,151	7,674	8,597	8,152
with Hit & Run involved	2,051	2,345	2,390	2,751	2,696
Bicycle Accidents	138	134	122	121	149
<u>Pedestrian Accidents</u>	<u>108</u>	<u>83</u>	<u>95</u>	<u>113</u>	<u>146</u>
Motorcycle Accidents	23	52	52	62	71

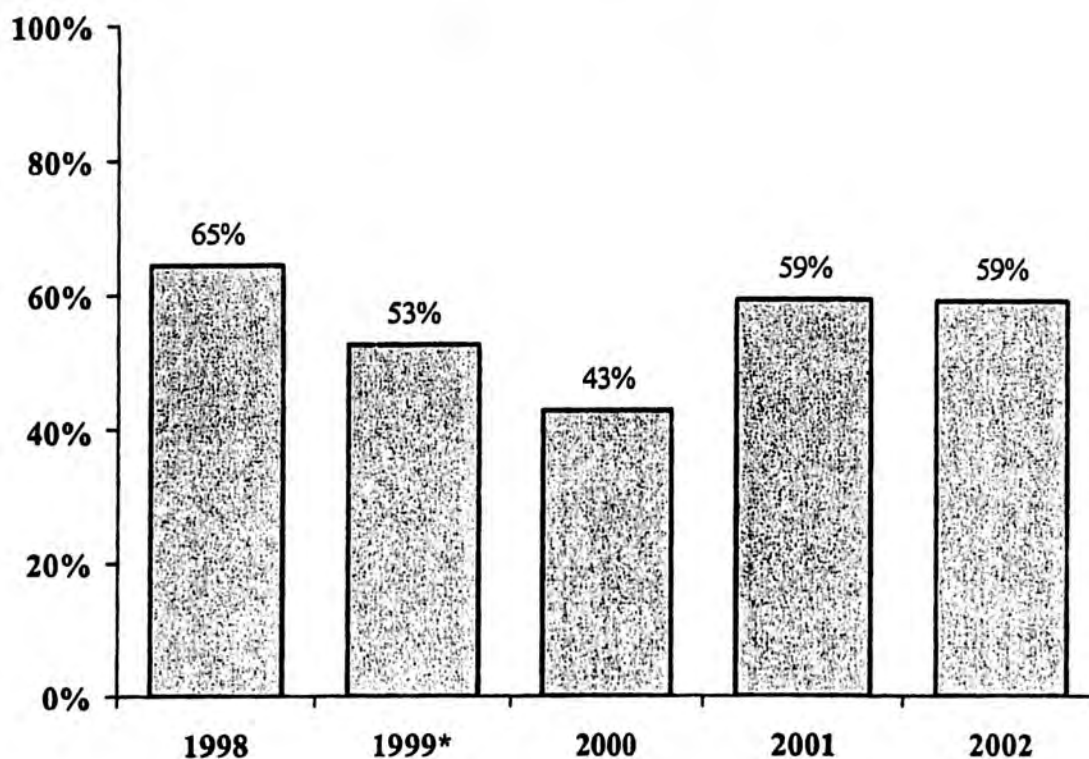
A single accident can be in multiple totals.

¹ Number of accidents with fatalities, not number of victims.

² Driving Under the Influence. Replaced DWI and adds drugs as a cause of impairment in addition to alcohol.

Fatal Accident Summary

Alcohol and Drug Involvement known to Police

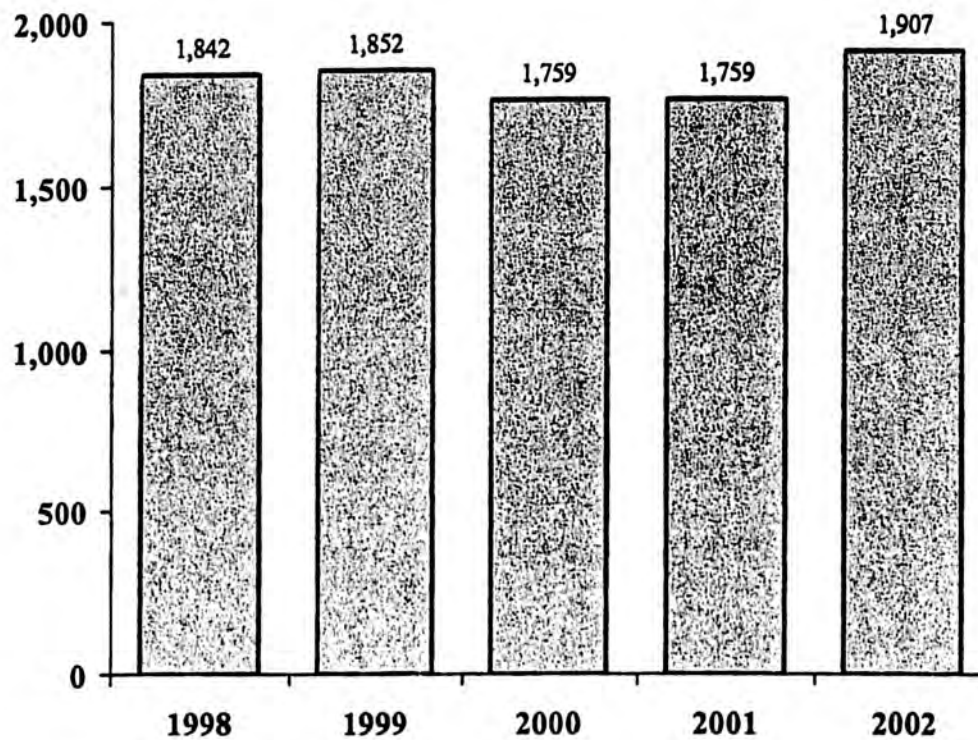


	1998	1999*	2000	2001	2002
Number of Fatality Accidents with Alcohol or Drugs Involved	17	19	28	27	34
Percentage	65%	53%	43%	59%	59%

Note that 2002 data shows 728 out of all 10,860 traffic accidents involved alcohol and/or drugs (7%).

**One additional fatal accident was reported to Department of Motor Vehicles. This case was classified as a murder and is not reflected here as an accident.*

DUI Arrest^{*} 1998-2002



Yearly Totals

1998	1999	2000	2001	2002
1,842	1,852	1,759	1,759	1,907

^{*}Driving Under the Influence. Replaced DWI and adds drugs as a cause of impairment in addition to alcohol.
DUI Arrests represent all charges brought against individuals.

Traffic Violations

While the number of fatality accidents within the municipality remains relatively low, injuries occurred in nearly one-fourth of all accidents. Many of the 10,860 motor vehicle accident reports written by the Department last year can be attributed to some of the more serious violations listed below. Officers will continue to focus their attention on violations that are most likely to cause accidents.

	1999	2000	2001	2002
RED LIGHT VIOLATIONS	3,605	3,282	2,025	1,769
STOP SIGN VIOLATIONS	1,189	1,079	910	993
CARELESS DRIVING	659	660	737	813
FAILURE TO YIELD	835	753	816	800
TURNING VIOLATIONS	741	637	559	487
<u>SCHOOL ZONE SPEEDING*</u>	<u>357</u>	<u>2,259</u>	<u>436</u>	<u>460</u>
OTHER SPEEDING VIOLATIONS	8,204	9,816	7,904	8,124
UNSAFE BACKING	526	474	484	554
DRIVER'S LICENSE VIOLATIONS	4,266	5,062	4,042	3,210
VEHICLE REGISTRATION AND LICENSING VIOLATIONS	2,632	3,058	2,360	2,574
VEHICLE EQUIPMENT VIOLATIONS	1,767	2,222	1,001	984
ALL OTHER TRAFFIC VIOLATIONS	5,146	6,656	7,776	6,448
TOTAL CITATIONS ISSUED	29,927	33,736	29,068	27,216

Nonmoving (Parking) Citations

1999	2000	2001	2002
37,680	55,948	30,981	37,729

* Source: State of Alaska

Washington's Safer School Zones

In 1996, a number of concerned parents and children from Yakima, Washington appeared before the Washington state legislature, and asked their elected officials to do something about school zone safety. The legislature responded, and the State of Washington adopted RCW 46.61.400, which, among other things, doubles the fine for speeding in a school zone (\$157, now \$177), directs half of the new fine total be earmarked for improving school zone safety, and stipulates that the fine cannot not be waived, reduced, or suspended. This act went into effect on March 20, 1996.

Characterizing the program as a success would be an understatement. Within the first four months of the School Zone Safety program, 3,000 citations were issued for violations of school zone laws—double the previous year's total. Since its inception, \$6.2 million has been raised and expended by the State of Washington to improve safety around schools.

The Washington Traffic Safety Commission (WTSC) is responsible for running the program. Their accomplishments are numerous:

- They have trained school bus drivers on driving in inclement weather.
- They have provided a highly requested training on enforcing school safety zone to police departments around the state.
- All school zone speed limit signs have been updated to warn drivers "Speeding Fines Doubled in School Zones."
- They have distributed a School Safety Curriculum Kit and Resource Guide to every public and private elementary school in the state.
- Every school in the state has received two sets of new crossing guard flags, and vests.
- Additional matching grants are available to schools wishing to make other improvements.

All of these activities were paid for by the School Zone Safety Account.

The law enforcement community in Washington has been enthusiastic in its support of this project, and their enforcement efforts have contributed greatly to its success. The fact that the School Zone Safety Account allows police departments to purchase safety-related equipment doesn't hurt either. The Safety Account has given departments the resources needed to provide overtime pay for officers, extra vehicles, radios, radar guns, and additional training related to school zone safety.

Currently, the WTSC is set to launch a new school zone safety pilot project, which will begin in early 2004. The pilot project will be a partnership between the State of Washington, and the government of British Columbia, Canada.

For more information on the WTSC's School Zone Safety program contact Lynn Drake, Program Manager <ldrake@wtsc.wa.gov>

School Zone Safety Improvement Project**WASHINGTON**

PROJECT CHARACTERISTICS	PROGRAM AREA(S)
Targets hard-to-reach/at risk population	Police Traffic Services
TYPE OF JURISDICTION	
State	
TARGETED POPULATION(S)	JURISDICTION SIZE
General Population	5,430,000

PROBLEM IDENTIFICATION

Surveys conducted by the Washington Traffic Safety Commission (WTSC) in Yakima, Washington, showed significant violations of speed limits in school crosswalk and playground areas. In response to these serious safety concerns, legislation was enacted doubling fines for speeding in a school zone. The legislation provided that half of the new fine total would be earmarked for improving school zone safety.

GOALS AND OBJECTIVES

The goal of the School Zone Safety Improvement Project was to improve compliance of existing speed limit laws in school zones. In order to achieve this goal, WTSC established the following objectives:

- Provide law enforcement agencies with the motivation and tools to aggressively enforce school speed limits
- Supply funding for school zone improvement projects
- Develop a public education campaign informing motorists of the school zone laws
- Provide increased signage at school zones

STRATEGIES AND ACTIVITIES

The WTSC teamed with other organizations having a vested interest in traffic safety, including local law enforcement and Safe Communities coalitions, to plan a series of strategies and activities designed to meet the WTSC goal and objectives for the project. The activities included the following:

- Law enforcement agencies were invited to apply for state grant funds to purchase speed measuring devices or other equipment that would enhance school zone enforcement. Among the criteria for receiving a grant award was a requirement for demonstrating the extent of the agency's commitment to enforcement by submitting a plan for performance
- A public information campaign was developed featuring articles in the local newspapers and public service announcements (PSAs) that aired on local radio and television. Several feature stories were also aired on local television
- Informational signs were developed in cooperation with the State Department of Transportation and placed in school crossing zones. These signs carried school zone safety messages such as "Speeding Fines Doubled in School Zones"

RESULTS

Since the School Safety Zone Improvement Project was initiated in September 1996, it has supported funding for more than 100 local, county, and state agencies and Indian tribes applying for enforcement grants. The campaign has seen a marked increase in the number of citations issued to violators of the school zone laws, rising from 1,500 citations issued in the year 1995 to more than 3,000 issued in the first four months of the program.

The grant funds awarded were used for activities other than for enforcement, including outfitting of school crossing guards, publicity for "red ribbon" ceremonies for sign installation, purchase and installation of "Double Fine" signs, enhanced community policing efforts and increased police presence near schools. Preliminary data from effectiveness studies indicate that there are no long-term effects of signage without enforcement.

Based on the success of the project, the Washington State Legislature enacted legislation in 1997 that doubled the penalty for passing a stopped school bus, with the expectation that the School Zone Safety Improvement Project be replicated to improve compliance with laws regarding stopped school busses. Half the fines collected from enforcement of the new law will be dedicated to this effort.

FUNDING

State: \$300,000

CONTACT

Les Pope
Washington Traffic Safety Commission
P.O. Box 40944
Olympia, WA 98504-0944
(360) 586-3872

TRAFFIC SAFETY

WASHINGTON

School Zone Safety Curriculum

PROJECT CHARACTERISTICS

Aimed at Youth

Formalization of Safety Procedures

PROGRAM AREA(S)

Youth Programs

Public Information & Education

TYPE OF JURISDICTION

State

TARGETED POPULATION

Elementary Schools

JURISDICTION SIZE

5,894,121 (2000 Census)

PROBLEM IDENTIFICATION

With more and more children walking to school than ever before because of budget cuts in local school districts, there is a greater need for motorists and pedestrians to look out for each other. Unfortunately, when drivers ignore school zones and exceed the speed limits, children are at risk for being injured by a motor vehicle.

The Washington Traffic Safety Commission (WTSC) has aggressively targeted school zones in an effort to make them *safety* zones for students. An annual, statewide public information campaign reminds motorists to slow down in school zones, and watch for children riding bikes and walking to and from school. This campaign is coupled with enforcement activity where officers pay close attention to motorists driving through school zones. With a posted speed limit of 20 mph, the minimum fine for speeding in a school zone is \$157, half of which goes to the School Zone Safety Account. This money is dedicated to the promotion of school zone safety. The fine cannot be waived, suspended, or reduced.

During the 2000-2001 academic year, WTSC distributed two sets of new crossing guard flags and vests to every elementary school in the state. The cost for this project was \$75,000, paid by the School Zone Safety Account. Following distribution of the flags and vests, WTSC received an overwhelming number of requests from schools and local law enforcement agencies for formalized school zone training.

GOALS AND OBJECTIVES

The WTSC aimed to create and distribute a School Safety Patrol Curriculum designed to assist the student crossing guards in their duties. The curriculum, which would serve as a clear and standardized educational tool, would also address the responsibilities of running a successful program.

A committee of law enforcement, educators, engineers, traffic safety, and insurance representatives was formed to develop the curriculum. Their goal was to:

- provide a user-friendly toolkit for schools on school zone safety;
- outline and explain the state's school zone laws;
- suggest solutions to common problems in school zones;
- develop a video that outlined the responsibilities and importance of a crossing guard;
- educate parents on traffic safety in and around the school;
- provide portions of the toolkit in multiple languages; and
- encourage local law enforcement to become involved in individual school programs.

STRATEGIES AND ACTIVITIES

WTSC arranged for a signed letter from the Governor to accompany the School Safety Curriculum Kit and Resource Guide; both items were sent to every elementary school (public and private) and all law enforcement agencies in the state. The kit includes a videotape; attractively printed inserts for supervisors, principals, and crossing guards; and an evaluation form. Parent safety tips are also provided in six different languages.

RESULTS

At this writing, the curriculum is being distributed and kits will be updated every two or three years to reflect changes in the law or other safety factors or concerns.

Plans are in the works for training that will be offered at pre-determined sites for school personnel, law enforcement, and traffic safety advocates to ensure the goal and guidelines of this curriculum are met.

A School Zone Safety Account funded the project. The funds were spent on design, video production, printing, and assembling 3,000 kits. This is enough for 1,135

FUNDING

Other: \$33,000
(School Zone Safety Account)

CONTACT

Lynn Drake
Program Manager
WA Traffic Safety
Commission
PO Box 40944
Olympia, WA 98504
ldrake@wtsc.wa.gov

elementary schools, 350 law enforcement agencies, and
traffic safety advocates in the state.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

WINTER 2002


People Saving People
<http://www.nhtsa.dot.gov>





Governors Highway Safety Association

The States' Voice on Highway Safety

MEMBERS • ABOUT GHSA • MEETINGS • MEMBERSHIP INFO • MEDIA • RESOURCES • PROJECTS • PUBLICATIONS

State Information

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Information by State



Sitemap

Sanctions for Exceeding the Speed Limit in Either a Construction or School Zone

State	Sanctions for Speeding in a Construction Zone	Sanctions for Speeding in a School Zone
Alaska		Six points are assessed on the driving record.
Arkansas	An additional fine, equal to all other fines, is imposed for exceeding the posted limit when construction personnel are present.	First offense is 1-10 days in jail and \$25-50 fine; second offense within one year is 5-25 days in jail and \$50-\$250 fine and license suspension for 6 months (subsequent offense within 1 year is 25 days, 6 months in jail and \$250-\$1000 fine; 3rd offense within one year is license suspension for one year.
Colorado	If a speeding offense occurs in a construction zone, fines and surcharges are double the usual amount.	<u>If a speeding offense occurs in a school zone, fines and surcharges are double the usual amount.</u>
Connecticut	The fine is double the usual amount.	
Florida	For exceeding the speed limit in a construction zone (except for speeds less than 5 MPH over the posted limit where only a warning is issued), the fine is double the amount in the fine schedule. Note: If a person decides to adjudicate the speeding offense in a construction zone, the fine is not more than \$1000.	<u>For exceeding the speed limit in a school zone, the fine in the schedule is \$50, if the speed limit was exceeded by less than 5 MPH. Otherwise the fine is double. If a person decides to adjudicate the speeding offense, the fine is not more than \$1000.</u>
Georgia	Jail of not more than 12 months and a fine of \$100-\$2000.	
Illinois	A fine of \$150 (mandatory) to \$1000, and additional fine of \$50 which is used for school safety.	A fine of \$150 (mandatory) to \$1000, and additional fine of \$50 which is used for school safety
Indiana	The court may order a person to pay a fee of \$25 for	

	exceeding a worksite speed limit.	
Iowa	The fine is double the amount in the fine schedule.	
Kansas	The fine is double the usual amount.	
Kentucky	If a speeding offense occurs in a construction zone, the fine is double the usual amount.	
<u>Maine</u>		<u>The fine is double the amount in the fine schedule.</u>
Maryland		A fine of not more than \$1000.
<u>Michigan</u>	The fine is double that prescribed by law.	<u>Imprisonment for not more than 90 days and a fine that is double that prescribed by law, but not more than \$200.</u>
Minnesota	A surcharge is assessed that equals the fine, except the surcharge cannot be less than \$25.	A surcharge is assessed which equals the fine, except the surcharge cannot be less than \$25.
Mississippi	For exceeding the posted limit in a "highway work zone" a fine of not more than \$250 is assessed.	
Missouri	For speeding in a construction zone, an additional fine of \$35 is assessed.	
Montana	If a speeding offense occurs in a work zone, the fine is double the usual amount.	
<u>Nebraska</u>	If a speeding offense occurs in a construction zone, the fine is double the usual amount.	<u>If a speeding offense occurs in a school crossing zone, the fine is double the usual amount.</u>
Nevada	There is an additional sanction which is equal to the original sanctions imposed for exceeding such a limit. Imprisonment sanctions for the original and additional sanctions must run consecutively. However, the combined sanctions cannot exceed 6 months of imprisonment, \$1000 or 120 hours of community service.	
New Jersey	The fine is double the usual amount.	
New York	Exceeding the speed limit less than 10 MPH, a fine of \$60-\$100; exceeding the speed limit more than 10 MPH but less than 30 MPH, not more than 30 days in jail	Exceeding the speed limit less than 10 MPH, a fine of \$60-\$200; exceeding the speed limit more than 10 MPH but less than 30 MPH, not

	and a fine of \$120-\$200; exceeding the speed limit more than 30 MPH, not more than 30 days in jail and a fine of \$240-\$400. For a second offense within 18 months for any of the previous offenses, the fine is increased by \$100. For a subsequent offense within 18 months for any of the previous offenses, the fine is increased by \$250.	more than 15 days in jail and a fine of \$120-\$400; exceeding the speed limit more than 30 MPH, not more than 30 days in jail and a fine of \$240-\$800. For a second offense within 18 months for any of the previous offenses, the fine is increased by \$100. For a subsequent offense within 18 months for any of the previous offenses, the fine is increased by \$250.
North Carolina	There is a mandatory \$250 fine.	There is a mandatory \$25 fine and 3 points are assessed against the driving record.
North Dakota	Fee schedule for exceeding the speed limit by 1-10 MPH is \$40; fee schedule for exceeding the speed limit by more than 10 MPH is \$40 plus \$1 for each MPH over 10 MPH.	
Ohio	The fine is double the usual amount.	
Oregon	The fine is 80% of the maximum fine established for the violation.	The fine is 80% of the maximum fine established for the violation.
Pennsylvania	The fine is double the usual amount.	The fine is \$35 plus \$2 for every mile in excess of 5 MPH.
South Carolina	Jail of not more than 30 days and/or a fine of \$75-\$200.	
South Dakota	Fine is double the usual amount.	
Tennessee	Fine of \$250 (mandatory) to \$500. Speeding violations where the vehicle's speed was not noted on the citation, 3 points; exceeding the speed limit 1-5 MPH, 2 points; exceeding the speed limit 6-15 MPH, 6 points; exceeding the speed limit 16-35 MPH, 7 points; exceeding the speed limit by 36 or more MPH, 8 points. For commercial vehicles, speeding where the vehicle's speed was not noted on the citation, 4 points; exceeding the speed limit through 5 MPH, 2 points; exceeding the speed limit 6-14 MPH, 5 points.	
Texas	Minimum and maximum fines are doubled.	
Utah	If convicted of speeding in a construction zone when	

	workers are present, fine is double the amount listed in the fine schedule.	
Virginia	Fine is not more than \$250.	For speeding in a school crossing zone is not more than \$250.
<u>Washington</u>	Mandatory fine of double the normal amount for exceeding the speed limit in a roadway construction zone.	<u>Mandatory fine of double the normal amount for exceeding the speed limit in a school or playground crosswalk.</u>
West Virginia	A fine of not more than \$200. Jail of not more than 20 days for exceeding the speed limit by 15 or more MPH.	A fine of \$100-\$500. Jail of not more than 6 months for exceeding the school zone limit by 15 or more MPH when one or more children are in the zone.
<u>Wisconsin</u>	Maximum and minimum fines are doubled.	<u>Maximum and minimum fines are doubled.</u>
Wyoming	Fine of \$100 when operating a motor vehicle with a gross vehicle weight greater than 26,000 pounds and speeding more than 6 MPH (fine appears to be mandatory.)	

Source: NHTSA "Summary of Special Sanctions for Exceeding the Speed Limit in Either a Construction or School Zone." Current as of January 2001.

State of Alaska
Department of Public Safety
School Zone Violations
FY 2003

School Zone Citations				
Agency	S50	S91	S99	Total
Alaska State Troopers	1	2	23	26
Anchorage Police Department	2	32	376	410
Fairbanks Police Department	0	0	10	10
Juneau Police Department	0	0	14	14
Ketchikan Police Department	0	0	2	2
Palmer Police Department	0	0	3	3
Sitka Police Department	0	0	7	7
Skagway Police Department	0	0	2	2
Wasilla Police Department	0	0	7	7
				0
All Agencies Total	3	34	444	481

Citation Descriptions
S50 - Speed-School Zone _____ (allows recording of exact speed)
S91 - Speed 41 mph over or more (School Zone) *
S99 - Speed School Zone

*Note: Per DMV the S91 code is intended to be used for School Zone speeding violations.
It appears it has been used to record non-School zone speeding violations in some cases

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 387

BY REPRESENTATIVE GATTO

- 1 Page 1, line 1:
- 2 Delete "offenses committed within school zones"
- 3 Insert "moving motor vehicle or traffic offenses committed within highway work
- 4 or school zones"
- 5
- 6 Page 1, line 6, following "for a":
- 7 Insert "moving"
- 8
- 9 Page 1, line 12, following "violates a":
- 10 Insert "moving motor vehicle or traffic"

SCOMM

130:14

Alaska State Legislature

SESSION ADDRESS:
Alaska State Capitol
Juneau, Alaska 99801
Phone: (907) 465-3743
1-800-565-3743
Fax: (907) 465-2381



INTERIM ADDRESS:
600 E Railroad Avenue
Wasilla, AK 99654
Phone : 907-376-2679
Fax: (907) 373-4745

House Special Committee on Education

Representative Carl Gatto, Chair

SPONSOR STATEMENT

HOUSE BILL 390

"AN ACT RELATING TO THE REQUIRED NUMBER OF DAYS IN A SCHOOL YEAR."

HB 390 allows school districts to use school terms in a more flexible manner. Current law requires 180 days of school. If approved by the Commissioner of EED, districts would be allowed to adjust their school terms within statute to meet the needs of their students, teachers, families, and location.

Recently an Anchorage charter school proposed a plan to the Anchorage School Board for something less than 180 days. The plan was approved in concept but is now holding pending passage of this legislation. The increased flexibility provided under this bill allows for a stronger focus on academic performance instead of simply accounting for "seat time."

While allowing a four-day week is not the specific intent of HB 390, passage would allow meaningful dialogue on the merits of this and other plans. For example, boarding and residential students may benefit from a flexible schedule allowing students to return home more often. In addition, year round school and adjusted schedules may produce increased efficiency and savings for districts, which could be directed back into the classroom.

Anchorage School District Superintendent, Carol Comeau and the Anchorage School Board support this concept as expressed in resolution 2002/2003-8.

We have all heard about the uniqueness of Alaska and how it applies to many issues. Scheduling is one of several areas impacted by Alaska's weather, seasons, and culture. Passage of this legislation would allow school districts the flexibility to adapt and excel in Alaska.

Please join me in protecting our children by endorsing and passing House Bill 387.

ANCHORAGE SCHOOL DISTRICT
ANCHORAGE, ALASKA

ASD MEMORANDUM #188 (2002-2003)

March 3, 2003

TO: SCHOOL BOARD

FROM: OFFICE OF THE SUPERINTENDENT

SUBJECT: RESOLUTION IN SUPPORT OF RESTRUCTURING THE
SCHOOL DAY AND/OR SCHOOL YEAR TO ALLOW
FLEXIBILITY FOR PROFESSIONAL DEVELOPMENT

RECOMMENDATION:

It is the Administration's recommendation that the School Board support a resolution to lobby the Alaska State Legislature to approve structural change in the daily schedule for schools, which would allow schools within the State to "bank time" or establish other forms of flexibility in a school day and/or school year.

PERTINENT FACTS:

The reauthorization of the Elementary and Secondary Education Act in January 2002, titled, No Child Left Behind, requires that school districts comply with a myriad of new regulations. These regulations include requirements for professional development for teachers and paraprofessionals in Title 1 schools. Also, schools are being asked to demonstrate adequate yearly progress for the identified groups stipulated by NCLB. The State of Alaska's requirements embedded in the Quality Schools Initiative and the requirement that all students pass the High School Graduation Qualifying Examination in order to receive a diploma also pose challenges for school districts throughout the state. Staff training and professional development are essential components of implementing NCLB, the Quality Schools Initiative, and the HSGQE. School districts need additional time for professional development and collaboration among their staff members that is not adequately provided in the current school calendar.

As the six comprehensive high schools in the Anchorage School District recreate themselves both physically and instructionally into Smaller Learning Communities, there is demonstrated need for additional professional development time. Some monies are available from various grants to provide substitutes for teachers, or for addenda for teachers to work beyond the school day. The majority of teachers hesitate to miss time with their students and often decline having substitutes as an option for receiving training time. Additionally, there is a limit to the amount of time teachers and staff are willing to work beyond the school day or school week. Many teachers and staff serve as coaches and/or tutors after the school day and cannot attend professional development at that time.

A restructured schedule, such as "banking time", would allow schools to offer professional development time and collaboration time for teachers and staff within a scheduled workday. Students could begin their day ten to fifteen minutes earlier or extend their day later to accumulate additional banked time. When sufficient time is banked, students would attend school a shortened day once or twice a month. During the time students are on a shortened schedule, teachers and other staff would have time for professional development and/or collaboration.

Such a system of banked time would provide, for the first time, a sufficient amount of professional development and collaboration time for all teachers. While secondary teachers have a planning period and middle school teachers additionally have a team planning time, most elementary teachers have little actual planning time.

Mentoring of new teachers has become a priority in the Anchorage School District and a restructured school schedule would allow for more substantive mentoring of new teachers by experienced teachers within their own building. This would significantly reduce a teacher's sense of isolation, often reported as one of the main contributors to stress in the first years of teaching.

Aligning curriculum across the District is a priority as expressed through the curriculum audit and at the recent six-year planning session. Shared collaboration time would allow teachers in the field to participate fully in this most important process. This would not only provide a superior product, but it would increase support among teachers.

Restructuring the school day and/or school year allows flexibility to provide for professional development and collaboration time for all staff less expensively than adding days to the current school calendar.

Attachment

CC/JC

Prepared by: Jan Christensen, Assistant Superintendent, Instruction

Approved by: Carol Comeau, Superintendent

**ANCHORAGE SCHOOL BOARD
ASDR 2002/2003-8**

RESOLUTION IN SUPPORT OF RESTRUCTURING THE SCHOOL DAY AND/OR SCHOOL YEAR TO ALLOW FLEXIBILITY FOR PROFESSIONAL DEVELOPMENT

WHEREAS, the reauthorization of the Elementary and Secondary Education Act in January 2002, No Child Left Behind, requires that school districts comply with a myriad of new regulations; and

WHEREAS, these regulations include requirements for professional development for teachers and paraprofessionals in Title I schools, and

WHEREAS, the State of Alaska's requirements embedded in the Quality Schools Initiative and the requirement that all students pass the High School Graduation Qualifying Examination in order to receive a diploma poses challenges for school districts around the state; and

WHEREAS, staff training and professional development are essential components of implementing No Child Left Behind, the Quality Schools Initiative, and the High School Graduation Qualifying Examination; and

WHEREAS, many teachers hesitate to miss time with their students and tend to decline substitutes as an option for receiving professional training time; and

WHEREAS, the Anchorage School District needs additional time for professional development and collaboration among staff members that is not adequately provided in the current school calendar; and

NOW THEREFORE BE IT RESOLVED that the Anchorage School Board supports the idea of restructuring the school day and/or school year to allow for flexibility to provide professional development and collaboration time for staff.

PASSED AND APPROVED by the Anchorage School Board this 3rd day of March 2003.

ANCHORAGE SCHOOL BOARD

Jeff Metcalfe, President

Debbie Ossiander
Tim Steele
Rita J. Holthouse

Carol Comeau, Superintendent

John Steiner
Harriet A. Drummond
Mary Marks

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FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES**

Four-day School Week?

Policymakers have been eyeing the four-day school week as a way to cut education costs.

There have been mixed results where the schedule has been adopted.

By Greta Durr

With promises of a 20 percent reduction in overhead and transportation costs, the four-day school week is growing more attractive to legislators seeking to cut education costs—especially in energy, transportation and classified personnel salaries. But while some states are looking at the four-day school week as a way to save money or as a creative option for rural areas, others have found it impractical.

The four-day week offers the same amount of class time in fewer days. Mostly these plans have been used by rural school districts and the savings are not always dramatic. There are other factors, however, that influence whether they are successful.

Custer School District in rural South Dakota adopted the four-day-a-week calendar in 1995 to reduce its annual budget by approximately \$70,000. The savings weren't as much as estimated, but a school survey found that the switch boosted morale, reduced absenteeism, decreased the need for substitute teachers, and led to a boom in participation in extracurricular activities. The survey also indicated that teachers were covering more academic content than they had under the traditional five-day calendar.

But the idea didn't work in Utah where a modified school week pilot program ended a year early because the schools involved reported only moderate or no actual savings, as well as scheduling complications. Some districts in the pilot went to four-and-a-half-day weeks after two years, which cut into savings on transportation and heat.

The legislation allowing the program required that extracurricular activities like school sports, dances, plays and speech meets be scheduled on Thursday nights, Fridays or Saturdays so students would not have to travel on a regular school day.

"Most schools opted out," says Steve Laing, state school superintendent. "There are still a couple of schools that would like to do it, but not because they're planning on any savings." Laing explained that, for these schools, the benefits of the modified week (better morale, decreased absenteeism, reduced need for substitutes) meant more to the communities than the money they saved.

Oregon has two laws that deal with shortened school schedules and both have come into play as districts struggle to survive the worst budget deficit in 20 years. After Oregonians defeated a measure in January that would have increased income taxes for three years to prevent \$310 million in cuts to schools and other programs, schools are looking at the four-day school week, as well as cutting five to 24 days from the school year.

"At least 16 districts are on the four-day week to cut costs," says Margaret Peterson of the state Board of Education, "and they would

still meet compulsory education requirements. But other districts are looking at cutting days from the school year, which is allowed in Oregon during severe budget difficulties. Some of them will be allowed to drop below the number of hours required by state law."

Oregon's rural Morrow County School District 1 adopted the four-day school week offered through a state policy option to lower expenses 10 years ago. The district currently is saving an estimated \$250,000 in a \$14 million budget, mostly from salaries of classified employees, such as cooks, bus drivers and teacher's aides.

In some states, laws have to change in order to change school calendars. When a small Michigan district considered a four-day week, officials found they couldn't do it because teacher labor contracts and retirement requirements are set by the state in terms of days, not hours.

Representative Stephen Adamini penned a bill to make the changes from specifications in days to required hours. Approximately nine districts have contacted him about making the switch.

Student transportation costs really take a toll on sparsely populated districts in vast, rural areas, Adamini says. "Small districts are hanging by their fingernails looking for savings," he says. "Local schools should have this as an option."

Montana was still debating a four-day week when this issue of the magazine went to press. The bill's sponsor, Senator Sam Kitzenberg, a high school English teacher, wants to give districts more flexibility with scheduling and funding, despite the potential impact on local jobs. "We're looking for a lifeboat for Montana schools in case of cutbacks," he says. "We don't want it forced, we want it as an option."

Yet Representative Carol Juneau is worried about classified employees. "If we go to the four-day week, many cooks, bus drivers and custodians would lose wages. In our community, many of our local people work those jobs," she says.

Ten states have some school districts operating on a four-day week: Arizona, Colorado, Kansas, Louisiana, Michigan, New Mexico, Oregon, South Dakota, Wisconsin and Wyoming. States with legislation allowing the four-day school week include Arkansas, California, Minnesota and Illinois. Bills are pending in Michigan, Montana, Ohio and Virginia.



Representative
Stephen Adamini
Michigan



Senator
Sam Kitzenberg
Montana



Representative
Carol Juneau
Montana

Greta Durr tracks education policy at NCSL.

SCOMM

130:15

Alaska State Legislature

SESSION ADDRESS:

Alaska State Capitol
Juneau, Alaska 99801
Phone: (907) 465-3743
1-800-565-3743
Fax: (907) 465-2381

**INTERIM ADDRESS:**

600 E Railroad Avenue
Wasilla, AK 99654
Phone : 907-376-2679
Fax: (907) 373-4745

House Special Committee on Education

Representative Carl Gatto, Chair

SPONSOR STATEMENT

HOUSE BILL 405

"AN ACT RELATING TO ACCOUNTABILITY OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS, AND REPORTS CONCERNING ASSISTANCE TO IMPROVE SCHOOL PERFORMANCE; AND PROVIDING FOR AN EFFECTIVE DATE."

Alaska currently has two systems of school designators: a state system and the Federal system. Alaska law requires schools be given the designations "distinguished," "successful," "deficient," or "in crisis," whereas federal law uses terms such as "distinguished," "proficient," "in improvement," "corrective action," and "restructuring." Alaska law should be amended to align itself with Federal law.

This bill holds districts and public schools accountable but does not increase their administrative burden. Although this bill retains the requirement that a school not meeting adequate performance must draft a school improvement plan, the bill removes from statute the detailed descriptions of a school improvement plan. Federal laws, and the regulations adopted by the state board, already comprehensively and satisfactorily prescribe the required contents of an improvement plan.

In addition, this bill eliminates unnecessary and unhelpful reports, but keeps the school report card system intact. For example, current law requires below-proficient schools report to the state board. Yet, the state board already has the school report card from all schools, including those that are below proficient. This requirement is a paperwork and time burden on schools, districts, and the state board, while failing to substantially aid in the goal of educating children. Similarly, current state law requires the Department of Education and Early Development to provide the legislature with a report, separate from the school report card, on the progress of schools and districts. Preparation of this report does little to advance the understanding of the legislature or the public not already accomplished by the school report card. A better approach is to eliminate these unnecessary reporting burdens ensuring that accountability information is contained in the school report card, and continuing to refine and rely on this valuable reporting tool.

I urge your consideration and support for this measure.