

AK LEGISLATURE SPECIAL COMMITTEE FILES SCOMM 151 3262₃₆

SCOMM

151:5

**EED Capital Improvement Project
Funded Grant/Debt Projects by Fiscal Year (FY80 - FY08)
Corrected 2/26/2008**

YEAR	Borough Bond	Borough Grant	City Bond	City Grant	Multiple	Organized Total	Annual Organized Percent	REAA Bond	REAA GRANT	Unorganized Total	Annual Unorganized Percent
1980	0	0	2,730,100	0	0	2,730,100	100%	0	0	0	0%
1981	61,000,000	0	251,400	0	0	61,251,400	100%	0	125,000	125,000	0%
1982	3,111,900	2,700,000	550,000	3,858,000	0	10,219,900	27%	0	27,981,800	27,981,800	73%
1983	40,595,510	500,000	6,248,000	1,828,000	0	49,171,510	78%	0	13,590,700	13,590,700	22%
1984	2,630,000	23,672,900	8,671,000	10,090,000	0	45,063,900	61%	0	29,193,600	29,193,600	39%
1985	0	2,314,000	270,000	30,466,000	3,000,000	36,050,000	40%	0	54,590,000	54,590,000	60%
1986	205,298,603	545,000	150,000	2,056,000	0	208,049,603	93%	0	15,708,545	15,708,545	7%
1987	47,332,851	0	7,448,000	6,303,000	0	61,083,851	73%	0	22,735,000	22,735,000	27%
1988	15,614,000	500,000	63,665	900,000	0	17,077,665	73%	0	6,159,600	6,159,600	27%
1989	8,350,737	5,650,000	450,000	500,000	2,000,000	16,950,737	81%	0	3,984,600	3,984,600	19%
1990	70,974,500	2,200,000	10,053,327	2,044,100	0	85,271,927	94%	872,000	4,115,500	4,987,500	6%
1991	4,054,624	8,900,000	1,276,530	3,698,000	0	17,929,154	50%	0	17,590,300	17,590,300	50%
1992	268,000	11,507,400	0	4,376,100	0	16,151,500	48%	0	17,594,700	17,594,700	52%
1993	43,857,300	6,299,200	0	2,659,200	0	52,815,700	78%	0	14,770,400	14,770,400	22%
1994	23,949,658	123,994,100	0	7,123,900	0	155,067,658	80%	0	38,829,471	38,829,471	20%
1995	158,935,000	0	0	0	0	158,935,000	100%	0	0	0	0%
1996	0	0	1,991,550	0	8,650,000	10,641,550	96%	0	400,000	400,000	4%
1997	63,251,400	1,673,722	1,369,863	0	0	66,294,985	93%	0	5,322,300	5,322,300	7%
1998	0	4,335,864	0	0	0	4,335,864	93%	0	336,720	336,720	7%
1999	292,144,291	27,150,682	5,000,000	27,711,452	0	352,006,425	93%	0	28,359,075	28,359,075	7%
2000	10,250,000	0	0	0	0	10,250,000	100%	0	0	0	0%
2001	87,152,218	0	519,000	2,237,000	0	89,908,218	50%	0	90,674,000	90,674,000	50%
2002	108,580,900	1,181,885	0	2,544,804	0	112,307,589	61%	0	72,338,508	72,338,508	39%
2003	312,963,989	14,585,336	0	15,808,112	0	343,357,437	71%	0	141,471,808	141,471,808	29%
2004	224,012,164	0	24,428,183	0	0	248,440,347	100%	0	814,738	814,738	0%
2005	176,110,371	0	7,022,600	1,165,132	0	184,298,103	98%	0	4,674,655	4,674,655	2%
2006	61,439,000	5,054,700	4,069,000	1,964,984	0	72,527,684	52%	0	66,484,046	66,484,046	48%
2007	117,876,000	26,987,559	0	215,809	0	145,079,368	64%	0	81,485,894	81,485,894	36%
2008	15,300,000	7,109,000	15,101,248	12,969,277	0	50,479,525	30%	0	118,420,784	118,420,784	70%
Total	2,155,053,016	276,861,348	97,663,466	140,518,870	13,650,000	2,683,746,700	75%	872,000	877,751,744	878,623,744	25%
Grand Total										3,562,370,444	

DOLLARS

DOLLARS

TRANSLATE INTO % STUDENTS

Feb. 01, 2006 → HB 2003

UNORG'S SHOULD RECEIVE 30-40%
IN LAST 10 YRS. REC'D 35%

(GRANT FUNDING vs. DEBT FUNDING)

ALASKA STATE LEGISLATURE

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Co-Chair Finance Committee
Vice-Chair Legislative Budget & Audit

Committee Member:
Labor & Commerce
Legislative Council
World Trade & State/Federal Relations

SENATOR LYMAN F. HOFFMAN

SPONSOR STATEMENT

Senate Bill 290 School Construction Funding

Schools are located in organized and unorganized areas in the state, and there are two corresponding funding methods for construction and major maintenance, namely a grant or a debt program. Municipalities are able to seek voter-approved bonds for school construction under a debt program, while unorganized areas with no taxing authority must apply to the state for a grant program. Because the state delegates taxing power to organized boroughs and cities only, schools that are located in municipalities are primarily funded under the debt program.

The Department of Education and Early Development has developed guidelines for school construction and criteria for ranking projects based upon need, including life, safety and health factors. Schools in unorganized areas apply to the grant program, and are placed on a priority schedule with the neediest projects listed first. Schools on the grant list must follow the state guidelines and await legislative appropriation.

School projects in organized areas receive state funding for construction following a successful voter-approved bond election, and are automatically scheduled to receive sixty to seventy percent reimbursement from the state. Schools funded through the debt program can waive the requirement to follow state guidelines by requesting sixty percent reimbursement instead of the maximum seventy percent.

When the funding for constructing schools comes from property taxes, wealthier districts are able to take on the debt to build and renovate their schools. The neediest schools in the unorganized areas must rely on the grant program, where they may not receive state funding for several years while less needy schools on the debt program are funded.

SB 290 requires all school construction and major maintenance grant requests be placed on one list and funded in priority order established by the Department of Education and Early Development.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: **SB 290**
 () Publish Date: _____

Identifier (file name): SB 290 **SB290-EED-ESS-03-10-08**
 Title An Act relating to the school construction and major
maintenance grant applications; and establishing a single set of
 Sponsor Senators Hoffman & Olson
 Requester Senate Special Committee on Education, Finance

Dept. Affected: Education & Early Development
 RDU School Debt Reimbursement
School Debt Reimbursement
 Component Number 153

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	*	*	*	*	*	*	*

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

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

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
TOTAL							
Other Interagency Receipts							
TOTAL	*	*	*	*	*	*	*

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This Act modifies the procedure by which the department administers bond debt reimbursement funding by requiring all funded projects under AS 14.11 to be submitted and prioritized on the department's school construction and major maintenance priority lists. The legislation then appears to require that all projects be funded in priority order, thus restricting the department's ability to approve debt projects until the grant projects above them on the priority list are funded by the legislature. The Department of Education and Early Development is unable to anticipate how this change will affect the state's expenditures for school construction or major maintenance, therefore the fiscal note for SB 290 is indeterminate.

Prepared by: Sam Kito III, Technical Engineer I, Architect I
 Division: School Finance & Facilities
 Approved by: Barbara Thompson, Interim Commissioner

Phone 465-6906
 Date/Time 3/10/08 12:00 PM
 Date 3/10/2008

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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MEMORANDUM

February 20, 2008

SUBJECT: School construction and improvement funding; sectional summary
SB 290 (Work Order No. 25-LS1515\C)

TO: Senator Lyman Hoffman
Attn: John Weise

FROM: Jean M. Mischel
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Requires school districts and regional educational attendance areas to apply for a school construction grant when a project requires state funding and when the project meets specified needs based criteria.

Section 2. Provides for a combined public school capital improvement funding schedule to include both state grants and bond debt reimbursement.

Section 3. Prohibits the bond reimbursement and grant review committee from making recommendations for funding that do not follow an order of priority, regardless of whether the project qualifies for bond debt reimbursement or state grant funding.

Section 4. Makes a conforming amendment for grant appropriations to refer to the combined funding schedule.

Section 5. Adds a provision limiting the commissioner's approval of a project for bond debt reimbursement to the order of priority established in the combined funding schedule.

Section 6. Prohibits the Department of Education and Early Development from recommending a project for bond debt reimbursement out of order of the priority established on the combined funding schedule.

JMM:med
08-126.med

State of Alaska
Department of Education and Early Development
Summary Grant and Debt
Appropriations to EED

Fiscal Year	District Type	Funding *	Project Amount
1980			
	Borough	Bonds	0
	City	Bonds	2,730,100
			2,730,100
1981			
	Borough	Bonds	61,000,000
	City	Bonds	251,400
	REAA	Grants	125,000
			61,376,400
1982			
	Borough	Bonds	3,111,900
		Grants	2,700,000
	City	Bonds	550,000
		Grants	3,858,000
	REAA	Grants	27,981,800
			38,201,700
1983			
	Borough	Bonds	40,595,510
		Grants	500,000
	City	Bonds	6,248,000
		Grants	1,828,000
	REAA	Grants	13,590,700
			62,762,210
1984			
	Borough	Bonds	2,630,000
		Grants	23,672,900
	City	Bonds	8,671,000
		Grants	10,090,000
	REAA	Grants	29,193,600
			74,257,500

Fiscal Year	District Type	Funding *	Project Amount
1985			
	Borough	Bonds	0
		Grants	2,314,000
	City	Bonds	270,000
		Grants	30,466,000
	Multiple/Statewide	Grants	3,000,000
	REAA	Grants	54,590,000
			90,640,000
1986			
	Borough	Bonds	205,298,603
		Grants	545,000
	City	Bonds	150,000
		Grants	2,056,000
	REAA	Grants	15,708,545
			223,758,148
1987			
	Borough	Bonds	47,332,851
	City	Bonds	7,448,000
		Grants	6,303,000
	REAA	Grants	22,735,000
			83,818,851
1988			
	Borough	Bonds	15,614,000
		Grants	500,000
	City	Bonds	63,665
		Grants	900,000
	REAA	Grants	6,159,600
			23,237,265
1989			
	Borough	Bonds	8,350,737
		Grants	5,650,000
	City	Bonds	450,000
		Grants	500,000
	Multiple/Statewide	Grants	2,000,000
	REAA	Grants	3,984,600
			20,935,337

Fiscal Year	District Type	Funding *	Project Amount
1990			
	Borough	Bonds	70,974,500
		Grants	2,200,000
	City	Bonds	10,053,327
		Grants	2,044,100
	REAA	Bonds	872,000
		Grants	4,115,500
			90,259,427
1991			
	Borough	Bonds	4,054,624
		Grants	8,900,000
	City	Bonds	1,276,530
		Grants	3,698,000
	REAA	Grants	17,590,300
			35,519,454
1992			
	Borough	Bonds	268,000
		Grants	11,507,400
	City	Grants	4,376,100
	REAA	Grants	17,594,700
			33,746,200
1993			
	Borough	Bonds	43,857,300
		Grants	6,299,200
	City	Grants	2,659,200
	REAA	Grants	14,770,400
			67,586,100
1994			
	Borough	Bonds	23,949,658
		Grants	123,994,100
	City	Grants	7,123,900
	REAA	Grants	38,829,471
			193,897,129

Fiscal Year	District Type	Funding *	Project Amount
1995			
	Borough	Bonds	158,935,000
	REAA	Grants	0
			158,935,000
1996			
	City	Bonds	1,991,550
		Grants	0
	Multiple/Statewide	Grants	8,650,000
	REAA	Grants	400,000
			11,041,550
1997			
	Borough	Bonds	63,251,400
		Grants	1,673,722
	City	Bonds	1,369,863
	REAA	Grants	5,322,300
			71,617,285
1998			
	Borough	Grants	4,335,864
	REAA	Grants	336,720
			4,672,584
1999			
	Borough	Bonds	292,144,291
		Grants	27,150,682
	City	Bonds	5,000,000
		Grants	27,711,452
	REAA	Grants	28,359,075
			380,365,500
2000			
	Borough	Bonds	10,250,000
			10,250,000
2001			
	Borough	Bonds	87,152,218
	City	Bonds	519,000
		Grants	2,237,000
	REAA	Grants	90,674,000
			180,582,218

Fiscal Year	District Type	Funding *	Project Amount
2002			
	Borough	Bonds	108,580,900
		Grants	1,181,885
	City	Grants	2,544,804
	REAA	Grants	72,338,508
			184,646,097
2003			
	Borough	Bonds	312,963,989
		Grants	14,585,336
	City	Grants	15,808,112
	REAA	Grants	141,471,808
			484,829,245
2004			
	Borough	Bonds	224,012,164
	City	Bonds	24,428,183
	REAA	Grants	814,738
			249,255,085
2005			
	Borough	Bonds	176,110,371
	City	Bonds	7,022,600
		Grants	1,165,132
	REAA	Grants	4,674,655
			188,972,758
2006			
	Borough	Bonds	61,439,000
		Grants	5,054,700
	City	Bonds	4,069,000
		Grants	1,964,984
	REAA	Grants	66,484,046
			139,011,730
2007			
	Borough	Bonds	117,876,000
		Grants	26,987,559
	City	Grants	215,809
	REAA	Grants	81,485,894
			226,565,262

Fiscal Year	District Type	Funding *	Project Amount
2008			
	Borough	Bonds	15,300,000
		Grants	7,109,000
	City	Bonds	15,101,248
		Grants	12,969,277
	REAA	Grants	118,420,784
			168,900,309

Summary by District Type

Borough	\$2,431,914,364
City	\$238,182,336
Multiple/Statewide	\$13,650,000
REAA	\$878,623,744
	\$3,562,370,444

Summary by Funding

Bonds	\$2,253,588,482
Grants	\$1,308,781,962
	\$3,562,370,444

* Bond project amounts approved by EED for debt reimbursement.

Alaska Department of Education
Debt Retirement FY76 - FY2007 with estimates for FY2008
Eligible for Reimbursement vs. State Aid Provided
Updated 9/7/2007

Fiscal Year	Eligible For Reimbursement	Actual State Aid	State Aid % Aid Provided
FY-76	\$9,242,312	\$8,810,500	95.33%
FY-77	10,107,336	9,051,600	89.55%
FY-78	11,408,304	11,408,304	100.00%
FY-79	27,868,182	22,273,300	79.92%
FY-80	30,823,133	24,081,000	78.13%
FY-81	38,380,174	38,380,174	100.00%
FY-82	38,262,156	38,262,156	100.00%
FY-83	60,772,910	56,169,700	92.43%
FY-84	90,600,074	90,600,074	100.00%
FY-85	93,161,981	93,161,981	100.00%
FY-86	109,707,936	106,315,600	96.91%
FY-87	125,272,615	115,845,000	92.47%
FY-88	118,701,313	109,472,700	92.23%
FY-89	118,469,048	110,193,451	93.01%
FY-90	113,923,479	107,374,886	94.25%
FY-91	123,959,155	116,276,078	93.80%
FY-92	127,245,080	127,245,080	100.00%
FY-93	124,948,218	124,948,218	100.00%
FY-94	98,648,541	98,648,541	100.00%
FY-95	93,742,116	93,742,116	100.00%
FY-96	79,212,669	79,212,669	100.00%
FY-97	62,476,074	62,476,074	100.00%
FY-98	61,639,666	61,639,666	100.00%
FY-99	61,990,844	61,990,844	100.00%
FY2000	64,349,790	64,349,790	100.00%
FY2001	52,098,690	52,098,690	100.00%
FY2002	54,057,200	54,057,200	100.00%
FY2003	51,969,968	51,969,968	100.00%
FY2004	60,592,525	60,592,525	100.00%
FY2005	69,439,002	69,439,002	100.00%
FY2006	81,695,195	81,695,195	100.00%
FY2007	87,524,109	87,524,109	100.00%
Proj. FY2008	94,997,000 ¹	94,997,000	100.00%

¹ This estimate is based on the most current available data.

SCOMM

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Standing Education Committees Among State Legislatures

State Legislature	House Size	Senate Size	Total
Alabama	105	35	140
Alaska	40	20	60
Arizona	60	30	90
Arkansas	100	35	135
California	80	40	120
Colorado	65	35	100
Connecticut	151	36	187
Delaware	41	21	62
Florida	120	40	160
Georgia	180	56	236
Hawaii	51	25	76
Idaho	70	35	105
Illinois	118	59	177
Indiana	100	50	150
Iowa	100	50	150
Kansas	125	40	165
Kentucky	100	38	138
Louisiana	105	39	144
Maine	151	35	186
Maryland	141	47	188
Massachusetts	160	40	200
Michigan	110	38	148
Minnesota	134	67	201
Mississippi	122	52	174
Missouri	163	34	197
Montana	100	50	150
Nebraska		49	49
Nevada	42	21	63
New Hampshire	400	24	424
New Jersey	80	40	120
New Mexico	70	42	112
New York	150	62	212
North Carolina	120	50	170

Standing Education Committees Among State Legislatures

State Legislature	House Size	Senate Size	Total
North Dakota	94	47	141
Ohio	99	33	132
Oklahoma	101	48	149
Oregon	60	30	90
Pennsylvania	203	50	253
Rhode Island	75	38	113
South Carolina	124	46	170
South Dakota	70	35	105
Tennessee	99	33	132
Texas	150	31	181
Utah	75	29	104
Vermont	150	30	180
Virginia	100	40	140
Washington	98	49	147
West Virginia	100	34	134
Wisconsin	99	33	132
Wyoming	60	30	90
	110	39	148
	104		
American Samoa	21	18	39

Standing Education Committees Among State Legislatures

State Legislature	# Stand Alone Education Cmtes (House, Senate)	Standing Committee Name(s) [SubCommittees noted, but not tallied]
Alabama	2,1	House: Education Appropriations, Education Policy; Senate: Education
Alaska	0,0	Health, Education, & Social Services; [Appropriations SubCmtes for Education, University]
Arizona	2,2	Education (K-12), Higher Education
Arkansas	1,1	Education
California	1,1	Education
Colorado	1,1	Education
Connecticut	1,1	Education, Higher Education & Employment Advancement
Delaware	1,1	Education
Florida	3,5	House: Cmte on Education Innovation & Career Preparation, Cmte on K-12 Education, Cmte on Postsecondary Education; Senate: Education Facilities Approps, PreK-12 Education, PreK-12 Approps, Higher Education, Higher Education Approps.
Georgia	2,2	House: Education, Higher Education; Senate: Education & Youth, Higher Education
Hawaii	2,1	House: Education, Higher Education; Senate: Education
Idaho	1,1	Education
Illinois	2,1	House: Elementary & Secondary Education, Higher Education; Senate: Education
Indiana	1,1	House: Education; Senate: Education & Career Development
Iowa	1,1	Education
Kansas	2,1	House: Education, Education Budget; Senate: Education
Kentucky	1,1	Education
Louisiana	1,1	Education
Maine	0	(Joint House/Senate) Education & Cultural Affairs
Maryland	0,0	House: [Approps SubCmte on Education & Economic Development], [Ways & Means SubCmte on Education]; Senate: Education, Health & Environmental Affairs [w/ Education SubCmte]
Massachusetts	1	(Joint House/Senate) Education
Michigan	1,1	Education
Minnesota	2,1	House: K-12 Education, Higher Education; Senate: Education
Mississippi	2,2	Education, Universities & Colleges
Missouri	3,1	House: Education Appropriations, Elementary & Secondary Education, Higher Education; Senate: Education
Montana	1,0	House: Education; Senate: Education & Cultural Resources
Nebraska	1	Education
Nevada	1,0	House: Education; Senate: Human Resources & Education
New Hampshire	1,1	Education
New Jersey	2,1	House: Education, Higher Education; Senate: Education
New Mexico	1,1	Education
New York	2,2	Education, Higher Education
North Carolina	1,4	House: [Approps SubCmte on Education], Education [w/ SubCmtes on K-12, Community Colleges, University]; Senate: Standing Appropriations Committee: Public Instruction, Approp Cmte: Higher Education, Cmte on Education Policy /Higher Education, Cmte on Education Policy /Public Instruction

Standing Education Committees Among State Legislatures

State Legislature	# Stand Alone Education Cmtes (House, Senate)	Standing Committee Name(s) [SubCommittees noted, but not tallied]
North Dakota	2,1	House: Education Appropriations, Education; Senate: Education
Ohio	2,1	House: Higher Education Appropriations, Education; Senate: Education
Oklahoma	1,1	House: Education [w/ SubCmtes on Arts & Culture, Common Education, and Higher Educ. & Career Tech.]; Senate: Education
Oregon	1,0	House: Education; Senate: Education & General Government
Pennsylvania	1,1	Education
Rhode Island	0,1	House: Health, Education, & Welfare; Senate: Education
South Carolina	0,1	House: Education & Public Works; Senate: Education
South Dakota	1,1	Education
Tennessee	1,1	Education
Texas	3,1	House: [Approps SubCmte on Education], Cmte on Higher Education, Cmte on Higher & Public Education Financing, Cmte on Public Education; Senate: Education [w/ Higher Education SubCmte]
Utah	1,1	House: Education, [Approps SubCmte on Higher Education], [Approps SubCmte on Public Education]; Senate: Education
Vermont	1,1	Education
Virginia	1,0	House: [Approps SubCmte's for Elementary & Secondary Ed, Higher Ed], Education [w/ SubCmte's on Standards of Quality, Students & Day Care, Teachers & Administrative Action, and Higher Education]; Senate: Education & Health, [w/ SubCmtes on Public Ed, and Higher Ed]
Washington	2,2	Education, Higher Education, [Approps SubCmte on Education]; Senate: Early Learning & K-12 Education, Higher Education
West Virginia	1,1	Education
Wisconsin	3,1	House: Colleges & Universities, Education, Education Reform; Senate: Agriculture & Higher Education, Education
Wyoming	1,1	Education

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: **SCR15**
() Publish Date: _____

Identifier (file name): **SCR15-LEG-COU-01-29-08** Dept. Affected: **Legislature**
Title: **"Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to standing..."** RDU: **Legislative Council**
Sponsor: **Senator Stevens by Request** Component: **Session Expenses**
Requester: **Senate Special Committee on Education** Component Number: **782**

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director
Division: Legislative Affairs Agency
Approved by: Pamela Varni, Executive Director
Legislative Affairs Agency

Phone 465-6626
Date/Time 1/29/08 3:33 PM
Date 1/29/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: **SCR15**
 () Publish Date: _____

Identifier (file name): **SCR15-LEG-COU-01-29-08** Dept. Affected: **Legislature**
 Title: "Proposing an amendment to the Uniform Rules of the RDU **Legislative Council**
 Alaska State Legislature relating to standing..." Component: **Session Expenses**
 Sponsor: **Senator Stevens by Request**
 Requester: **Senate Special Committee on Education** Component Number: **782**

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
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 Interagency Receipts							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
 Division: Legislative Affairs Agency Date/Time 1/29/08 3:33 PM
 Approved by: Pamela Varni, Executive Director Date 1/29/2008
Legislative Affairs Agency

Testimony of Carl Rose
Executive Director
Association of Alaska School Boards
Senate Special Committee on Education
January 30, 2008

Good Morning, Mr. Chairman and members of the Committee. My name is Carl Rose, executive director of the Association of Alaska School Boards. I am pleased to be able to speak today on SB 240.

SB 240 is the work of the Joint Legislative Education Funding Task Force, which met during the interim to provide the member districts of AASB and the public an opportunity to testify in depth about the needs of our public schools across the state. In essence, the joint task force took the time that you do not have in regular session to explore multiple parts of the foundation formula for K-12 education.

As you may recall, at the end of the 2007 regular session, the Legislature and the public simply ran out of time to address education funding, the PERS-TRS issue and municipal assistance and revenue sharing. The short-term answer was a one-year cash grant for each of these fundamental programs.

In their wisdom, the leadership of the House and Senate drafted SCR 11 and appointed five members of each body to work on the foundation formula, realizing that if a consensus could be found there, the other pieces of the puzzle would fall into place. I was honored to be able to sit at the table with these House and Senate members as an appointee of the governor to the joint task force.

Chairman Hawker instructed the task force to put all issues regarding K-12 education on the table at our first meetings. We did so, but soon we realized that six key issues were the primary concerns of the Legislature and the public. Four of those issues are embodied in SB 240, including the Base Student Allocation, the District Cost Factor, funding for Intensive Needs students, and a hold-harmless clause for districts with declining enrollments.

The genius of the Joint Task Force is that it allowed 10 legislators the time required to explore in-depth the sometimes complex challenges

facing public education in Alaska. On July 11th and 12th alone, the task force took testimony from 14 different school districts. Anchorage school officials testified for two hours. Kenai testified for a full hour. That kind of in-depth inquiry is seldom available to legislators during the regular session.

The task force recommendations are before the Senate in two bills and three resolutions. The most important of these is SB 240. This bill represents the best hope in ten years for improving our foundation formula and helping the school children of Alaska achieve a first-rate education.

During the course of my career as a school board member and now education lobbyist, I have participated in every major overhaul of our education laws. The opportunity to address multiple components of the foundation formula does not come around very often. I would encourage the Legislature to seize this opportunity. If you follow the recommendations of the task force, the results will be worth it. These include:

- Forward and early funding of education for the first time ever.
- An adjustment to the District Cost Factor
- An increase in the Base Student Allocation
- Additional funding for Intensive Needs students
- A hold-harmless clause to provide relief in the event of a sharp reduction in enrollment
- A recalculation of transportation costs to 2007 figures.

In closing, I would like to thank the Legislature for the foresight to appoint the task force. The ten House and Senate members who devoted their time to the task force deserve a thank you, as well, as does the governor for appointing me to serve and endorsing the work of the task force. Special appreciation is due Chairman Hawker for his leadership in guiding the task force to a consensus.

AASB stands ready to work with the Legislature this session on improving our education laws and helping our school districts provide a quality education for Alaska's youth.

Thank you.

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Senator Gary Stevens
Alaska State Legislature



INTERIM ADDRESS:
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Senate Concurrent Resolution 15
SPONSOR STATEMENT

**“Proposing an amendment to the Uniform Rules of the Alaska State
Legislature relating to standing committees.”**

SJR 15 is the product of intensive work by the Joint Legislative Education Funding Task Force. The Task Force’s report, published on September 1, 2007, features 5 pieces of legislation being forwarded to the Legislature to change certain components to Alaska’s state education policy. SJR 15 creates a standing Education Committee in each body of the Legislature.

SJR 15 represents the first and “immediate recommendation” of the Joint Legislative Education Funding Task Force. In light of a shorter legislative session, the Task Force determined that it would best suit the Legislature’s mandate to fund education, and to set comprehensive education policy, by creating a standing education committee.

To give justice to the technical and complex system of reviewing and updating Alaska’s Foundation Formula funding, including all its various components, and considering the breadth and scope of influence the statewide University system has on our state, the Task Force has judged that creating a stand-alone education committee in the Legislature would be the best means to put continual legislative focus on these policy areas.

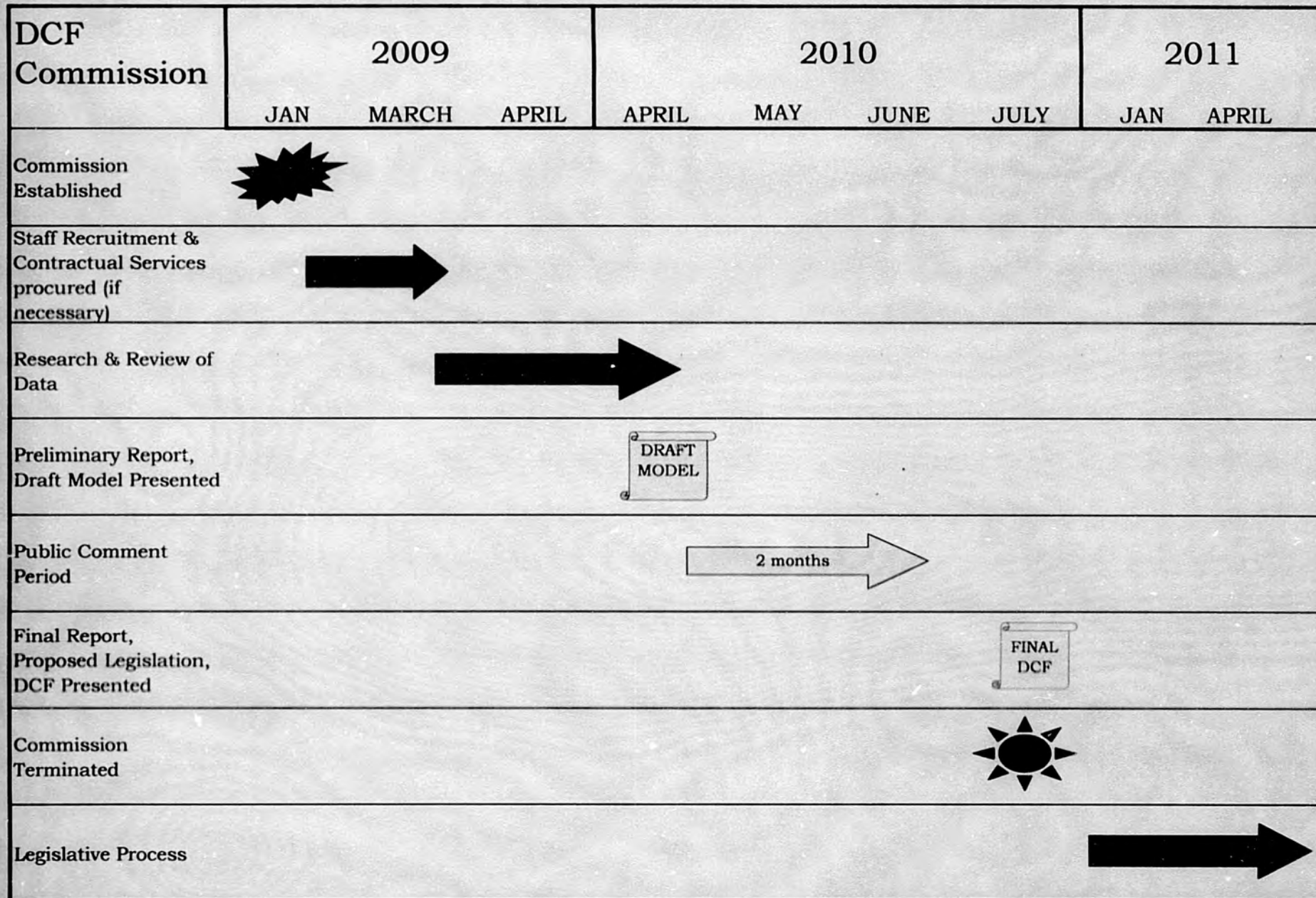
Thanks you for considering this important change to our committee structure.

SCOMM

151:7

SCR 16, District Cost Factor Commission

TIMELINE
Version K



25-LS1347E
Mischel
2/16/08

CS FOR SENATE CONCURRENT RESOLUTION NO. 16()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

**Sponsor(s): SENATOR STEVENS BY REQUEST OF THE JOINT LEGISLATIVE EDUCATION FUNDING
TASK FORCE**

A RESOLUTION

1 **Establishing and relating to the Education Funding District Cost Factor Commission.**

2 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **WHEREAS**, under art. VII, sec. 1, Constitution of the State of Alaska, a system of
4 public schools is required to be established and maintained; and

5 **WHEREAS** the cost of providing adequate public education for children living in the
6 state varies significantly among geographic areas of the state; and

7 **WHEREAS** accurately measuring relative cost differences is integral to equitable
8 funding for education across geographic areas; and

9 **WHEREAS** the cost differentials have been a recurring policy issue since the current
10 funding formula was adopted in 1998; and

11 **WHEREAS** the findings of economic analyses conducted in 2002 and 2004 have
12 raised questions and controversy within the Alaska State Legislature; and

13 **WHEREAS** previous determinations of cost differentials have been static and,
14 consequently, have become outdated;

15 **BE IT RESOLVED** by the Alaska State Legislature that the Education Funding
16 District Cost Factor Commission is established for the purpose of examining school district

1 cost differentials and creating a valid and durable model that can be updated to accurately
2 reflect the costs of providing education; and be it

3 **FURTHER RESOLVED** that the commission consists of 11 members as follows:

4 (1) five shall be from the senate appointed by the president of the senate;

5 (2) five shall be from the house of representatives appointed by the speaker of
6 the house of representatives; and

7 (3) one shall be appointed by the governor; and be it

8 **FURTHER RESOLVED** that the president of the senate and the speaker of the house
9 of representatives shall jointly appoint the chair and vice-chair of the commission; and be it

10 **FURTHER RESOLVED** that a commission member is subject to reappointment or
11 replacement if either the president of the senate or speaker of the house of representatives is
12 replaced and the member was appointed by the former president or speaker; a member may
13 continue to serve even if the member is no longer a state legislator; and be it

14 **FURTHER RESOLVED** that development of a model shall

15 (1) include a review of all actual and relative costs associated with delivering
16 education to the classrooms of each ^{Public} school in the state; and

17 (2) ^{INCLUDE} ~~maximize~~ consideration of cultural, socioeconomic, and other geographical
18 components affecting the cost of delivering education throughout the state; and be it

19 **FURTHER RESOLVED** that the ~~Alaska Legislative Council~~ ^{LEGIS. BUDGET + AUDIT} may, at the request of
20 the commission, provide necessary staff to the commission and enter into contracts for
21 professional services for the commission; and be it

22 **FURTHER RESOLVED** that the commission shall submit a preliminary report of its
23 findings and proposed legislation to the governor and the legislature by August 31, 2009, and
24 may make any additional reports related to the costs of delivering public education in the state
25 it considers advisable; and be it

26 **FURTHER RESOLVED** that proposed legislation submitted by the commission
27 shall include a new district cost factor index for use in funding education under AS 14.17; and
28 be it

29 **FURTHER RESOLVED** that the preliminary report submitted by the commission
30 shall be distributed and made available for public comment for a period of 120 days, after
31 which the commission shall prepare and submit a final report and proposed legislation to the

- 1 governor and the legislature by January 12, 2010; and be it
2 **FURTHER RESOLVED** that the Education Funding District Cost Factor
3 Commission is terminated on January 12, 2010.

25-LS1347C

Mischel

2/4/08

JEAN - PLS. REVIEW + HELP US
INCORPORATE NEW LANGUAGE
CS FOR SENATE CONCURRENT RESOLUTION NO. 16()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

Pg. 2

BY

Offered:

Referred:

FOR WED. 2/20 8AM HEARING

Sponsor(s): SENATOR STEVENS BY REQUEST OF THE JOINT LEGISLATIVE EDUCATION FUNDING
TASK FORCE

THANKS!

-TIM
x.4925

A RESOLUTION

1 Establishing and relating to the Education Funding District Cost Factor Commission.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS, under art. VII, sec. 1, Constitution of the State of Alaska, a system of
4 public schools is required to be established and maintained; and

5 WHEREAS the cost of providing adequate public education for children living in the
6 state varies significantly among geographic areas of the state; and

7 WHEREAS accurately measuring relative cost differences is integral to equitable
8 funding for education across geographic areas; and

9 WHEREAS the cost differentials have been a recurring policy issue since the current
10 funding formula was adopted in 1998; and

11 WHEREAS the findings of economic analyses conducted in 2002 and 2004 have
12 raised questions and controversy within the Alaska State Legislature; and

13 WHEREAS previous determinations of cost differentials have been static and,
14 consequently, have become outdated;

15 BE IT RESOLVED by the Alaska State Legislature that the Education Funding
16 District Cost Factor Commission is established for the purpose of examining school district

1 cost differentials and creating a valid and durable model that can be updated to accurately
2 reflect the costs of providing education; and be it

3 **FURTHER RESOLVED** that the commission consists of 11 members as follows:

4 (1) five shall be from the senate appointed by the president of the senate;

5 (2) five shall be from the house of representatives appointed by the speaker of
6 the house of representatives; and

7 (3) one shall be appointed by the governor; and be it

8 **FURTHER RESOLVED** that the president of the senate and the speaker of the house
9 of representatives shall jointly appoint the chair and vice-chair of the commission; and be it

10 **FURTHER RESOLVED** that a commission member is subject to reappointment or
11 replacement if either the president of the senate or speaker of the house of representatives is
12 replaced and the member was appointed by the former president or speaker; a member may
13 continue to serve even if the member is no longer a state legislator; and be it

14 **FURTHER RESOLVED** that the Alaska Legislative Council ^{MAY} ~~shall~~ provide necessary
15 staff to the commission; ~~the council may~~ ^{OR} at the request of the commission enter into
16 contracts for professional services for the commission; and be it

17 **FURTHER RESOLVED** that the commission shall submit a ^{PRELIMINARY} report of its findings
18 and proposed ^{LEGISLATION} ~~legislative changes~~ to the governor and the legislature by ^{AUGUST 31} ~~September 30, 2009~~,
19 and may make any additional reports it considers advisable; and be it ^{RELATED TO THE COSTS OF PUBLIC EDUCATION IN AK.}

20 **FURTHER RESOLVED** that the Education Funding District Cost Factor
21 Commission is terminated on ~~December 31, 2010~~ ^{delivering}

- Further Resolved
- ①
 - ②
 - ③
 - ④
 - Model development shall include a review of all actual + relative costs associated w/ bringing education to the classrooms of each delivering school site in the state.
 - shall maximize consideration ~~for~~ of cultural, socioeconomic, and other geographical components affecting costs of delivering education throughout AK.
 - Proposed Legislation ^{Shall} ~~shall~~ include a new DISTRICT COST FACTOR INDEX ^{for use in the state's formula funding program}

⑤ ... AUGUST 31, 2009, AFTER WHICH IT WILL HOLD 120 DAYS

CSSCR 16() ~~FOR~~ PUBLIC COMMENT - FINAL REPORT ^{LEGISLATION} ~~THE~~
-2- JAN. 12, 2010

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Senator Gary Stevens
Alaska State Legislature



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Senate Concurrent Resolution 16
SPONSOR STATEMENT

"Establishing and relating to the Education Funding District Cost Factor Commission."

SCR 16 is the product of intensive work by the Joint Legislative Education Funding Task Force. It would help facilitate changes in the way we determine and modify schools' District Cost Factor (DCF) as it relates to Alaska's education funding formula.

The DCF is a statistical representation of geographical cost variations of delivering education around the state. Simply put, it's more expensive to educate students in remote areas of the state than in urban areas. The most current DCF model recognized by the Legislature was published in 2005 by the University of Alaska Anchorage Institute of Social and Economic Research (ISER). These new DCF numbers are proposed to be phased-in via separate legislation. However, the Task Force recognizes the need for an on-going, updateable DCF model that can be applied routinely in the future.

Over the years, hundreds of thousands of dollars have been paid to economic modeling firms to produce an accurate, fair, and unbiased DCF index. The reports made by these firms have never given satisfactory results for the Legislature. Unfortunately, it's difficult to reach a consensus on what makes a DCF index "accurate, fair, and unbiased." The only number in the DCF index not disputed is Anchorage's designation of "1" as the basis upon which to compare all other school district costs.

SCR 16 establishes a dedicated legislative commission to study and report recommendations for changes to the DCF index. It would be comprised of state legislators, with one appointment made by the Governor, and tasked with finally finding school district cost differentials that can be agreed upon, and easily updated in years to come.

I encourage your support for the efforts made by the Joint Legislative Education Funding Task Force in presenting the Legislature with legislation reflecting a lot of collaboration and compromise. Thank you for considering SCR 16.

(excerpt)

**Joint Legislative Task Force
Report to the Governor and Legislature
September 1, 2007
Pages 4-5**

Recommendations for policies to be implemented during the second regular session of the Twenty-fifth Alaska State Legislature:

District cost factors

The school funding formula recognizes that school districts across the state face differing costs for similar goods and services including energy, supplies and labor. These geographic cost-of-living differences are accommodated in the formula by a factor that is applied to the school size adjusted ADM. Anchorage is presumed to be the base for this calculation and receives a factor of one (1.0). Other districts are individually assigned factors in excess of one to recognize their individual cost differential in relation to Anchorage.

The numerical value of the cost differential factors has been a policy issue with the formula since it was adopted in 1998. The legislature has undertaken various efforts utilizing professional economic consultants to accurately and fairly determine these factors. A controversial economic analysis was completed in 2003 by the American Institute of Research (AIR). This work was reviewed and modified in 2005 by the University of Alaska's Institute of Social and Economic Research (ISER). Certain aspects of the ISER differential calculation also raise questions and controversy within the legislature. However, the ISER study is generally accepted as the most recent and reliable differential analysis available at this time.

The JLETF recommends that a dedicated commission be established to address the district cost factor issue in detail. The commission should be similar in organization to the Joint Legislative Education Funding Task Force that prepared this report. The commission should be charged with developing a durable and dynamic (updateable) economic model that can be used to update district cost factors on a regular and recurring basis. Further, the commission should be directed to investigate the feasibility of incorporating direct reimbursement for some costs, such as energy costs. It should be provided with adequate financial resources to engage the highly qualified professional resources necessary to conduct the economic analyses needed to develop the economic model and improve the accuracy of district cost factors.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SCR16
 () Publish Date: _____

Identifier (file name): SCR16-LEG-COU-02-04-08 Dept. Affected: Legislature
 Title Establishing and relating to the Education Funding District Cost RDU Legislative Council
District Cost Factor Commission Component Council and Subcommittees
 Sponsor Senator Stevens by Request
 Requester Senate Special Committee on Education Component Number 783

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation	Information					
	Required	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES	FY 2009						
Personal Services							
Travel	30.0		30.0				
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	30.0	0.0	30.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

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

1002 Federal Receipts							
1003 GF Match							
1004 GF	30.0		30.0				
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	30.0	0.0	30.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

SCR16 establishes an Education Funding District Cost Factor Commission made up of ten members of the Legislature appointed by the Presiding Officers and one public member appointed by the Governor to examine school district cost differentials. The Commission will be staffed by Legislative staff to the Legislators who are appointed to the Commission. It is estimated that the Commission will meet several times by teleconference and three times requiring travel. For purposes of this fiscal note it is assumed the eleven members of the Commission will be appointed from various regions of the State and will meet several times by teleconference and travel three times each year to meet in Anchorage, Fairbanks, and Juneau. The Commission will submit a report to the Legislature and the Governor by 9/30/09 and terminate 12/31/10. Costs for teleconferencing and to print the report will be absorbed by the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
 Division Legislative Affairs Agency Date/Time 2/4/08 8:32 AM
 Approved by: Pamela Varni, Executive Director Date 2/4/2008
Legislative Affairs Agency

SCOMM

151:8

COMPROMISE
COULD BE, SAY,
APRIL 15 BUDGET
PASS, MAY 1 =
PINK SLIPS.
JOB FAIRS COULD
BE SCHEDULED LATER.

FACT STANDS:
IF THERE'S AN
UNEMPLOYED TEACHER
OUT THERE, IT'S
EASY TO GET A JOB.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 192(HES)
(H) Publish Date: 4/25/07

Revision Date/Time (Note if correction):

Title An act relating to notification to teachers of
layoff or nonretention.

Sponsor Representative Doogan, Crawford

Requester Health, Education and Social Services, Finance

Dept. Affected: Education & Early Development

RDU Education Support Services

Component Executive Administration

Component No. 2736

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation requires school districts to give all teachers that are tenured or non-tenured notification of non-retention by the last day of the school term by registered mail.

AS 14.20.140(a) Which states a teacher who is to be laid off, will be notified via regular mail by March 16th, is repealed.

Prepared by: Eddy Jeans, Director

Division: School Finance

Approved by: Barbara Thompson, Deputy Commissioner

Agency: Education & Early Development

Phone 465-8679

Date/Time 4/20/07 1:30 PM

Date 4/20/2007



Alaska State Legislature

Mike Doogan
Representative
District 25, Anchorage

SPONSOR STATEMENT

HB 192

An Act relating to notification to teachers of layoff or nonretention.

Alaska Statute currently requires school districts provide tenured teachers notice of nonretention or layoff for the following school year by March 16, while teachers who have not acquired tenure must be notified by the final day of the school term.

HB 192 makes the early March 16 notification date for tenured teachers contingent on passage of a public education funding bill by March 1. If no public education funding bill passes the legislature by March 1, then tenured teachers must be notified of nonretention or layoff by the final day of the school term. HB 192 does not alter the mandatory notification date for non-tenured teachers, the final day of the school term.

The intent of HB 192 is to remove a statutory mandate that is placed on school districts that ignores whether education funding has passed the legislature or not. If no education funding bill has passed the legislature by the current March 16 notification date, districts do not actually know what their budgets for the following year will be. Consequently, the districts must send layoff or nonretention notices to tenured teachers out of uncertainty or speculation that they may not have adequate funds in their budget to retain the tenured teachers for the following year.

If the legislature passes an education funding bill by March 1, it is reasonable to mandate school districts give notice of layoff or nonretention to tenured teachers by March 16. Otherwise, the district is sending out layoff or nonretention notices to tenured teachers out of uncertainty and speculation. Requiring school districts to layoff tenured teachers without a final budget is impractical and can have negative consequences for both tenured teachers and school districts. HB 192 helps mitigate those negative consequences by changing the law to correspond with budgetary reality.



Alaska State Legislature

Mike Doogan

Representative
District 25, Anchorage

SECTIONAL ANALYSIS

CS for HB 192(HES)

An Act relating to notification to teachers of layoff or nonretention.

- Section 1:** Amends AS 14.20.140(a) to stipulate if no bill containing public school funding passes the legislature by March 1, all teachers (non-tenured and tenured) are to be notified by an employer of layoff or nonretention on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.
- Section 2:** Amends AS 14.20.140(b) to stipulate if a bill containing public school funding passes the legislature by March 1, then
- (1) tenured teachers must be notified by an employer of layoff or nonretention on or before March 16, or by registered mail postmarked before March 16, and
 - (2) non-tenured teachers must be notified by an employer of layoff or nonretention on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.
- Section 3:** Amends AS 14.20.180(b), to conform with the provisions of AS 14.20.140 (a) and (b), whichever is applicable.

Sec. 14.20.140 Notification of lay off or nonretention.

(a) If a teacher who has acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year, the employer shall notify the teacher of the layoff or nonretention by writing, delivered before March 16, or by registered mail postmarked before March 16.

(b) If a teacher who has not acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year the employer shall notify the teacher of the layoff or nonretention by writing delivered on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.

(c) Notwithstanding a teacher's right to continued employment under AS 39.20.500 - 39.20.550, a school district may notify a teacher of layoff or nonretention under this section for the following school year for a permissible reason.