

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 8672

1 365 HHESS HB 365 - HB 397

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While no one would suggest that the state had a responsibility for full construction and/or operational support of all health care facilities in the state, it is clear that many needed facilities are deteriorating and their communities are not financially able to correct these steadily worsening situations. It can be argued that the state has a responsibility for ensuring access to quality care for its citizens when other sources of assistance are non-existent.

Health facility need for assistance has been determined in large part by the on-going inventory of existing hospitals and by the certificate of need process. Physical plant adequacy is annually determined, as well, by the on-site survey for operational licensure and certification for Medicare and Medicaid reimbursement (which applies primarily to hospitals, skilled nursing and intermediate care facilities). Deficiencies in the facility, particularly those related to patient life and safety, are noted and the facility is required to develop a plan of correction to rectify the situation. The dilemma is that some hospitals are so old and outmoded that it simply is not cost efficient or effective to modernize or renovate them. There currently is no mechanism to assess the need for clinics; resources have never been available to inspect current clinics, site-visit areas requesting or needing clinics, or review with communities their proposed program and design for a clinic.

Other dimensions of need, as outlined in Section 14 of Chapter 155, were reviewed in preparing this report. In the area of acute care in a hospital setting, the number of beds available to a service area can be a factor in determining need, since the operating cost of a facility is related to some degree

to the physical plant area within the facility. There are national formulas and data available indicating that generally a maximum of four (4) beds for each 1,000 people will more than adequately make care available. Alaska has overall an average of 2.7 beds per thousand population and there are additional beds authorized through the certificate of need process for future development.

Formulas to determine long term care and other kinds of service needs are much less precise and are not tied to numbers of beds required to provide acceptable levels of service. Much more study and research on a national as well as a local basis needs to occur in this regard.

The occupancy rate of health care facilities can be used to help determine the need for acute care and long term care facilities. The nationally recommended occupancy level for hospitals is 80 percent, for example. In looking at health facility need in Alaska, however, this figure must be used cautiously. Data from the 1981 proposed State Health Plan indicate that only one hospital - Providence in Anchorage - had an average annual occupancy rate even approaching 80 percent (Providence's average was 75 percent average annual occupancy for 1980). The fact that the Valdez Community Hospital average annual occupancy for 1980 was only 14 percent does not necessarily indicate that that facility is unneeded. Geographic location, seasonal population fluctuations, and transportation are only a few of the variables which must be considered in assessing occupancy. Further, a major accident or a natural disaster could quickly fill all beds in a smaller hospital.

The kinds and levels of services provided to determine facility need requires lengthy review and analysis. This process has been underway since June 11, 1980, under the appropriateness review program being conducted by the State's three Health Systems Agencies and the Department. Two services will be reviewed each six-months; end stage renal disease and cardiac catheterization have already been reviewed by the State's three Health Systems Agencies and other institutional services are scheduled for review through 1983. Although the review process is not yet complete, it is clear that there is a need for short-term psychiatric beds to be designated in Alaska's community hospitals to meet a critical need and to avert, if possible, the construction of additional facilities similar to Alaska Psychiatric Hospital.

#### Alternatives for Making Revenue Sharing Funds Available

The Department reviewed other alternatives to the number of beds option for making revenue sharing funds available. Some of the other options considered included:

- wealth of the community
- population served (including seasonal fluctuations)
- uncompensated care levels at the facilities
- facility occupancy
- health care services offered

While this assessment was not exhaustive in its exploration of possibilities, each option considered had major deficiencies, including:

• creating incentives for providing unnecessary care (i.e., basing a formula on occupancy rate could induce arbitrary raising and lowering of the occupancy rate)

• penalizing good management and rewarding poor management. By no means is a facility's financial status solely the result of management, but establishing a formula only on the basis of a facility's financial status could have this spin-off effect.

• creating a complex operation to administer the program. The concept of revenue sharing can be interpreted to be the provision of some resources to all members in a similar class. Complex formulas incorporating a number of variables would inevitably require additional staff, an audit capability, an application and a review process. This Department interpreted that revenues for a variety of purposes were to be made readily available to facilities through the municipal structure with a minimum of qualifications and strings attached.

#### Comprehensive Program for Hospital Care and Health Care Services

This report focuses primarily on the assistance which could be provided for hospital and health facility construction and operation. More intensive focus on the state's role in providing or assisting in the provision of health care services can be found in the 1981 (proposed) State Health Plan. These issues as well as financing issues are being extensively reviewed in the current Health Care and Financing Study funded through the Department. The first phase of this

study is scheduled for completion in December 1981 and could provide additional insight into the state's role in assisting municipalities in the provision of hospital care and health care services.

#### Options for Hospital and Health Facility Operation and Construction Assistance

Access to quality health care at reasonable cost is the aim of Alaska's health care delivery systems. Access and quality are tied to the existence of appropriate facilities which ensure an environment protective of patient life and safety.

The type of facility most appropriate to a given area is outlined in the State Health Plan. This plan articulates a level of care concept identifying minimum facilities and services which should be available in various sized communities in Alaska. This plan, developed in a public forum, guides the certificate of need process so that needed health care facilities and services are approved; unneeded and unnecessarily duplicative services are therefore disapproved. This process offers a safeguard against the proliferation of hospitals and other health facilities subject to review.

The question of the appropriate state role in assisting in the operation and construction needs of existing facilities is a complex one. This report has noted that the state has previously had a role in establishing and/or assisting in the support of the operation of many of these facilities. With the discontinuation of federal funds which had also previously supported health care facilities, the state's role has become less clear and in need of further exploration

and definition. Regardless of the extent of the state's role, the fact remains that many of Alaska's health care facilities, which are deemed to be needed facilities by virtue of the access to services they provide, are in need of renovation, modernization or replacement in order to continue to make quality health care reasonably accessible to Alaskans as well as to the many visitors to this state.

The options for assistance for hospital and health facility operation and construction will be discussed separately to facilitate review and policy development.

#### Hospital and Health Facility Operation

All health facilities have basic operational costs which must be supported regardless of the volume of patients available to generate revenues. This fact can perhaps best be seen by looking at the minimum requirements for a hospital.

Each hospital, whether rural or urban, must have the following basic areas in its facilities through which to provide health care services:

Patient care including:	gross square feet
1 intensive care room	
1 coronary care room	
1 isolation room	
1 psychiatric room	
1 two bed pediatric room	
2 two bed acute care rooms	
1 five crib nursery	5,600

Surgical	2,400
Obstetrics	3,400
Emergency	1,100
Radiology	900
Laboratory	400
Physical therapy	500
Dietary	1,700
Administration	1,600
Central services	400
General storage	300
Laundry	700
Waste disposal	600
Morgue	400
Outpatient	2,000
	<u>22,000</u>

There is a basic cost of operation for this minimum hospital which results from staffing costs, building maintenance, and utilities.

The costs for building maintenance and utilities are almost entirely a function of the area of the hospital. The staffing costs are directly related to the services which are offered by the hospital and comprise the greater part of operating costs. A certain level of minimum staffing for the functions of medical records, dietary, maintenance, housekeeping, laundry, nursing, laboratory, x-ray, etc., is unavoidable and must exist in order for a hospital to provide service. Due to the low population served and thus the low levels of revenue generated, the rural hospitals and nursing homes have difficulty in meeting operating expenses. Many of the rural hospitals subsist only as a result of grants from local government.

All facilities continue to experience operational cost increases as a result of inflation reflected in increased fuel costs, increased salaries and increased costs of supplies. Larger facilities may be able to offset some of these costs by increased charges to patients, but this assumes a constant high occupancy

level within a facility. Such a constant is simply not the case in most Alaska health facilities, and yet the basic operational costs continue to rise. Options currently available to assist health facilities meet some of the operating costs include the health facility revenue sharing program and the municipal assistance program.

The health facility revenue sharing program provides operational costs to facilities on a regular annual basis according to the number of patient care beds available in each facility. Funds are made available to privately owned facilities (owned by a religious order, for example) as well as municipal facilities. These funds have been essential in the support of operational expenses in many Alaska facilities. Current revenue sharing fund levels are not sufficient to provide more than a portion of the operating expense of most hospitals, for example, and this is a key factor for some of the smaller, more rural hospitals in particular. There has been an interest in linking the receipt of revenue sharing funds to the provision of specifically needed services such as psychiatric beds. This option could be further explored.

The second option for operational assistance to health facilities is the municipal assistance program. This option would allow municipalities to increase the amount of operational support to health care facilities in accordance with local determination of need. One aspect of this option requiring further exploration is the eligibility of the six private, non-municipal hospitals and other non municipal health facilities for such assistance.

## Hospital and Health Facility Construction

The current health facility revenue sharing program provides construction funds (up to 25% of the costs disbursed over a five-year period) to hospitals only. This program could be modified to provide a greater portion of construction funds for renovation, modernization or replacement of hospitals in communities which have an insufficient tax base to undertake 75% or more of the costs. This program could also be modified to provide up-front money where it is needed when the construction begins. Yet a third modification of this program could be to include facilities other than hospitals as eligible for construction assistance. A consideration for modification of this program might be to include funds for planning and design to ensure the most viable construction alternative.

Municipal assistance is a second option for facility construction. Municipalities which place their health facility needs as a high priority could support needed appropriate construction. Again, the eligibility of non-municipal facilities for such assistance needs to be resolved.

Bond issues offer a third possibility for assistance with health facility construction. Possible bond issues include:

- (a) bond issue by an individual community
- (b) bond issue by the state for facilities in a number of communities.
- (c) municipal bond bank
- (d) tax exempt bonds sold by the Alaska Medical Facilities Authority to support construction in nonprofit facilities.

Bond issues by the state for health facility construction provide resources to the community that do not necessarily require community obligation or indebtedness. All other bond issues presume a tax base to support repayment and a bonding capability for the community. Communities which may be approaching the upper limit of bonded indebtedness would be unlikely candidates to support a bond issue.

Health facility construction assistance is presently limited to the above listed alternatives. The likelihood of federal assistance for which Alaska facilities would be eligible any time in the near future is remote. Health facility construction need not be bound by current programs if it is determined that the state has a role in assisting with health facility construction. The state could, for example, establish a program of assistance for health facility construction similar to the now defunct Hill-Burton program. Such a program could include the following features:

- an inventory of all existing health facilities to determine precisely their structural status and need for renovation, expansion, modernization or replacement. This process would not preclude a recommendation for closure of facilities which are no longer providing needed appropriate services.
- DHSS has for many years recognized the need for designated hospitals to provide psychiatric care. AS 47.30.010(b)(1) authorizes the Commissioner of DHSS to designate such hospitals. Alaska Psychiatric Institute is currently the only designated facility in Alaska. This facility is now

experiencing an occupancy rate of 114%. An effective method of providing the needed psychiatric beds is to designate hospitals which would dedicate certain beds for the provision of psychiatric care. This method could, if successful, obviate the need for additional construction and would place psychiatric care into more areas of the state.

- the development of a program of state assistance based on the results of the inventory and the current edition of the State Health Plan. This program could incorporate an initial planning and design component, a community match requirement (based, perhaps, on the size of the community) and the establishment of a representative body to review applications and make recommendations for funding.

All the above options, singly or in combination, have the potential for addressing the needs for health facility construction programs in the state. The age and inadequate status of many of our health facilities make it imperative that a rational system for renovating or replacing deficient facilities be established now to stem the problem. Failure to establish a consistent and timely approach can be expected to result in a plethora of requests from individual communities to the Legislature ---and determining which community should get what level of resources in the absence of a total picture of the state's needs could become a most complex and controversial issue.

APPENDIX

Attachment I - Printout on Distribution of Health Facility Revenue Sharing Funds

Attachment II - DHSS Letter of Request for information to recipients of revenue sharing funds

Attachment III - Structural deficiencies reports:

- a. Petersburg General Hospital
- b. Wrangell General Hospital
- c. Valley Hospital, Palmer
- d. Cordova Community Hospital
- e. Seward General Hospital
- f. Wesleyan Nursing Home, Seward
- g. Faith Hospital, Glenallen

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT.

Alaska  
State  
Hospital  
Association

319 Seward St., Juneau, Alaska 99801 (907) 586-1790

REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

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Anchorage

Executive Director  
Dennis L. DeWitt  
Juneau

March 19, 1981

The Honorable Bette Cato  
State House of Representatives  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

Dear Representative Cato:

The Alaska State Hospital Association has reviewed HB 365 and wishes to express its support.

The appropriation will begin the process of determining the best approach at modernizing hospital services in the city of Cordova. While Cordova Hospital is delivering good quality care now, the condition of its physical plant makes delivering quality health care more difficult each year. The feasibility study and design and engineering reports will provide a solid basis for consideration of capital funding of a viable proposal.

We will be happy to assist you as you move HB 365 through the legislative process.

Sincerely,

  
Dennis L. DeWitt  
Executive Director

DLD/b

cc: Ed Zeine

# Seward General Hospital

P.O. BOX 385  
SEWARD, ALASKA 99664  
(907) 224-5205

January 20, 1981

Representative Betty Cato  
Pouch Y  
Juneau, Alaska 99811

Dear Representative Cato:

Seward General Hospital is a non-profit corporation serving the health needs of the 3,600 full time residents of the eastern portion of the Kenai Peninsula.

The bulk of our equipment has been in use since 1958 and is past or swiftly approaching its useful life. Most of the funds that are available to the Hospital Board must be spent on day to day operations, leaving very few funds for modernization. The Hospital Board has ascertained that a one-time infusion of funds is necessary to adequately re-equip the hospital with current State-of-the-Art items of equipment. Once adequately equipped, a program for maintaining and up-dating, along with a plan for replacement of obsolete items would be meaningful and practical.

The hospital has been operational in the current facilities since 1958. All of the major equipment, with the exception of the X-ray machine, was installed as part of the initial construction effort. Time, usage and technical innovations in the State-of-the-Art have made these equipment items obsolete. In order to maintain quality care, funds have been expended as they became available to upgrade equipment requirements. The advancing age necessitates the contemplation of total replacement of the bulk of the patient care equipment.

The objective of upgrading equipment encompasses all departments of the hospital operation. Needs exist for items directly concerned with patient care such as cardiac monitoring and patient data systems, though ancillary items such as a floor scrubber and a one-half ton van are purely support items. All items considered for acquisition are essential for continued modern hospital care. They can be installed with currently available utilities and are within the scope of the existing employees to install and operate, and with limits, maintain with minimal training.

A perusal of the attached listing, with approximate pricing information, will indicate no unusual items of equipment requested.

Thank you for your consideration.

Sincerely,

  
C. Keith Campbell, Administrator

CKC:ecb

Enclosure

EQUIPMENT REQUIREMENTS  
SEWARD GENERAL HOSPITAL

INDEX

Cardiac Monitoring Unit	\$ 1,140.
Autoclave Controls (Alternative)	6,500.
Replacement Autoclave (Alternative)	25,000.
Cardioscope/Defibrillator	4,800.
Drainage Pump	900.
Suction Unit	900.
Respirator	3,000.
Aneroid Sphygmomanometers	1,242.
Spirometer	4,452.
Crash Cart	4,848.
Gas Sterilizer	9,270.
Decubiti Prevention System	780.
Floor Scrubbing Machine	3,600.
Wet-Dry Vacuum Machine	360.
Television Shelves	6,000.
Waste Paper Shredder	438.
Infusion Controller	1,380.
Patient Furniture	58,598.
Stretcher/Table	3,000.
Geriatric Chair	240.
Rocking Chair	180.
Resuscitator (Two Units)	1,800.
Van	7,200.
Arc Welder	300.

Embossing System	\$ 4,200.
Reception Area Furniture	6,000.
Electrocardiograph	2,400.
Bath Lift	3,000.
Executive Pagers	4,500.
Infant Circle Filter Anesthesia Apparatus	570.
Window Mount Air Conditioner	6,000.
Washer-Extractor	14,003.
Laundry Conditioner-Dryers (Two)	10,940.
Air Vent System (Laundry)	3,600.
Dietetic Ice Machine	1,644.
Pond Freezer	2,305.
Kitchen Work Table	218.
Deep Fat Fryer	841.
Dishwasher	4,200.
Entry Ramp	5,500.
Nursing Station Call System	70,000.
Coffeemaker	700.
Boiler/Burner	8,714.
Billi-Meter and Billi-Timer	1,231.
Pressure Sensor Valve	255.
Silver Recovery Unit	1,634.
Patient IV Walker(s) Two	299.
Laboratory Furniture	13,725.

Phase Contact Microscope	\$ 5,195.
Laboratory Computer/Printer	5,100.
Centrifuge	750.
Waterbath	580.
Blood Gas Machine	6,995.
Calcium Analyzer	2,150.

Equipment Requirements

\$339,177.

alaska  
state  
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319 Seward St., Juneau, Alaska 99801 (907) 586-1790  
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

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Executive Director  
Dennis L. DeWitt  
Juneau

MAR 12 1981

March 6, 1981

The Honorable Bette Cato  
State House of Representatives  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

Dear Representative Cato:

The Alaska State Hospital Association wishes to inform you of its support of an appropriation of approximately \$600,000 for a feasibility study on the need and design of a new physical plant for Cordova Community Hospital. The Association will be pleased to assist you and Cordova Community Hospital in achieving that goal.

Sincerely,

  
Dennis L. DeWitt  
Executive Director

DLD/b

cc: Ed Zeine

H B

375

HB 375: Section-by-section analysis

- Sec. 1: Makes community college system a separate component of university, under jurisdiction of Board of Regents.
- Sec. 2: At least one member of the Board of Regents is a student. This section requires the student regent to be a community college student every other term. In other words, a university center student would serve on the Board for a two year term, then a community college student would serve for the next two year term, and the student regent position would continue to alternate in this fashion as long as this section of the law is in effect.
- Sec. 3: Requires Regents to appoint community college system president, and allows the president of the community college system as well as the president of the university centers to attend meetings of the Regents.
- Sec. 4: Requires Regents to fix the salary of the community college president.
- Sec. 5: Technical.
- Sec. 6: Requires Regents to approve and regulate academic courses taught at community colleges, with advice of local campus presidents and policy committees.
- Sec. 7: Technical.
- Sec. 8: Technical.
- Sec. 9: Technical.
- Sec. 10: Gives community college system president the power to: (1) give general supervision to community colleges, with approval of Regents; (2) appoint local campus executive officers, subject to the approval of policy committees; (3) direct and supervise local campus executive officers; (4) submit academic programs, approved by policy committees, to Regents for their consideration; (5) submit local campus budget request to Regents for their consideration.
- Sec. 11: Gives community college system president the authority to suspend or expel community college students.
- Sec. 12: Technical.
- Sec. 13: Technical.
- Sec. 14: Establishes a comptroller for the community college system.
- Sec. 15: Technical.

Sec. 16: Allows municipalities to establish and operate community colleges jointly with the University.

Sec. 17: Clarifies Board of Regents' ultimate authority over community colleges that are run jointly with a municipality.

Sec. 18: Provides minimum criteria for the establishment of a new community college. Criteria include: (1) the college must be functioning as an extension center at the time it applies for full college status; (2) its service area must include at least 12,000 residents; (3) the college must provide academic transfer, vocational, student services, community service, and ABE programs; (4) a certain number of full and part time instructors in each major discipline area. Application procedures are spelled out; procedures include a detailed feasibility study that must be submitted to the Board of Regents. All decisions on applications must be made within two years.

Sec. 19: Technical.

Sec. 20: Establishes an executive officer, approved by the policy committee and the Regents but appointed by the community college system president, for each local campus.

Sec. 21: Further specifies Regents' authority over academic curriculum, and establishes municipality's authority over nondegree activities and personnel.

Sec. 22: Technical.

Sec. 23: Establishes policy committees for each community college (policy committees would take the place of the currently existing policy advisory councils). Committees must have not less than five nor more than eleven members, and members must be broadly representative of the community, and would be appointed to serve three year terms. Committees will coordinate college activities with local school district activities. Committees have the power to approve the appointment of the local campus executive officer, the annual budget request, new academic programs, and nondegree programs, before they are offered to the Regents or to the municipality for final consideration.

Sec. 24: The effect of this section is to "grandfather" all colleges in existence at the time the bill goes into effect.

Sec. 25: Definitions.

Sec. 26: Technical.

Sec. 27: Same effect as section 24.

Sec. 28: Effective date: July 1, 1981.

HB 375: Sponsors' suggested amendments

PAGE 4, line 12: amend to read, "(3) submit the annual budget request approved by the policy committee for each community. . ."

PAGE 13, line 8: delete "Members [SHALL BE APPOINTED FROM PERSONS RECOMMENDED BY THE SCHOOL DISTRICT OR MUNICIPALITY AND] shall reside within the area served by the community college."

(LC: 3/29,'81)



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# Nevada Public Affairs Review

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Higher Education  
in Nevada

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1981, Number 1

One Dollar

# A History of the Community College Movement In Nevada

by John A. Caserta

Starred  
Sections  
may be  
of  
particular  
interest

## Nevada Community Colleges Become a Reality — 1966-1970

From 1864 until 1967, the lagging population growth and slow industrial progress in Nevada did not trigger any great demand for special education or vocational training needs which could not be met by the local school systems or the University of Nevada System. A need for comprehensive community colleges was not felt until the late sixties.

In the 1966 campaign for governor, Paul Laxalt became the first major political figure to broach the concept of a state system of community colleges, when he included the establishment of community colleges as part of his campaign platform. After becoming governor in 1967, Laxalt appointed a Governor's Council to determine the feasibility of community colleges in the state. That same year, the citizens of Elko banded together and raised funds totaling \$44,356 to launch Nevada Community College. Tribute must be paid to the citizens of Elko. Not only was the University of Nevada first established in Elko in 1874, but in 1962 Elko business and community leaders attempted to establish a junior college by offering land to the Board of Regents for such a college in Elko. Even though this effort was unsuccessful, Elko citizens established Nevada's first public community college on their own in 1967.

Elko leaders recognized that they could not support a community college from private funds. Thus, Assemblymen Norman Glaser and Roy Young of Elko joined Governor Laxalt in the 1968 special legislative session in attempts to get community college legislation passed. This effort came to no avail, primarily because of concern that community colleges would further dilute funds badly needed by public schools and the universities.

The governor immediately began working with Assemblyman Glaser to present Assembly Bill No. 2, which required no funding but allowed the Elko Community College to become a function of the Elko School District and permitted the Elko trustees to accept gifts or grants from any source. The bill, which also called for the State Department of Education to launch a feasibility study for community colleges, passed both houses without dissent on February 26, 1968. The community college concept had been salvaged and the groundwork laid for dramatic future development.

The first major development was a donation of \$250,000 contributed by Howard Hughes in May, 1968. Without solicitation, Hughes volunteered the gift with the specification that half of the amount be used for the

continuation of Elko Community College and the other half to fund a legislative study on the feasibility of community colleges for Nevada. It was the Hughes money, coupled with the leadership of the governor and others, that resulted in the establishment of community colleges for Nevada.

The Board of Regents, at its February, 1969 meeting, made the community colleges a division of the University of Nevada System. Chancellor Neil Humphrey was authorized to develop organizational and basic program plans in conjunction with Governor Laxalt, State Superintendent of Public Instruction Burnell Larson, and officials of Elko Community College.

A nationwide search began for the president of the new division and, in 1970, Dr. Charles R. Donnelly arrived from Flint, Michigan, to become the first and only president of the Community College Division. Dr. Donnelly was made responsible for the development of a state plan for community colleges and for the activation of new colleges in Reno, Carson City, and Las Vegas.

By February, 1971, a bill had been passed which directed the conveyance of 200 acres of state-owned property to UNS for a community college and led to Western Nevada Community College's first building being located in Carson City rather than at Reno.

Also in 1971, Assemblyman William Swackhammer introduced Assembly Bill 459 which created a Higher Education Construction Fund with receipts from the slot machines tax. Expenditures from this fund were authorized only for construction projects for the University of Nevada System. AB 459 gave priority to construction of Clark County Community College for the 1971-73 biennium. Coupled with a congressional amendment to the Tax Reform Bill which stipulated that 80 percent of the revenue obtained from the slot machine tax would be returned to Nevada, this bill was a boon for the community college movement.

## First Years of the Community College System, 1971-72

In 1971, Elko Community College was the oldest of the three community colleges comprising the new division. It was the first of the colleges to have all five occupational areas in operation: agriculture, business, health, industrial, and public service. Elko also had another unique "first" — it was the first institution of higher education in the state to have a senior citizen center established on campus. The college also established outreach centers in Winnemucca, Wells, and Ely. Western Nevada Community College began its operations in the Civic Center

building in Carson City; its outreach centers serviced Reno, Stead, Fallon, Yerington, Hawthorne, Incline Village, and Zephyr Cove. Clark County Community College, whose initial operation occupied the old Las Vegas Review Journal building and Skill Center in Las Vegas, had outreach classes extending to Boulder City.

The Board of Regents chose the location of the first community college campus site in Clark County to offer excellent access to the lower economic groups of Las Vegas and North Las Vegas. The black community had been concerned that the college be located near their own center of population, and their concern was borne out by figures which indicated that 23 percent of the enrollment on the downtown campus came from minority groups and that 83 percent of the students enrolled at the Skill Center were from the black community.

Enrollment in 1971-72 for all three colleges amounted to 589 FTE (using the base that 16 credit hours equals one full-time student equivalent).

In April, 1973, the college at Elko moved into the state's first new community college building — another "first." At the same time, the college received a new name, Northern Nevada Community College. Probably the most significant event of the 1972-73 year was the transfer of the Washoe County School District's adult education program to Western Nevada Community College. This action accounted for a 7.6 percent increase in headcount and a 355 percent increase in FTE, thus providing a much-needed base for funding.

The search for a location for the new Reno campus resulted in selecting property adjoining the Desert Research Institute site north of Reno. The regents were influenced by the fact that costs would be restricted to site development expenses and, also, by the fact that in view of Carson City having its own campus, there was not a need to have the community college located where it could serve both Reno and Carson City.

Clark County Community College did not receive the initial support from the school district which western Nevada had enjoyed. Despite the support of Dr. Kenny Guinn, Clark County School District Superintendent, the Board of Trustees was concerned about possible dilution of school funds and the college's possible threat to the success of the recently completed Southern Nevada Vocational Technical Center. For these reasons the board would not transfer their adult education program to the community college.

In December, 1972, President Donnelly had made a public commitment to keeping each community college in the system under 5,000 full-time equivalent enrollment and maintaining the two-year identity of each college, and he reiterated these commitments in June, 1973 to allay fears that the community colleges wanted to become four-year institutions. The community colleges had opened the 1972-73 school year with attendance nearly triple that of the first year, and statewide FTE reaching 1,413. The rapidly expanding enrollments were a cause of concern to university staff people and legislators who expressed fears of competition for scarce financial resources.

President Donnelly was a strong supporter of community education; he mandated that college credit be given for the college's community service courses and that these credits be made applicable toward the Asso-

ciate of General Studies degree as general electives. Donnelly initiated meetings among educators and lay people to explain the community education philosophy and the community school structure.

The well-attended ground breaking ceremony held in Fall, 1973, for the Carson campus of Western Nevada Community College gave evidence of the strong community support for the community college movement. Another notable event was the bringing into use of the second new building on the Elko campus; dedication for both of the new buildings took place on Saturday, September 8, 1973.

Conflict between the universities and the community college regarding university parallel courses developed in February, 1974, when the University of Nevada Arts and Science Ad Hoc Committee on Articulation Problems recommended to Acting President Dr. James T. Anderson that no university parallel courses be taught in the community colleges in the Reno-Sparks area, including Stead, and in the Las Vegas area, on the grounds that such courses were being offered already by the universities. Strong sentiment against the proposal was voiced by Community College division President Charles Donnelly and other system officers. The Board of Regents referred the matter to the Chancellor's Cabinet, which developed an approach to the problem that was acceptable to all concerned. In March, 1974, Senator Cliff Young raised the question of the intent of community colleges in regard to building athletic facilities for football and other group sports. President Donnelly responded that there was no intent to build stadiums and engage in intercollegiate sports; he emphasized the community college's main emphasis in athletics would be toward intramural programs and physical activities which students could pursue on a lifelong basis.

In May, 1974, Northern Nevada Community College received full accreditation from the Northwestern Association of Secondary and Higher Schools.

Clark County Community College occupied its first new building in North Las Vegas on the Cheyenne campus. However, the more significant event of the 1973-74 school year was probably the transfer of the adult education program of Clark County School District to the college. The result was a doubling of enrollment with an increase from 1,530 headcount to 3,249 headcount for the 1973-74 school year.

Clark County Community College also began to promote concern for educating persons having handicaps. Clark County Community College also led the way in the development of flexible scheduling, a characteristic of community colleges deemed by many to be one of their major reasons for success.

Despite the fact that the State Plan for Community Colleges called for the establishment of community service courses, a number of legislators challenged state financing of special interest courses desired by adults in the community. In compliance with a mandate from the legislature, President Donnelly issued a policy memorandum making community service courses supported only from registration fees. Credit for community service courses would be applicable only to the Associate in General Studies degree.

Also in response to the 1975 legislature, the Community Education Center, which had been housed in the

Community College Division office in Reno, was transferred to the State Department of Education in Carson City on July 1, 1975. The leadership role for community education passed to the public school system and the State Department of Education. \* \* \* \* \*

The question of a separate state board for community colleges was raised in September, 1974. Norman Glazer and the Elko Community College supporters had never abandoned their desire for a separate state board; they had only agreed to be placed under the umbrella of the Board of Regents as a matter of expediency in order to get their community college started. Governor Laxalt, from the outset, anticipated eventual involvement into a separate governing body for community colleges. Consequently, the issue kept being raised, but no formal action was taken by the regents. \* \* \* \* \*

Another controversy between university and community college personnel occurred when the lower registration fees at community colleges (especially for college parallel courses) was questioned by some university personnel. In 1974, the Community College Division began to serve more headcount students than either one of Nevada's universities and became the largest division in the University of Nevada System. This development was perceived as a threat by some legislators and university personnel; the ideas of raising community college fees was, in large part, a reaction to that threat. The Community College Division and Western Nevada Community College administrators vigorously opposed this recommendation, placing emphasis on the fact that raising the fees would deny access to higher education to many students who tended to be older individuals with families to support. The regents rejected the concept of raising community college fees, and this issue has not surfaced again.

On the financial scene all was not well. Although the budget recommended by Governor O'Callaghan provided a 20 percent increase, it actually represented a 34 percent decrease from Western Nevada's request. The decrease was caused by the fact that the student-faculty ratio was to be increased from 20-1 to 24-1. This ratio posed a hardship because occupational courses requiring specialized equipment could only accept limited numbers of students. The State Board of Nursing specified a ratio of 15-1 for nursing programs, and smaller county centers would have great difficulty supporting classes on a 24 to 1 student-faculty ratio, simply because of the small number of people in such areas.

The problem was further compounded by the fact that federal vocational education monies were included in the regular biennium budget rather than being placed in a category separate from the state appropriation. The net result was that the college would be receiving approximately \$200 less support per FTE student than it had been receiving in the 1974-75 budget.

Western Nevada Community College was also facing another problem. Although the 1975-77 budget provided for a 47 percent increase, the actual increase in enrollment over the preceding biennium was 16.3 percent. A repetition of that growth rate would trigger critical financial problems.

The enrollment of Clark County Community College was also burgeoning, reaching 2,768 FTE. The faculty and students had not even settled in their new quarters

when it became evident that a second college campus would soon be needed. Regent Bill Morris, before a special meeting of the Board of Regents and the Nevada Public Works Board in September, 1974, proposed a second campus on government property located at West Charleston Boulevard and Torrey Pines.

In the spring of 1975, Clark County Community College made a push in another new direction — a step which would lead to the second community college for Clark County being established at Henderson rather than the Torrey Pines campus. Under the direction of Betty Scott, Henderson coordinator, a pilot program was started which would offer three liberal arts courses and one community service course in addition to the ongoing Spanish culture program which the college had been sponsoring.

Problems of articulation between the community college and the universities continuously arose. President Donnelly and the community colleges resisted a new course numbering system proposed by the articulation board to aid in the transfer process between the community colleges and the state's two universities. Donnelly argued that (1) the proposed numbering systems would separate and divide faculty and programs; (2) the numbering system proposed would demean the community service and developmental courses and that insufficient numbers had been allotted for community service courses; and (3) all occupational courses offered by the community colleges should be accepted at some four-year college or university somewhere and that all general education courses taught at the community college were of baccalaureate level. Donnelly also challenged the uneven representation on the articulation board. He noted that in the instance of the proposed numbering system, the vote was four university members voting for the new system and two community college representatives voting against it.

The Board of Regents generally supported Donnelly's arguments; the net result was that a different numbering system was adopted rather than the one proposed by the articulation board and one more community college member was added to the articulation board.

Two additional issues presented themselves at the first statewide meeting of all citizen advisory boards called by President Donnelly in May, 1976. Dr. Marvin Sedway from Las Vegas requested (1) that the group issue a statement endorsing intercollegiate athletics in community colleges and (2) that consideration be given to having a separate statewide board for the governance of community colleges. Sedway's first issue was submitted to the individual advisory boards. There was general consensus that there should not be a separate board at this time although such action might be desirable at a later date.

In May, 1976, the one-year trial program allowing White Pine and Elko county high school seniors to enroll in the community college was adopted permanently by the Board of Regents. Nearly 100 White Pine students and approximately 70 Elko students had enrolled in the program during the 1975-76 school year.

For Western Nevada Community College, the most important event of the 1975-76 year was action taken by President Donnelly to separate Western Nevada Community College into two colleges. The college would still have one identity, but it would consist of two separate campuses, each having its own administrative staff.

budget and responsibility for its actions. One significant advantage would be that the Reno-Sparks campus could concentrate on occupational education while the Carson campus could concentrate on better service to the rural centers.

The Board of Regents approved the reorganization on April 2, 1976 and steps were taken to create two separate administrative structures. This action later became a problem with legislators because they had not been adequately informed as to why one college had so many administrators.

Western Nevada and Clark County Community College received accreditation in December, 1975. In the short period of four years, all of Nevada's community colleges had received full accreditation.

It was on October 1, 1975, that a site feasibility report recommended the establishment of the Torrey Pines Campus in West Las Vegas. Notwithstanding the great odds against them the Reverend Caesar Caviglia, pastor of St. Peter's Roman Catholic Church in Henderson, and Regent James Buchanan (elected from that area) launched an effort to establish the second community college campus in the vicinity of Henderson and Boulder City.

From the initial enrollment of 98 persons in the spring of 1975, there were now nearly 300 students attending 14 courses taught in Henderson's Roman Catholic church, the Civic Center, and Basic High School. This increase indicated the desire of Henderson and Boulder City residents for college classes in their own area. The City of Henderson also set aside 80 acres of city-owned land at the lowest possible price permitted if the second campus would be built in Henderson.

Clark County Community College's total enrollment of 7,040 headcount students was almost on a par with the University of Nevada at Las Vegas which had enrolled 7,621 students. CCC also continued to outdistance Western Nevada which had a headcount of 6,246.

As President Donnelly entered the 1976-77 college term, the success of the community college system was a matter of pride to him — he had taken a new system and developed it into a structure which rivaled the University of Nevada in numbers of students served. Little did he realize the upheavals in the community colleges that would occur during this year. When the governor sent his proposed budget to the legislature, the budget, which contained major cuts, quickly elicited outspoken criticism from Donnelly and other community college supporters. Governor O'Callaghan then recommended that eight positions be abolished in President Donnelly's office and that Donnelly and a small staff be transferred to the chancellor's office. A temporary victory for Donnelly ensued when the Senate Finance Committee voted to keep the reduced community college administration intact rather than merge it with the chancellor's office.

Ripples from the budget rift spilled over into the controversy as to whether or not there should be established a separate state governing board for community colleges. Because of university system budget-cutting procedures, instituted when O'Callaghan recommended a \$120 million budget as compared to the \$138 million budget requested, there emerged a feeling among some community college staff and supporters that the university system had not dealt fairly with them. There was also the feeling

prevalent that the university system may not have presented adequately the financial condition of the community colleges.

Another event giving momentum to a separate governing board for community colleges occurred on January 11, 1977, when a contingent of community college supporters, some of whom had traveled from Reno and Elko to Las Vegas, were denied access to speak before the Board of Regents by Chairman Buchanan.

The community college supporters were infuriated and from this group Dr. Marvin Sedway of Las Vegas emerged as prime spokesman for support of Senate Bill 389, which would have created an autonomous governing board for community colleges. Sedway also produced correspondence from Paul Laxalt which confirmed that separation of the community colleges from the university system (when the colleges matured) was an original concept held by both Laxalt and members of Elko's first community college committee. The hearings in April, 1977 led to retaining the single structure for the administration of higher education; however, rumblings from legislators and educators left no doubt that the issue would surface again in the future.

Some of the loudest rumblings came from President Donnelly who, at the May community college graduation ceremonies held throughout the state, openly criticized the governor and the legislature. The Board of Regents, in a surprising move in June, 1977, then abolished the Community College Division presidency and offered Dr. Donnelly a teaching position with the community college. Board Vice-Chairman Molly Knudtsen of Austin stated that the decision was purely a financial one made in the wake of the legislature's elimination of nearly all of Donnelly's central office staff members which left him to function merely as a figurehead. The regents came under fire because official statements and press releases from the University of Nevada System gave the impression that the abolition of Donnelly's position had been finalized. Larry Lessly, General Counsel for the regents, explained that the regents should have first amended the by-laws and codes to accommodate abolishing the president's position.

The community colleges in Nevada now had a headcount enrollment which exceeded the two universities. Statewide enrollment for community colleges was 16,004 while statewide enrollment for the two universities was 15,922. Western Nevada Community College had moved into its first new facility for the Reno-Sparks area in December 1976. When the Nevada State Legislature convened in January, 1977, it approved an addition which would more than triple space to provide instruction in a variety of occupational programs.

Elliot Lima, Western Nevada Community College administrator in charge of the Fallon Center, was receiving strong support and urging from Fallon citizens to seek a building and campus to serve that area. This effort received increased impetus in Fall, 1976, when the college was able to start a day operation in the abandoned Oats Park Elementary School. Senator Carl Dodge's strong efforts and those of the Fallon community did not bear fruit at the 1977 legislature, but they did not admit defeat. While Dodge was not successful in getting a campus established at Fallon, it was primarily through his efforts and those of Assembly Speaker Joe Dini that the legisla-

Discussion of a consulting firm's 1978 study of community colleges, known as the Tadlock report, raised once again the issue of dividing Western Nevada Community College into two separate colleges. The WNCC Faculty Senate expressed the faculty's concern that the two campuses be divided into two separate colleges. They also recommended that the Community College Division office not be re-established, that some mechanism be created to expedite the adoption of by-laws for the colleges, and that the colleges be better represented on UNS committees. The regents indicated they would pursue these concerns and also approved Chancellor Baepfer's recommendation not to re-establish a Community College Division presidency, but to provide for a Coordinator of Community Colleges.

The Tadlock report also triggered discussion on the concept of separating the community college system from the University of Nevada System. In March, 1979, Dr. Marvin Sedway of Las Vegas spoke on behalf of separation before the Senate Human Resources Committee, which was studying proposals to have the regents appointed, to shorten their terms, and to have a separate community college board and president. The move to separate spearheaded by Senator Glaser, was unsuccessful once again.

The colleges were not without internal problems, as well. The Reno-Sparks area was facing a surge in minority problems, and WNCC's English as a Second Language program almost doubled in size within one year, reaching approximately 1,400 immigrants. Enrollment of immigrants and minorities in regular college programs also increased and it was necessary to appoint a committee on minority affairs. There was also the problem of lack of funding by the legislature for interscholastic community college programs. Although the Wildcat team had been a major contributor to the identity of the college, a decision was made to abandon this program in accordance with legislative intent.

Clark County Community College also reflected new growth. President Paul Kreider obtained approval from the Board of Regents for three new departments — Real Estate and Finance, Fine Arts and Communications, and English and Foreign Language.

As Nevada community colleges approached the end of their first decade of existence, they found themselves involved in a number of significant developments. Western Nevada Community College was divided by the Board of Regents in December, 1979. The Reno-Sparks campus became Truckee Meadows Community College, while the Carson City campus and its outlying centers retained the Western Nevada Community College title. James Eardley was promoted to become first president of the new college.

Truckee Meadows Community College was expanding both its facilities and its instructional programs. Business occupation classes had increased by 60 percent from 1976 to 1979. New majors were added in small business management, insurance, and hotel-motel management. Also, the business and mathematics departments were in the process of instituting a major thrust in computer-assisted instruction. The Community Education Division was offering over 100 classes as well as reaching another 1,300 persons in its adult basic education program and approximately 1,100 teachers in its school district inservice train-

ing program. In addition, Truckee Meadows Community College was undergoing a self-study in preparation for accreditation which it received in June, 1980.

Western Nevada Community College was in a building program at both its Carson City campus and the new Fallon campus. WNCC was also involved in self-study for accreditation and the development of new programs. In May, 1980, WNCC received the regents' approval for new two-year programs in Automotive Technology, Surveying Technology, Welding Technology, and Traffic Safety.

Northern Nevada Community College was preparing for a building program. Approval was received from the regents in March, 1980 to develop on-campus housing for NNCC students. This was an important development for rural students who could find no housing in Elko.

Clark County Community College found itself in a program of expansion and self-study for accreditation. In addition to the college's own remodeling and building program, it was involved with construction of the new Henderson facility. The college developed a new gaming careers program, a new outreach program to expand college classes to Boulder City, Mesquite, Indian Springs, Overton (Moapa Valley), Jean, and Pahrump in Nye County, and an Associate of General Studies Tele-course Degree in conjunction with Coastline Community College District and Nellis Air Force Base. New President Judith Eaton also found herself in the midst of an organizational restructuring occasioned by a mandate of the 1979 legislature that administrative costs be reduced.

The Board of Regents took a variety of relevant actions during the 1979-80 term. Upon the recommendation of Regent McBride, the Board dissolved the old community college division structure and eliminated the position of a vice-chancellor for community colleges, substituting a community college analyst in its place. Expressions of concern were voiced by some regents, especially in regard to standards, admission requirements, coordination and availability of staff expertise at a higher level. The board adopted the concept that the colleges should share information and expertise, and that there should be opportunity for rational diversity within a general policy framework.

The Board of Regents approved a collective bargaining election at the request of the Nevada State Education Association which was seeking to represent the faculty of the Community College Division. When the returns were counted in November, 1979, however, the request was defeated by a vote of 87 to 66.

The community colleges started the decade of the eighties on a positive note. The Max C. Fleischmann Foundation, which had given all three community colleges \$100,000 each to start their libraries, now made generous donations to the university system and the community colleges when the foundation was dissolved on July 4, 1980.

In less than a decade, Nevada would have six separate community college facilities and could boast of strong community support. The cooperation between the school districts and the community colleges which had enabled the colleges to achieve so much so soon showed every sign of continuing. The news media had been supportive of the community college movement, and the many institutions and agencies with which the community colleges

had been working continued to give their support and cooperation.

Two major hurdles remained to be overcome. One was the need for increased money to finance the rapidly expanding colleges at a time when "economy" was the by-word of every political platform; the second was the need to obtain consensus among legislators, educators and citizens of the state about the role and functions of its community colleges.

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## Reference

Caserta, John A. *A History of the Community College Movement in Nevada*, unpublished doctoral dissertation, UNR, 1979.

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# The Future of Community College Education In Nevada

by Judith S. Eaton

## Introduction

The future of community college education in Nevada will essentially be determined by the responses to three major questions: 1) What is the mission of community colleges for the 1980s? 2) What are the funding opportunities for community colleges in the 1980s? 3) What lies ahead for governance of community colleges in the 1980s?

The community college movement within Nevada is young, healthy, and has experienced rapid growth throughout the state. In 1971, 1,740 students were enrolled in the state's two-year public institutions.<sup>1</sup> In the fall of 1979 this figure was 19,455.<sup>2</sup> This does not include those individuals within the community who may have pursued some of the many non-credit activities offered by our various institutions. The four community colleges in the state can anticipate additional growth in population and increased demand for services, programs, and access. The Nevada story is part of a nationwide successful pic-

ture of 1,230 community colleges which, in 1965, enrolled 1.3 million students and in 1979 enrolled 4.5 million. The number of these educational institutions almost doubled during this time period.<sup>3</sup> Half of all college freshmen throughout the country are enrolled in community colleges. These institutions are unique and reflect a national commitment to accessibility of education which is virtually unprecedented in western history.

Indications are that the community college movement will continue to grow and that prospective enrollments will reflect an increase in the number of students being served. This prognosis is made with particular comfort concerning sunbelt states, and includes Nevada, Utah, Arizona, and Idaho. While there is concern about the future of higher education institutions in general and significant warnings concerning the need to identify clientele, community colleges appear to continue as somewhat protected from the problems of economic recession, a limited youth population, and ongoing questions about the worth of educational undertakings.

UNIVERSITY OF NEVADA SYSTEM  
Net Annual FTE Enrollments  
1971-1980\*

	1971-72	1972-73	1973-74	1974-75	1975-76	1976-77	1977-78	1978-79	1979-80
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
<b>Clark County Community College</b>									
Occupational	95	468	930	1,427	1,511	1,242	1,464	1,642	1,607
University Parallel	76	217	449	735	965	949	1,077	1,191	1,119
Developmental	3	35	50	284	264	276	373	195	307
<b>Total CCC</b>	<b>174</b>	<b>720</b>	<b>1,429</b>	<b>2,446</b>	<b>2,740</b>	<b>2,467</b>	<b>2,714</b>	<b>3,028</b>	<b>3,033</b>
<b>Northern Nevada Community College</b>									
Occupational	89	76	117	114	140	145	152	155	207
University Parallel	99	66	106	160	180	186	199	203	220
Developmental	14	7	11	13	15	17	13	9	4
<b>Total NSC</b>	<b>202</b>	<b>149</b>	<b>234</b>	<b>287</b>	<b>335</b>	<b>348</b>	<b>364</b>	<b>367</b>	<b>431</b>
<b>Truckee Meadows Community College</b>									
Occupational	0	0	0	0	0	688	772	892	875
University Parallel	0	0	0	0	0	451	545	570	621
Developmental	0	0	0	0	0	49	70	78	72
<b>Total TMCC</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,188</b>	<b>1,387</b>	<b>1,540</b>	<b>1,568</b>
<b>Western Nevada Community College**</b>									
Occupational	118	306	812	899	967	389	383	432	431
University Parallel	91	221	434	646	903	267	112	350	371
Developmental	4	17	83	54	77	39	50	32	40
<b>Total WSCC</b>	<b>213</b>	<b>544</b>	<b>1,329</b>	<b>1,599</b>	<b>1,947</b>	<b>695</b>	<b>745</b>	<b>814</b>	<b>842</b>
<b>Total Community Colleges</b>	<b>589</b>	<b>1,413</b>	<b>2,992</b>	<b>4,332</b>	<b>5,022</b>	<b>4,698</b>	<b>5,210</b>	<b>5,749</b>	<b>5,814</b>

	Headcount Enrollments (Fall Semester)								
	1971-72 Actual	1972-73 Actual	1973-74 Actual	1974-75 Actual	1975-76 Actual	1976-77 Actual	1977-78 Actual	1978-79 Actual	1979-80 Actual
Clark County Community College	541	1,580	3,249	6,011	7,040	7,273	7,893	8,825	9,121
Northern Nevada Community College	494	336	610	872	925	1,076	1,199	1,300	1,433
Western Nevada Community College** South Campus	0	0	0	0	0	2,165	2,543	2,752	2,542
Western Nevada Community College** North Campus	705	2,095	4,717	4,760	6,246	3,885	4,721	5,627	5,959
Community College Totals	1,740	4,011	8,576	11,643	14,211	14,399	16,356	18,504	19,455

\* Official data from Chancellor's Office, Reno, NV.

\*\* Prior to the 1976-77 academic year, WNCC enrollments were reported as only one campus.

## Our Mission

Since 1965, community college mission statements have reflected the enormous demand of communities for programs and services, extremely rapid growth, and a strong commitment to equality of opportunity for all citizens. The 1970s, however, placed significant strain on these generally-worded, well-intended statements of purpose. The Viet Nam war, economic uncertainty, collective bargaining, public demands for accountability, and the rapidly changing job market all placed pressure upon ongoing commitment to bring education to as many people as possible. While community colleges should and will remain committed to an open door policy with service primarily in the areas of occupational education, general education (liberal arts/university parallel), and community service, the major challenge for our institutions in the next ten years will be to adequately define mission statements in order to serve carefully identified constituencies. National indications reflect increasing minority, female, and elderly enrollment within our institutions. National trends point to increased cooperative efforts with business, industry, government agencies, high schools, and four-year institutions. The community college is rapidly ceasing to function as a preparatory agency and increasing its function as a "partnership" agency as individuals identify, refine, and change careers and personal life styles. The effect of these trends on southern Nevada and the Las Vegas area will be the focus of this paper. Clark County is expected to double its population by the year 2000. We anticipate significant new job opportunities available in fields such as construction, health services, public services, energy development, and computer technology. National trends point to major growth in aerospace and airlines, television broadcasting, home electronics, aluminum, telephone and telegraph, computers and calculators, and health care industries.<sup>4</sup>

We expect to feel the impact of women and minorities moving into areas of technical training and making personal lifestyle changes which require educational services. As our population continues to grow, the demand for service from community colleges is likely to increase. Administrators and the state government will be faced with the fundamental question of determining the relative importance of direct instructional undertakings as distinct from service undertakings such as a Displaced Homemakers Center and Career Planning and Placement efforts.

The mission statement of Clark County Community College is intended to reflect not only a commitment to accessibility of educational opportunity for all individuals but also a careful analysis of the needs and desires of the residents of the district in which the college resides.<sup>5</sup> It reflects unique local characteristics, yet functions as a statement of educational philosophy. The primary focus of community college education is the community it serves. Mission statements of the community colleges within the state should reflect differences derived from the varying characteristics of their respective service areas. While we emphasize the mission of our colleges in terms of appropriate reaction to community need and desire, we should not lose sight of a strong need for an educational leadership role in our communities. Our commitment to the value of education and an educated society can manifest itself constructively in assisting those constituencies which comprise the "educationally neglected" to view education as a valued activity in their society. As Edmund Gleazer has stated:

*Is the college role limited to response or reaction to community needs, pressures, and requests? Or are there not more sophisticated services appropriate to the identification and analysis and proposed solutions? And further, should not the community college play a part in forecasting the shape of the society to come, and leading the community to understand the coming changes, making provisions for coping with them, and providing services to meet them?*<sup>6</sup>

In order to develop mission statements which incorporate these elements of educational commitment and response to unique community needs, each of our institutions within the state must have access to adequate information concerning the needs and desires of its community. This requires effective institutional studies support for each of our colleges. The 1980s will demand that special effort be put forth by the community colleges and their governing board to carefully identify and thoroughly assess the educational requirements of the people of the state of Nevada. There has been limited attention devoted to long-range academic planning at the community college level within the state. With the shift of the community colleges from a division structure to autonomous institutions, it will be desirable to undertake institutional research efforts at a local level in order that information required for our institutions to meaningfully program in the 1980s is available within our specific service areas.<sup>7</sup> Thus while we may continue state-wide coordination of community colleges, we will need to focus increasingly on local efforts to meet local needs. We will need to pay less

attention to comparisons of programs, funding, and organizational structure to arrive at sameness and more attention to differences based upon carefully documented need. While costly limited-enrollment programs such as Dental Hygiene should be coordinated at a state level, it is entirely appropriate that each community college "duplicate" each other's efforts in the offering of programs in areas such as automotive technology.

Articulated statements of purpose for community colleges remain somewhat meaningless unless they are brought to fruition by the efforts of professional staff, particularly management. Goals and objectives associated with our statements of purpose require careful attention to management, accountability, and structure. The 1980s should bring increased attention to sophisticated management techniques, management development, and a clarification of appropriate organizational structures for community colleges. The community colleges in the state of Nevada reflect to some extent the university structure rather than careful functional analysis of unique community college services to be delivered. The ability of community colleges to achieve their respective missions is further complicated by lack of clarification of what constitutes management within our institutions. While we may be pleased with the academic professionalism and collegiality reflected in the hiring of all staff as "faculty," we nonetheless have an obligation to specifically identify those with management roles within the institution and not confuse these obligations and responsibilities with teaching duties and other academic priorities. It is certainly valuable for administrators to teach, but their primary obligation is one of management.

## Finance

The current method of funding community colleges within the state of Nevada is on an FTE formula basis with all public revenue deriving from the state legislature. While this approach to the funding of our institutions has provided for major success in the growth and development of our colleges, we have reached a critical point in size and complexity requiring major review of this fiscal approach. Clark County Community College in particular is suffering from the effects of rapid growth in the context of this funding approach. The present FTE formula funding approach does not adequately take into account the increasing numbers of part-time students enrolling in our institutions. It does not reflect that five students taking one class demand five times more service in areas such as admissions, registration, library, counseling, and career planning as one student taking fifteen credit hours. FTE formula funding does not provide for recognition of the unique characteristics of the student population of community colleges, but derives instead from a model relying essentially on full-time student enrollments. It is likely that the trend in part-time student enrollments will continue to effect both the community colleges and the universities with the state. Thus, a review of our funding approach seems appropriate.

Various states have employed alternatives to the Nevada approach. Some states employ a student credit hour (SCH) method of compensation for community colleges. They look at total student credit hours generated by all enrollments in a given term and provide payment of a

dollar amount per student credit hour as compared to FTE. This provides a fuller remuneration for actual needs deriving from enrollments of our institutions. Yet other states employ a form of differential funding whereby they recognize differences in costs among community college programs. Throughout the country, health occupation programs (Dental Hygiene, Associate Degree Nursing, Respiratory Therapy) are the most expensive to offer. These are followed by limited-enrollment programs in the heavy technologies, such as automotive technology, which require specialized and expensive space. Many programs in business as well as many general education offerings do not require specialized space and can comfortably accommodate higher enrollments. Thus, costs in these areas are somewhat less. A number of states have developed funding categories such as "vocational" and "general," or have more specifically broken down vocational funding to reflect health, business, and technology areas. It would be of great value to Nevada to study the funding efforts of other states to develop an alternative to our current funding approach. Some combination of enrollment-driven funding with attention to headcount and program costs would serve the state well.

The current budgetary approach of developing the instructional budget based on formula funding and the rest of an institutional budget on an as-needed basis is complex and militates against successful efforts of funding non-instructional areas such as student services. There appears to be a perception of the formula funding approach as more worthy of fiscal attention while the "as-needed" approach is viewed with some skepticism. It would do well for our community colleges to budget on a model which reflects direct instructional costs and total institutional costs as well as taking into account all enrollments and the varying cost of instruction. This model will need to account for "nontraditional" program areas which also cannot be formula-funded. Examples of such programs are special contract programs with business and industry such as CCC's Apprenticeship Training Program and our projected Air Frame/Power Plant Training.

Whether described as headcount (HC), full-time equivalency (FTE), student credit hours (SCH), or Average Daily Attendance (ADA), enrollment-driven formulas for funding are producing serious limitations for community colleges around the country. They work against the kinds of programs and services currently demanded by our public: modular instruction, a competency-based orientation, variable-length curriculum, open entry-open exit programs, independent study, experience-based learning, programmed learning, and on-the-job training. Nevada can take a leadership role in community colleges by developing a funding model which reflects:

- agreement between the state government, Board of Regents, and the community college about the legitimate role and purpose of these colleges
- separation and identification of fixed and variable costs
- sound program cost information which is need-based
- incentives for cost effectiveness, community cooperation, and creative use of existing resources
- the ongoing impact of inflation

Our community colleges will continue to be primary vehicles for occupational training — but in modes and for

clientele previously considered unusual. We are lifelong learning centers for the state, serving a diverse population with a strong convenience orientation and specific skill needs. CCCC enrolled 9,121 state-recognized credit students in Fall, 1979 for an FTE of 3,162 at a cost of \$274 per student. This appears to be a modest state investment in community college education or "... to aid those in the community who want to learn how to secure certain basic necessities. Among those are: learning, health, employment, food, and citizenship rights and responsibilities."

While many experts within the community college decry the failure of states to fund community service efforts, the dynamic quality of these programs and the rapidly changing clientele and offerings make it plausible that they remain self-sustaining. We should, in the 1980s, however, look to public funding of summer sessions at community colleges. It is the very nature of community college clientele to need services at any time during the year. The clientele is not adequately served in only a traditional Fall- and Spring-semester academic mode. If we were to move in the direction of state support for summer offerings, it should be within the same fiscal model developed for the rest of the academic year.

In addition to major attention in the 1980s focusing on alternative approaches to funding at the state level, we in Nevada should concern ourselves with sources other than state revenues for community colleges. This may take the form of local funding, private subsidy (individual or corporate), or federal assistance. Fiscal health of our educational institutions is more likely to be retained if we have a diversity of revenue sources. Our current national economic picture suggests that federal funding sources will be increasingly limited. With the establishment of foundations at each of the community colleges, we are just beginning to tap private revenue sources within the community and the state. Community colleges should make a major thrust in the direction of corporate donations. Finally, community colleges should engage in a study of the feasibility of some form of local funding for our institutions. Given the essentially local focus of our program efforts, this may prove to be an effective alternative to offset some of the financial burden at the state level. While some increased tuition is likely to be necessary, it is important that we maintain our commitment to low-cost quality education.

## Governance

Since the mid-1960s, there has been discussion within the state concerning the advisability of the community college functioning within the structure of the University of Nevada System governed by the Board of Regents. Although efficient and practical, the current arrangement is viewed by some as having created a "stepchild" which, although the fastest-growing segment within the system, cannot adequately make its needs known within the state. The period of "childhood" may be over and a fresh look at the structure of our community colleges may be needed. There are several state models which may be studied in the event that Nevada would wish to consider some alternative to its present governance structure for institutions.

A popular model of governance and funding for com-

munity colleges is that of a local governing board whose members are appointed or elected from the district in which the college resides. These boards are accountable to the community for fiscal, integrity, program development, and institutional growth. Funds are available from property tax or sales tax, which usually constitute anywhere from 20 percent to 50 percent of a college budget.

A second model employed by a number of states retains a local board of control and also provides for a State Community College Board. This board provides an essential coordinating function, oversees long-range state planning, and assists in the determination of state dollars to be made available to community colleges. In states where such boards do not exist, community college requests for state funds and their accountability for those funds is handled by either through the State Board of Education or a state governing board for universities such as a Board of Regents. Some states provide for local advisory boards as well as a state board for community colleges with all revenue deriving from the state.

The Nevada plan is similar to that of Alaska, Colorado, functions with a state community college board/local advisory board model with no local funding. With the elimination of the community college division in Nevada, the time is appropriate to review the governance structure for our community colleges to see if that structure meets the needs of the community and the state. One might consider the creation of two sub-boards within the framework of the Board of Regents: one board would serve the university, the other board would serve the community colleges. The Board of Regents would remain as the single governing board for all educational higher institutions within the state. We might consider the creation of a State Community College Board answerable to the legislature. However, this could create expense and produce some confusion within the state organizational structure. Finally, we might consider the creation of local boards with appropriate authority to oversee the fiscal and program development of our institutions; such local boards may be appointed or elected. While this alternative might provide our institutions with much-needed local direction and influence, it raises serious questions about appropriate financing of our community colleges.

## Clark County Community College and Southern Nevada: The Future

CCCC serves the most populous district in the state and includes Clark, Nye, Lincoln, and Esmeralda Counties in its service area. Approximately 400,000 of the 450,000 people in this service area live in Clark County and are concentrated in the cities of Las Vegas, North Las Vegas, Henderson, and Boulder City. The college currently operates from a single main campus with approximately seventy additional locations. Henderson is the major satellite operation with approximately 1,562 (HC) students enrolled during 1979-80.

In attempting to assess needs in the 1980s, the college conducted an Institutional Needs Assessment during Fall, 1979. 114,000 individual residences were contacted in Clark County during this time period. The major results of this study were:

1) that more locations for course offerings are

needed. 54.5 percent of respondents preferred a location closer to home.

- 2) that more variation in times of offerings be available. For example, 68.5 percent of respondents prefer evening classes.
- 3) that more courses of study be available. 17.1 percent-28 percent of respondents showed interest in study in Operating Your Own Business, Interior Decorating, Carpentry, Small Appliance Engine Repair, Landscape Technology, Home Management, and Health and Recreation.
- 4) that more convenience be provided in programs and services. 43.5 percent of respondents were interested in mail registration.
- 5) that more emphasis be placed on community education (as distinct from traditional degree programs). 73.6 percent of respondents prefer taking classes to pursue their own interests; 62.0 percent would prefer more short courses.

If there is a single theme deriving from the results of this survey, it is access. The community wants an institution with maximum flexibility to meet its purpose, time, location, and special service needs. Based upon this survey, as well as national trends in community college education, the changing job market, and lifestyle shifts in southern Nevada, we may look to a future significantly altered as compared with the institution which opened its doors in 1971. Clark County Community College in the 1980s will be based upon an educational master plan calling for:

- 1) an increased commitment to *community-based education* to meet the location needs of our clientele. The first phase of a Henderson Campus will open in Fall, 1981. There has been discussion concerning a campus on West Charleston. Outreach centers are being increased in number and scope of offerings.

- 2) a shift to a *community education model* for delivery of educational programs and services. While retaining traditional courses and degree programs, CCCC will respond to the new program and time demands of the community by emphasizing a variety of time frames for courses, variable ways of earning credit, certificate recognition for training (as distinct from credit), short courses, on-site instruction, and "mini programs" of several courses specifically tailored to meet student needs.

- 3) emphasis on *consulting and cooperation*. The community college will work with business, industry, and other educational agencies to provide educational opportunity to all persons within the community. We can "broker" educational services, provide training on a contract basis, and assist business and industry in retraining, upgrading, and improving skills of employees.

- 4) increased reliance on *communication technology*, reflected in telecourses for credit, video tie-in with other educational institutions, and reliance on computer technology.

- 5) increased emphasis on *articulation with public education and the university* by means of efforts such as our "Early Studies Program" with the Clark County School District and the development of our first transfer guide with the University of Nevada, Las Vegas.

The college is likely to continue its trend of significant growth in occupational programs. This will need to be augmented by maintenance of academic standards, a commitment to integration of appropriate humanities education in career programs, and the strengthening of developmental programs within the institution. A strong staff development program will be needed in order that faculty can effectively undertake new program development, initiate new instructional methodology, and make changes in the structure whereby our programs and services are available. Management training, a strong data base, and long-range planning will be essential to success in the next decade. Much depends upon the stability of funds, possible changes in governance structure, and the state's commitment to its community colleges as a critical, viable source of educational opportunity for all citizens.

There is a strong need to stabilize utilization of part-time staff and to address the issue of professional salaries in the context of present inflation. If we fail to respond to faculty needs and reasonable requests, the state may be faced with a movement toward collective bargaining which may not be in the best interests of our higher education efforts for the students of the state. This concern will provide a major challenge to system officials and state government alike. The current economic recession, uncertainty about the state budget surplus, and growing personnel and agency needs within the state mandate creative solutions. Quality education is ultimately dependent upon quality staff. This requires a healthy collegial environment, adequate remuneration to offset anxiety interfering with work, and a strong enough salary base to attract vital and creative professionals.

Finally, the future will be exciting. Our colleges are at a critical stage of growth and change.<sup>10</sup> The 1980s will see a major refocusing of energy and effort. We have gone beyond the point of virtually automatic enrollment growth; we have significant clientele changes to anticipate, heretofore unprecedented demands will be made upon our facilities and staff. Nevada has much to prize in its community colleges. They are strong, effective, dedicated community education agencies. Citizens, legislators, and state executives can point with pride to the opportunity for quality education available to so many people.

## Footnotes

- <sup>1</sup>John A. Caserta, *A History of the Community College Movement in Nevada*, unpublished doctoral dissertation, 1979.
- <sup>2</sup>University of Nevada System, Chancellor's Office, Credit enrollment only.
- <sup>3</sup>Data supplied by American Association of Community and Junior Colleges, *Fact Sheet on Two-Year Colleges*, March, 1980.
- <sup>4</sup>U.S. News and World Report, *Challenges of the 80's*, Special section, October 15, 1979, pp. 45-80.
- <sup>5</sup>One undated planning document from the early 1970s for Clark County Community College prepared by the firm of Daniel, Mann, Johnson and Mendenhall states: "The division of the comprehensive community college is basically five-fold: occupational, university parallel, community services, developmental, and counseling and guidance. The scope of these areas is as broad as necessary to accomplish the educational goals of the communities served." (p. 4). "Enrollment goal: 60 percent occupational, 20 percent university parallel, 10 percent community service, and 10 percent developmental education are identified" (p. 5). These goals are sometimes considered to be enrollment requirements.
- <sup>6</sup>Edmund J. Gleazer, *The Community College: Values, Vision, & Viability*, Washington, D.C.: AACJC, 1980, p. 7.
- <sup>7</sup>The University of Nevada System Code was revised in December, 1979 eliminating the Community College Division and establishing each of the four community colleges within the state as autonomous institutions.
- <sup>8</sup>Edmund J. Gleazer, Jr. *The Community College: Values, Vision, & Viability*, p. 20.
- <sup>9</sup>As of Fall, 1979 CCCC has provided credit instruction to a cumulative total of 72,812 registrants in our eight-year history.
- <sup>10</sup>Carnegie Council on Policy Studies in Higher Education, *Three Thousand Futures: The Next Twenty Years*, San Francisco: Jossey-Bass, 1980.



Judith S. Eaton became President of Clark County Community College in 1979. Her B.A. and M.A. are from the University of Michigan. She earned a Ph.D. in curriculum development from Wayne State University.

HB 375: Section-by-section analysis

Sec. 1: Makes community college system a separate component of university, under jurisdiction of Board of Regents.

Sec. 2: At least one member of the Board of Regents is a student. This section requires the student regent to be a community college student every other term. In other words, a university center student would serve on the Board for a two year term, then a community college student would serve for the next two year term, and the student regent position would continue to alternate in this fashion as long as this section of the law is in effect.

Sec. 3: Requires Regents to appoint community college system president, and allows the president of the community college system as well as the president of the university centers to attend meetings of the Regents.

Sec. 4: Requires Regents to fix the salary of the community college president.

Sec. 5: Technical.

Sec. 6: Requires Regents to approve and regulate academic courses taught at community colleges, with advice of local campus presidents and policy committees.

Sec. 7: Technical.

Sec. 8: Technical.

Sec. 9: Technical.

Sec. 10: Gives community college system president the power to: (1) give general supervision to community colleges, with approval of Regents; (2) appoint local campus executive officers, subject to the approval of policy committees; (3) direct and supervise local campus executive officers (4) submit academic programs, approved by policy committees, to Regents for their consideration; (5) submit local campus budget request to Regents for their consideration.

Sec. 11: Gives community college system president the authority to suspend or expel community college students.

Sec. 12: Technical.

Sec. 13: Technical.

Sec. 14: Establishes a comptroller for the community college system.

Sec. 15: Technical.

Sec. 16: Allows municipalities to establish and operate community colleges jointly with the University.

Sec. 17: Clarifies Board of Regents' ultimate authority over community colleges that are run jointly with a municipality.

Sec. 18: Provides minimum criteria for the establishment of a new community college. Criteria include: (1) the college must be functioning as an extension center at the time it applies for full college status; (2) its service area must include at least 12,000 residents; (3) the college must provide academic transfer, vocational, student services, community service, and ABE programs; (4) a certain number of full and part time instructors in each major discipline area. Application procedures are spelled out; procedures include a detailed feasibility study that must be submitted to the Board of Regents. All decisions on applications must be made within two years.

Sec. 19: Technical.

Sec. 20: Establishes an executive officer, approved by the policy committee and the Regents but appointed by the community college system president, for each local campus.

Sec. 21: Further specifies Regents' authority over academic curriculum, and establishes municipality's authority over nondegree activities and personnel.

Sec. 22: Technical.

Sec. 23: Establishes policy committees for each community college (policy committees would take the place of the currently existing policy advisory councils). Committees must have not less than five nor more than eleven members, and members must be broadly representative of the community; and would be appointed to serve three year terms. Committees will coordinate college activities with local school district activities. Committees have the power to approve the appointment of the local campus executive officer, the annual budget request, new academic programs, and nondegree programs, before they are offered to the Regents or to the municipality for final consideration.

Sec. 24: The effect of this section is to "grandfather" all colleges in existence at the time the bill goes into effect.

Sec. 25: Definitions.

Sec. 26: Technical.

Sec. 27: Same effect as section 24.

Sec. 28: Effective date: July 1, 1981.

HB 375: Sponsors' suggested amendments

PAGE 4, line 12: amend to read, "(3) submit the annual budget request approved by the policy committee for each community. . ."

PAGE 13, line 8: delete "Members [SHALL BE APPOINTED FROM PERSONS RECOMMENDED BY THE SCHOOL DISTRICT OR MUNICIPALITY AND] shall reside within the area served by the community college."

(LC: 3/29/81)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 375  
 Title University of Alaska Community College System  
 Requested by House HESS Date April 1, 1981

II. FISCAL DETAIL

Agency Affected Education  
 Program Category Affected University of Alaska  
 BRU, Program, or Subprogram(s) Affected Statewide Administration  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		79.3	84.1	89.1	94.4	100.1
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	N.A.	79.3	84.1	89.1	94.4	100.1

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND	N.A.	79.3	84.1	89.1	94.4	100.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	N.A.	1.0	1.0	1.0	1.0	1.0
PART TIME						
TEMPORARY						

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

(a.) Bill has essentially three parts; sections 1-17, 19-22, 24-27 (two presidents), section 18 (establishment criteria), and section 23 (policy councils). The only concept with an immediate fiscal impact is the two president approach to administration.

(b.) The cost of creating a second president is an estimate based upon the following assumptions:

1. The existing community college central staff positions serve as positions for a president.
2. The two presidents would be paid equivalent amounts (6.1).
3. Comptrollers would be paid equivalent amounts (Section 14) (73.2).
4. The community college president would not function sufficiently different than the existing chancellor except in relationship to the board. Hence, costs would be essentially equivalent.

IV. DATE April 1, 1981 PREPARED BY Kerry D. Rosenberg  
 AGENCY Alaska Commission on Postsecondary Education  
 PHONE 465-2854  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

4.3.81

HB 218  
375

Romerberg ← post 2<sup>nd</sup> Com on Educ.  
Advisory Bd of CC  
Interim Com. - 1980

Committee  
Document of 735 -  
opposed to part I  
~~part I~~ " II, III

Q for Romerberg:

- ① Fiscal note.
- ② Some way Div. of CC as is meant. does what Bill calls for.  
So what really is accomplished.
- ③ Why would Regents oppose - what are reasons?

H B

384

COMMITTEE REPORT

HOUSE

3/24/81

FURTHER: FINANCE

(5)

Date: Mar 11, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 384

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 384  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Signature]  
CHAIRMAN

Asper

*OK - only a study.*

*5/11/69*

*HB - 385*

*509*

Original sponsors: Fuller and Clocksin

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 384 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Native Child Welfare  
7 Task Force; and providing for an effective date."

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

9 \* Section 1. ALASKA NATIVE CHILD WELFARE TASK FORCE. The Alaska Native  
10 Child Welfare Task Force is established to study and recommend legislative,  
11 judicial, and administrative changes to implement the provisions of the  
12 federal Indian Child Welfare Act.

13 \* Sec. 2. MEMBERSHIP. (a) The Alaska Native Child Welfare Task Force  
14 is composed of 13 voting members and 6 nonvoting ex officio members, selected  
15 as follows:

16 (1) voting members: a representative from each of the 13 regional  
17 Native corporations created by the Alaska Native Claims Settlement Act, to  
18 be appointed by the governor;

19 (2) ex officio members:

20 (A) the commissioner of health and social services or a  
21 person designated by the commissioner;

22 (B) the administrator of the Alaska Court System or a person  
23 designated by the administrator;

24 (C) the attorney general or a person designated by the  
25 attorney general;

26 (D) the person who chairs the senate health, education and  
27 social services committee;

28 (E) the person who chairs the house health, education and  
29 social services committee; and

1 (F) the executive director of the Alaska Legal Services  
2 Corporation or a person designated by the executive director.

3 (b) Appointments under (a)(1) of this section shall be made with due  
4 consideration to the availability and willingness of an appointee to devote  
5 the time and effort necessary to permit the task force to function effective-  
6 ly. Appointments shall be without regard to political affiliation, and  
7 shall be made, if possible, within 20 days of the effective date of this  
8 Act, or within 20 days of the date of any vacancy in the membership of the  
9 task force.

10 (c) Vacancies in office shall be filled in the manner prescribed for  
11 initial appointments.

12 \* Sec. 3. COMPENSATION. A member of the Alaska Native Child Welfare  
13 Task Force serves without compensation, but is entitled to the same travel  
14 pay and per diem authorize by law for members of boards and commissions  
15 under AS 39.20.180.

16 \* Sec. 4. PRESIDING OFFICER. The Alaska Native Child Welfare Task Force  
17 shall elect a presiding officer from among the members of the task force.

18 \* Sec. 5. MEETINGS. The Alaska Native Child Welfare Task Force shall  
19 meet at least four times a year to carry out the duties prescribed in this  
20 Act. The first meeting of task force shall be convened at the call of  
21 the governor not later than 30 days following appointment of members under  
22 sec. 2 (a)(1) of this Act.

23 \* Sec. 6. DUTIES. (a) The Alaska Native Child Welfare Task Force shall  
24 (1) study the federal Indian Child Welfare Act in order to recom-  
25 mend legislative, judicial, and administrative changes to implement the  
26 concepts contained in the Indian Child Welfare Act;

27 (2) if the task force considers it necessary, hold public hearing  
28 and meetings to consider the effect of the Indian Child Welfare Act on  
29 Alaska Natives;

1           (3) apply for and administer federal grants used to conduct  
2 training programs for tribal and village entities on implementation of the  
3 Indian Child Welfare Act in the state;

4           (4) prepare a report on legislative, judicial, and administrative  
5 changes necessary to provide full implementation of the Indian Child Welfare  
6 Act in the state; the report shall include recommendations for legislation  
7 and changes in state administrative and judicial procedures necessary to  
8 implement the Indian Child Welfare Act in the state.

9           (b) The report which is prepared under (a)(4) of this section shall be  
10 presented to the legislature, with copies to the Department of Health and  
11 Social Services and the governor, by February 1, 1982.

12       \* Sec. 7. TERMINATION. This Act is repealed and the existence of the  
13 Alaska Native Child Welfare Task Force terminated December 31, 1982.

14       \* Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-  
15 dance with AS 01.10.070(c).



Rep. Don Clocksin, Chairman  
465-3797

# Alaska State Legislature

## House of Representatives

### Committee on Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

Date: May 11, 1981

To: HESS Committee Members

Fr: Rep. Don Clocksin

Re: House HESS CS for HB 384 (Alaska Native Child Welfare Task Force)

- 1) Page 1, line 10 after legislative add judicial and administrative.
- 2) Page 1, line 13 after composed add of 19 members, representatives of (or a representative of) each of the 13 regions designated in the Alaska Native Claims Settlement Act, to be appointed by the Governor.
- 3) Page 1, line 17 insert (a) ex-officio members are:
  - (1) The Commissioner of Health and Social Services or her/his designee;
  - (2) The Administrator of the Alaska Court System or her/his designee;
  - (3) The Attorney General or her/his designee;
  - (4) Chairs of the Senate and House HESS Committees;
  - (5) Executive Director of Alaska Legal Services Corporation or designee.
- 4) Page 2, line 7 delete once every two month and insert at least four times.
- 5) Page 2, line 13 after legislative add administrative and judicial.
- 6) Page 2, line 17 add:
  - (3) Apply for and administer grants for training on, and administration of, ICWA, particularly for tribal or village entities.
  - (4) Complete a report with legislative changes, administrative changes, judicial changes, changes to improve utilization of the Act by tribal entities or villages with:
    - (a) Recommendations to the legislature for legislation which is necessary to implement the Indian Child Welfare Act in Alaska.
    - (b) Recommend changes in administrative and judicial procedures to implement ICWA.
- 7) Page 2, line 24 delete Feb. 28, 1982 and insert December 31, 1982.

POSITION PAPER

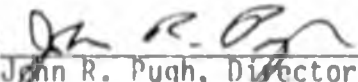
HOUSE BILL NO. 384

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

The Department of Health and Social Services supports House Bill No. 384 establishing the Alaska Native Child Welfare Task Force. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in either foster care or adoption. A task force to study the various issues concerning child welfare services for Alaskan Natives would be very valuable in terms of future planning and policy development. The Department would be pleased to participate in such a task force.

Department of Health and Social Services is in support of House Bill No. 384.

RECOMMENDED BY:

  
John R. Pugh, Director  
Division of Family and  
Youth Services

DATE:

3/25/81

APPROVED BY:

  
Helen D. Beirne  
Commissioner

DATE:

4-6-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 384  
 Title "An Act establishing the Alaska Native Child Welfare Task Force; & providing an effective date."  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
 Program Category Affected \_\_\_\_\_  
 BRU, Program, or Subprograms Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

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

House Bill No. 384 has no fiscal impact on the Department of Health and Social Services.

IV. DATE: 3/25/81 PREPARED BY: John R. Pugh John R. Pugh, Director  
 AGENCY: Division of Family and Youth Services  
 PHONE: 45-3170  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) M&B Approval \_\_\_\_\_ Date 3/25/81

ARS #384  
385

5/11/87

Constitutional ?

- futuristic demand for adoptions - so why need this?

H P  
3 8 5



Item 8

Proposed Amendments

for Senate Bill 105 - H.B. 384

Section 2. MEMBERSHIP (a) The Alaska Native Child Welfare Task Force is composed of 15 members.

- (1) The governor shall appoint 1 representative from each of the following Regional Native organizations: Aleutian/Pribilof Island Association, Association of Village Council Presidents, Bristol Bay Native Association, Central Council Tlingit & Haida Indian Tribes of Alaska, Cook Inlet Native Association, Copper River Native Association, Inupiat Community of the Arctic Slope, Kawerak, Inc., Kodiak Area Native Association, Mauneluk Association, The North Pacific Rim, And Tanana Chiefs Conference, Inc. The appointments will be based on recommendations from the above named Regional Native organizations.
- (2) the commissioner of health and social services or his designee;
- (3) the administrator of the Alaska Court System or his designee;
- (4) an assistant attorney general appointed by the governor;

Section 4. EXECUTIVE COMMITTEE

There shall be a Chairman, Vice-Chairman, Secretary, and Treasurer elected from among the members of the Task Force.

Section 5. MEETINGS

The Alaska Native Child Welfare Task Force shall hold four quarterly meetings to carry-out the duties prescribed in this act.

Section 7. TERMINATION

The Alaska Native Child Welfare Task Force will expire within one year of the effective date.

Proposed Amendments

for Senate Bill No. 106 - H.B. 385

Section 1. The sum of \$50,000 is appropriated from the general fund to the Alaska Native Child Welfare Task Force for the operations of the Task Force for a period of one year.

INDIAN CHILD WELFARE GRANTEES

Aleutian/Pribilof Islands Association  
1689 "C" Street  
Anchorage, AK 99501  
Telephone: 276-2700

Admiralty Citizens Council, Inc.  
Carolyn Neese, Social Services Director  
P. O. Box 138  
Angoon, AK 99820  
Telephone: 788-3411

Bristol Bay Native Association  
Carolina Rewarts, Family Stabilization Coordinator  
P. O. Box 189  
Dillingham, AK 99576  
Telephone: 842-5257 or 842-5258

Central Council of Tlingit and  
Haida Indian Tribes of Alaska  
Francine Eddy, Child Welfare Program Coordinator  
One Sealaska Plaza, Suite 200  
Juneau, AK 99801  
Telephone: 586-1432 - Ext. 267

Copper River Native Association  
Mike Schmoeker, Human Services Department  
Drawer H  
Copper Center, AK 99573  
Telephone: 822-3032 or 822-3955

Fairbanks Native Association  
John Edger, Social Services Director  
950 Cowles, Suite 220  
Fairbanks, AK 99701  
Telephone: 452-1640 - Ext. 33

Kodiak Area Native Association  
Elaine Loomis, Family Services Coordinator  
P. O. Box 172  
Kodiak, AK 99615  
Telephone: 486-5725

Kotzebue IRA Council  
Dave Craig, Social Services Director  
P. O. Box 256  
Kotzebue, AK 99752

Mauneluk Association  
Jeri Adams, Child & Family Counselor  
P. O. Box 256  
Kotzebue, AK 99752  
Telephone: 442-3311 - Ext. 212

Metlakatla Indian Community  
Nik Nebl, Social Worker  
Metlakatla Social Services  
P. O. Box 85  
Metlakatla, AK 99926  
Telephone: 886-6911

North Pacific Rim  
Sally Mead, Family & Children Services Worker  
903 West Northern Light Blvd., Suite 203  
Anchorage, AK 99503  
Telephone: 276-2121

Sitka Community Association  
Georgina Kacyon, ICWA Project Coordinator  
P. O. Box 4360  
Mt. Edgecumbe, AK 99835  
Telephone: 747-3207

Tanana Chiefs, Conference  
Keke Stickland, ICWA Project Director  
1st & Halls Street  
Fairbanks, AK 99701  
Telephone: 452-8251

United Crow Band of Alaska  
P. O. Box 131  
Tok, AK 99780

# Indian Child Welfare Act

Because of the significance of the Indian Child Welfare Act for all Indian children, families and tribes, *Indian Family Defense* is reprinting the act in its entirety.

## An Act

To establish standards for the placement of Indian children in foster or adoptive homes, to prevent the breakup of Indian families, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indian Child Welfare Act of 1978".*

SEC. 2. Recognizing the special relationship between the United States and the Indian tribes and their members and the Federal responsibility to Indian people, the Congress finds—

(1) that clause 3, section 8, article I of the United States Constitution provides that "The Congress shall have Power . . . to regulate Commerce . . . with Indian tribes" and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) that Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest as trustee, in protecting Indian children who are members of or are eligible for membership in an Indian tribe;

(4) that an alarmingly high percentage of Indian families are broken up by the removal, often unwarranted, of their children from them by nontribal public and private agencies and that an alarmingly high percentage of such children are placed in non-Indian foster and adoptive homes and institutions, and

(5) that the States, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.

SEC. 3. The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.

SEC. 4. For the purposes of this Act, except as may be specifically provided otherwise, the term—

(1) "child custody proceeding" shall mean and include—

(i) "foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;

(ii) "termination of parental rights" which shall mean any action resulting in the termination of the parent-child relationship;

(iii) "preadoptive placement" which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and

(iv) "adoptive placement" which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

Such term or terms shall not include a placement based upon an act which, if committed by an adult, would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents.

(2) "extended family member" shall be as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent;

(3) "Indian" means any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in section 7 of the Alaska Native Claims Settlement Act (85 Stat. 688.689);

(4) "Indian child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe;

(5) "Indian child's tribe" means (a) the Indian tribe in which an Indian child is a member or eligible for membership or (b), in the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts;

(6) "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child;

(7) "Indian organization" means any group, association, partnership, corporation, or other legal entity owned or controlled by Indians, or a majority of whose members are Indians;

(8) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 3(c) of the Alaska Native Claims Settlement Act (85 Stat. 688.689), as amended;

(9) "parent" means any biological parent or parents of an Indian child or any Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom. It does not include the unwed father where paternity has not been acknowledged or established;

(10) "reservation" means Indian country as defined in section 1151 of title 18, United States Code and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation;

(11) "Secretary" means the Secretary of the Interior; and

(12) "tribal court" means a court with jurisdiction over child custody proceedings and which is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe, or any other administrative body of a tribe which is vested with authority over child custody proceedings.

## TITLE I—CHILD CUSTODY PROCEEDINGS

SEC. 101 (a). An Indian tribe shall have jurisdiction, exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of such tribe, except where such jurisdiction is otherwise vested in the State by existing Federal law. Where an Indian child is a ward of a tribal court, the Indian tribe shall retain exclusive jurisdiction, notwithstanding the residence or domicile of the child.

(b) In any State court proceeding for the foster care placement

of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, the court, in the absence of good cause to the contrary, shall transfer such proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent or the Indian custodian or the Indian child's tribe: *Provided*, That such transfer shall be subject to declination by the tribal court of such tribe.

(c) In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceeding.

(d) The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.

SEC. 102.(a) In any involuntary proceeding in a State court, where the court knows or has reason to know that an Indian child is involved, the party seeking the foster care placement of, or termination of parental rights to, an Indian child shall notify the parent or Indian custodian and the Indian child's tribe, by registered mail with return receipt requested, of the pending proceedings and of their right of intervention. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, such notice shall be given to the Secretary in like manner, who shall have fifteen days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe. No foster care placement or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe or the Secretary: *Provided*, That the parent or Indian custodian or the tribe shall, upon request, be granted up to twenty additional days to prepare for such proceeding.

(b) In any case in which the court determines indigency, the parent or Indian custodian shall have the right to court-appointed counsel in any removal, placement, or termination proceeding. The court may, in its discretion, appoint counsel for the child upon a finding that such appointment is in the best interest of the child. Where State law makes no provision for appointment of counsel in such proceedings, the court shall promptly notify the Secretary upon appointment of counsel, and the Secretary, upon certification of the presiding judge, shall pay reasonable fees and expenses out of funds which may be appropriated pursuant to the Act of November 2, 1921 (42 Stat. 208, 25 U.S.C. 13).

(c) Each party to a foster care placement or termination of parental rights proceeding under State law involving an Indian child shall have the right to examine all reports or other documents filed with the court upon which any decision with respect to such action may be based.

(d) Any party seeking to effect a foster care placement of, or termination of parental rights to, an Indian child under State law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful.

(e) No foster care placement may be ordered in such proceeding in the absence of a determination, supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(f) No termination of parental rights may be ordered in such proceeding in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child

by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

SEC. 103. (a) Where any parent or Indian custodian voluntarily consents to a foster care placement or to termination of parental rights, such consent shall not be valid unless executed in writing and recorded before a judge of a court of competent jurisdiction and accompanied by the presiding judge's certificate that the terms and consequences of the consent were fully explained in detail and were fully understood by the parent or Indian custodian. The court shall also certify that either the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that the parent or Indian custodian understood. Any consent given prior to, or within ten days after, birth of the Indian child shall not be valid.

(b) Any parent or Indian custodian may withdraw consent to a foster care placement under State law at any time and, upon such withdrawal, the child shall be returned to the parent or Indian custodian.

(c) In any voluntary proceeding for termination of parental rights to, or adoptive placement of, an Indian child, the consent of the parent may be withdrawn for any reason at any time prior to the entry of a final decree of termination or adoption, as the case may be, and the child shall be returned to the parent.

(d) After the entry of a final decree of adoption of an Indian child in any State court, the parent may withdraw consent thereto upon the grounds that consent was obtained through fraud or duress and may petition the court to vacate such decree. Upon a finding that such consent was obtained through fraud or duress, the court shall vacate such decree and return the child to the parent. No adoption which has been effective for at least two years may be invalidated under the provisions of this subsection unless otherwise permitted under State law.

SEC. 104. Any Indian child who is the subject of any action for foster care placement or termination of parental rights under State law, any parent or Indian custodian from whose custody such child was removed, and the Indian child's tribe may petition any court of competent jurisdiction to invalidate such action upon a showing that such action violated any provision of sections 101, 102, and 103 of this Act.

SEC. 105. (a) In any adoptive placement of an Indian child under State law a preference shall be given, in the absence of good cause to the contrary, to a placement with (1) a member of the child's extended family, (2) other members of the Indian child's tribe, or (3) other Indian families.

(b) Any child accepted for foster care or preadoptive placement shall be placed in the least restrictive setting which most appropriately meets the child's special needs, if any, that may be met. The child shall also be placed within reasonable proximity to his or her home, taking into account any special needs of the child. In any foster care or preadoptive placement a preference shall be given, in the absence of good cause to the contrary, to a placement with—

- (i) a member of the Indian child's extended family;
- (ii) a foster home licensed, approved, or specified by the Indian child's tribe; *(License or approval (words))*
- (iii) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- (iv) an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs.

(c) In any case in which the court under subsection (a) of this section in the best interest of the child shall establish a different order of preference by assessing the needs of and conducting the placement and follow-up order so long as the placement is the least restrictive setting appropriate to his particular needs, the child, as provided in subsection (a) of this section, is, as appropriate, the best role of the Indian child or parent shall be

considered: *Provided*, That where a consenting parent evidences a desire for anonymity, the court or agency shall give weight to such desire in applying the preferences.

(d) The standards to be applied in meeting the preference requirements of this section shall be the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or with which the parent or extended family members maintain social and cultural ties.

(e) A record of each such placement, under State law, of an Indian child shall be maintained by the State in which the placement was made, evidencing the efforts to comply with the order of preference specified in this section. Such record shall be made available at any time upon the request of the Secretary or the Indian child's tribe.

SEC. 106. (a) Notwithstanding State law to the contrary, whenever a final decree of adoption of an Indian child has been vacated or set aside or the adoptive parents voluntarily consent to the termination of their parental rights to the child, a biological parent or prior Indian custodian may petition for return of custody and the court shall grant such petition unless there is a showing, in a proceeding subject to the provisions of section 102 of this Act, that such return of custody is not in the best interests of the child.

(b) Whenever an Indian child is removed from a foster care home or institution for the purpose of further foster care, pre-adoptive, or adoptive placement, such placement shall be in accordance with the provisions of this Act, except in the case where an Indian child is being returned to the parent or Indian custodian from whose custody the child was originally removed.

SEC. 107. Upon application by an Indian individual who has reached the age of eighteen and who was the subject of an adoptive placement, the court which entered the final decree shall inform such individual of the tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect any rights flowing from the individual's tribal relationship.

SEC. 108. (a) Any Indian tribe which became subject to State jurisdiction pursuant to the provisions of the Act of August 15, 1923 (43 Stat. 258), as amended by title IV of the Act of April 11, 1968 (82 Stat. 73, 78), or pursuant to any other Federal law, may reassume jurisdiction over child custody proceedings. Before any Indian tribe may reassume jurisdiction over Indian child custody proceedings, such tribe shall present to the Secretary for approval a petition to reassume such jurisdiction which includes a suitable plan to exercise such jurisdiction.

(b) (1) In considering the petition and feasibility of the plan of a tribe under subsection (a), the Secretary may consider, among other things:

(i) whether or not the tribe maintains a membership roll or alternative provision for clearly identifying the persons who will be affected by the reassumption of jurisdiction by the tribe;

(ii) the size of the reservation or former reservation area which will be affected by retrocession and reassumption of jurisdiction by the tribe;

(iii) the population base of the tribe, or distribution of the population in homogeneous communities or geographic areas; and

(iv) the feasibility of the plan in cases of multitribal occupation of a single reservation or geographic area.

(2) In those cases where the Secretary determines that the jurisdictional provisions of section 101(c) of this Act are not applicable, he is authorized to accept partial retrocession which will enable tribes to exercise tribal jurisdiction, as provided in section 101(b) of this Act, or, where appropriate, will allow them to exercise executive jurisdiction, as provided in section 101(a) over limited communities or geographic areas without regard for the reservation status of the area affected.

(3) If the Secretary approves any petition under subsection (a) of this section, he shall publish notice of such approval in the Federal

Register and shall notify the affected State or States of such approval. The Indian tribe concerned shall reassume jurisdiction sixty days after publication in the Federal Register of notice of approval. If the Secretary disapproves any petition under subsection (a), the Secretary shall provide such technical assistance as may be necessary to enable the tribe to correct any deficiency which the Secretary identified as a cause for disapproval.

(d) Assumption of jurisdiction under this section shall not affect any action or proceeding over which a court has already assumed jurisdiction, except as may be provided pursuant to any agreement under section 109 of this Act.

SEC. 109. (a) States and Indian tribes are authorized to enter into agreements with each other respecting care and custody of Indian children and jurisdiction over child custody proceedings, including agreements which may provide for orderly transfer of jurisdiction on a case-by-case basis and agreements which provide for concurrent jurisdiction between States and Indian tribes.

(b) Such agreements may be revoked by either party upon one hundred and eighty days' written notice to the other party. Such revocation shall not affect any action or proceeding over which a court has already assumed jurisdiction, unless the agreement provides otherwise.

SEC. 110. Where any petitioner in an Indian child custody proceeding before a State court has improperly removed the child from custody of the parent or Indian custodian or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over such petition and shall forthwith return the child to his parent or Indian custodian unless returning the child to his parent or custodian would subject the child to a substantial and immediate danger or threat of such danger.

SEC. 111. In any case where State or Federal law applicable to a child custody proceeding under State or Federal law provides a higher standard of protection to the rights of the parent or Indian custodian of an Indian child than the rights provided under this title, the State or Federal court shall apply the State or Federal standard.

SEC. 112. Nothing in this title shall be construed to prevent the emergency removal of an Indian child who is a resident of or is domiciled on a reservation, but temporarily located off the reservation, from his parent or Indian custodian or the emergency placement of such child in a foster home or institution, under applicable State law, in order to prevent imminent physical damage or harm to the child. The State authority, official, or agency involved shall insure that the emergency removal or placement terminates immediately when such removal or placement is no longer necessary to prevent imminent physical damage or harm to the child and shall expeditiously initiate a child custody proceeding subject to the provisions of this title, transfer the child to the jurisdiction of the appropriate Indian tribe, or restore the child to the parent or Indian custodian, as may be appropriate.

SEC. 113. None of the provisions of this title, except sections 101(a), 108, and 109, shall affect a proceeding under State law for divorce, annulment, termination of parental rights, preadoptive placement, or adoptive placement which was initiated or completed prior to one hundred and eighty days after the enactment of this Act, but shall apply to any subsequent proceeding in the same matter or subsequent proceedings affecting the custody or placement of the same child.

## TITLE II—INDIAN CHILD AND FAMILY PROGRAMS

SEC. 201. (a) The Secretary is authorized to award grants to Indian tribes and organizations in the establishment, maintenance, or Indian child and family service programs or other projects and to the preparation and implementation of child welfare centers. The objective of every Indian child and family service program

shall be to prevent the breakup of Indian families and, in particular, to insure that the permanent removal of an Indian child from the custody of his parent or Indian custodian shall be a last resort. Such child and family service programs may include, but are not limited to—

- (1) a system for licensing or otherwise regulating Indian foster and adoptive homes;
- (2) the operation and maintenance of facilities for the counseling and treatment of Indian families and for the temporary custody of Indian children;
- (3) family assistance, including homemaker and home counselors, day care, afterschool care, and employment, recreational activities, and respite care;
- (4) home improvement programs;
- (5) the employment of professional and other trained personnel to assist the tribal court in the disposition of domestic relations and child welfare matters;
- (6) education and training of Indians, including tribal court judges and staff, in skills relating to child and family assistance and service programs;
- (7) a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as foster children, taking into account the appropriate State standards of support for maintenance and medical needs; and
- (8) guidance, legal representation, and advice to Indian families involved in tribal, State, or Federal child custody proceedings.

(b) Funds appropriated for use by the Secretary in accordance with this section may be utilized as non-Federal matching share in connection with funds provided under titles IV-B and XX of the Social Security Act or under any other Federal financial assistance programs which contribute to the purpose for which such funds are authorized to be appropriated for use under this Act. The provision or nonprovision of assistance under this Act shall not be a basis for the denial or reduction of any assistance otherwise authorized under titles IV-B and XX of the Social Security Act or any other federally assisted program. For purposes of qualifying for assistance under a federally assisted program, licensing or approval of foster or adoptive homes or institutions by an Indian tribe shall be deemed equivalent to licensing or approval by a State.

SEC. 202. The Secretary is also authorized to make grants to Indian organizations to establish and operate off-reservation Indian child and family service programs which may include, but are not limited to—

- (1) a system for regulating, maintaining, and supporting Indian foster and adoptive homes, including a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as Indian foster children, taking into account the appropriate State standards of support for maintenance and medical needs;
- (2) the operation and maintenance of facilities and services for counseling and treatment of Indian families and Indian foster and adoptive children;
- (3) family assistance, including homemaker and home counselors, day care, afterschool care, and employment, recreational activities, and respite care; and
- (4) guidance, legal representation, and advice to Indian families involved in child custody proceedings.

SEC. 203. (a) In the establishment, operation, and funding of Indian child and family service programs, both on and off reservation, the Secretary may enter into agreements with the Secretary of Health, Education, and Welfare, and the latter Secretary is hereby authorized for such purposes to use funds appropriated for similar programs of the Department of Health, Education, and Welfare. *Provided*, that authority to make payments pursuant to such agreements shall be effective only to the extent and in such amounts as may be provided in advance by appropriation Acts.

(b) Funds for the purposes of this Act may be appropriated pursuant to the provisions of the Act of November 2, 1921 (42 Stat. 208), as amended.

SEC. 204. For the purposes of sections 202 and 203 of this title, the term "Indian" shall include persons defined in section 4(c) of the Indian Health Care Improvement Act of 1975 (90 Stat. 1409, 1401).

### TITLE III—RECORDKEEPING, INFORMATION AVAILABILITY, AND TIMETABLES

SEC. 301. (a) Any State court entering a final decree or order in any Indian child adoptive placement after the date of enactment of this Act shall provide the Secretary with a copy of such decree or order together with such other information as may be necessary to show—

- (1) the name and tribal affiliation of the child;
- (2) the names and addresses of the biological parents;
- (3) the names and addresses of the adoptive parents; and
- (4) the identity of any agency having files or information relating to such adoptive placement.

Where the court records contain an affidavit of the biological parent or parents that their identity remain confidential, the court shall include such affidavit with the other information. The Secretary shall insure that the confidentiality of such information is maintained and such information shall not be subject to the Freedom of Information Act (5 U.S.C. 552), as amended.

(b) Upon the request of the adopted Indian child over the age of eighteen, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary shall disclose such information as may be necessary for the enrollment of an Indian child in the tribe in which the child may be eligible for enrollment or for determining any rights or benefits associated with that membership. Where the documents relating to such child contain an affidavit from the biological parent or parents requesting anonymity, the Secretary shall certify to the Indian child's tribe, where the information warrants, that the child's parentage and other circumstances of birth entitle the child to enrollment under the criteria established by such tribe.

SEC. 302. Within one hundred and eighty days after the enactment of this Act, the Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act.

### TITLE IV—MISCELLANEOUS

SEC. 401. (a) It is the sense of Congress that the absence of locally convenient day schools may contribute to the breakup of Indian families.

(b) The Secretary is authorized and directed to prepare, in consultation with appropriate agencies in the Department of Health, Education and Welfare, a report on the feasibility of providing Indian children with schools located near their homes, and to submit such report to the Select Committee on Indian Affairs of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives within two years from the date of this Act. In developing this report the Secretary shall give particular consideration to the provision of educational facilities for children in the contiguous States.

SEC. 402. Within sixty days after enactment of this Act, the Secretary shall send to the Governor, Chief Justice, of the highest court of appeal, and the attorney general of each State, copy of this Act together with summary reports and an explanation of the provisions of this Act.

SEC. 403. If any provision of this Act or the amendments made by it is held invalid, the remaining provisions of this Act shall not be affected thereby.

Approved November 2, 1975.

ALASKA NATIVE CHILD WELFARE TASK FORCE

## One Year Budget

## I. Regional Representatives Travel:

	<u>Training</u> (2 trips)	<u>Quarterly Mtgs.</u> (4 trips)	<u>Per Diem</u>
1. Aleutian-Pribilof			
2. Assoc. of Village Council Presidents (Bethel)	\$466.20	\$932.40	\$1,008
3. Bristol Bay (Dillingham)	\$408	\$816	\$1,008
4. Tlingit & Haida Central Council (Juneau)	\$532	\$1,064	\$1,008
5. Cook Inlet (Anchorage Based)	\$186	\$ 372	\$1,008
6. Copper River (Copper Center)			
7. Inupiat Comm. of Arctic Slope (Barrow)	\$712	\$1,424	\$1,008
8. Kawerak (Nome)	\$612	\$1,224	\$1,008
9. Kodiak Area	\$300	\$ 600	\$1,008
10. Mauneluk (Katzebue)	\$608	\$1,216	\$1,008
11. North Pacific Rim (Anchorage-Based)			
12. Tanana Chief (Fairbanks)	\$320	\$ 640	\$1,008
<b>TOTAL</b>	<u>\$4,144.20</u>	<u>\$8,288.40</u>	<u>\$9,072</u>

II <u>Executive Committee Travel:</u>	Airfare	Per Diem
1. Aleutian Pribolof	500	186
2. AVCP-(Bethel)	234. (1 trip)	186
3. Bristol Bay-(Dillingham)	204. (1 trip)	166
4. Tlingit & Haida- (Juneau)	798. (3 trips)	747
5. Cook Inlet Native Assoc.	532. (2 trips)	288
6. Copper River	93. (1 trip)	124
7. Inupiat Comm. of Arctic Slope	356. (1 trip)	222
8. Kawerak -(Nome)	306.	180
9. Kodiak	150. (1 trip)	168
10. Mauneluk - (Kotzebue)	304. (1 trip)	182
11. North Pacific Rim	250.	168
12. Tunana Chief	160. (1 trip)	134
13. Out-of-State	2500.	1,200
14. Allowances	750.	
<hr/>		
TOTAL	<u>7,137</u>	<u>3,951</u>

III Training :

Consultant	5,000
Supplies	1,500
Travel	1,625
Facility Lease	1,000

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TOTAL	<u>9,125</u>
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IV Support Services :

Telephone	3,000
Printing	3,000
Postage	600
Xeroxing	1,500
Subscriptions/Dues	182.40

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TOTAL	<u>8,282.40</u>
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TOTAL BUDGET	\$50,000
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Alaska Native Child Welfare  
Task Force

Representatives from the 12 Non-profit Regional Corporations during 1980 - 1981:

Aleutian/Pribilof Island Association

Mr. Arthur Potts  
1689 "C" Street  
Anchorage, Alaska 99501  
Phone: 276-2700

Association of Village Council Presidents

Martha Jack  
Village Council  
Box 219  
Bethel, Alaska 99559

Bristol Bay Native Association

Mary Backford  
Dillingham, Alaska 99576

Central Council Tlingit & Haida Indian Tribes of Alaska

Francine Eddy  
One Sealaska Plaza, Suite 200  
Juneau, Alaska 99801  
Phone: 586-1432

Cook Inlet Native Association

Jennifer Evans  
670 West Fireweed Lane  
Anchorage, Alaska 99503  
Phone: 278-4641

Copper River Native Association

Marianne Rolland  
Pouch G  
Copper Center, Alaska 99573

Inupiat Community of the Arctic Slope

Barbara Bodenhern  
Box 437  
Barrow, Alaska 99723

Kawerak, Inc.

Nome Area  
need for a representative

Kodiak Area Native Association

Elaine Loomis  
Kodiak Native Association  
Box 172  
Kodiak, Alaska 99615  
Phone: 486-5725

Mauneluk Association

Gerri Adams  
Box 256  
Kotzebue, Alaska 99752  
Phone: 442-3311

The North Pacific Rim

Sally Mead & Richard Rolland  
903 W. Northern Lights  
Anchorage, Alaska 99503  
Phone: 276-2121

Tanana Chiefs Conference, Inc.

Josephine Fields  
First & Hall Street  
Fairbanks, Alaska 99701  
Phone: 452-8251

ALASKA NATIVE CHILD WELFARE TASK FORCE

## Officers for 1981

CHAIRPERSON: Jennifer Evans  
Cook Inlet Native Association  
Attn: Family Services  
670 West Fireweed Lane  
Anchorage, Alaska 99503  
Telephone: 278-4641

VICE-CHAIRPERSON: Francine Eddy  
Tlingit & Haida Central Council  
Child Welfare Program  
One Sealaska Plaza, Suite 200  
Juneau, Alaska 99801  
Telephone: 586-1432, extension 226

SECRETARY: Linda Halverson  
Cook Inlet Native Association  
Attn: Family Services  
670 West Fireweed Lane  
Anchorage, Alaska 99503  
Telephone: 278-4641

TREASURER: Sally Mead  
North Pacific Rim  
Child Welfare Program  
903 West Northern Light Blvd., Suite 203  
Anchorage, Alaska 99503  
Telephone: 276-2121

## ALASKA NATIVE CHILD WELFARE TASK FORCE

The Alaska Native Child Welfare Task Force is a state-wide effort to advocate and to assist Alaskan Natives and American Indians in the implementation of the Indian Child Welfare Act, Public Law 93-608. The Alaskan Federation of Natives endorsed, supported and officially sanctioned the Alaska Native Child Welfare Task Force at the 1979 annual A.F.N. Convention in Anchorage.

### PURPOSE

The purpose of the Alaska Native Child Welfare Task Force shall be to address the following objectives:

Section 1. To actively participate in the formalization, establishment, and review of policies in order to safeguard the spirit and intent of the Indian Child Welfare Act.

Section 2. To serve as an advocate on Indian Child Welfare issues in the community, state and national levels of the government.

Section 3. To provide educational and training programs on the Indian Child Welfare Act and related subjects to Alaskan Natives, Native organizations, and other agencies who provide services to Native children and families.

Section 4. To serve as a clearing house of information on the Indian Child Welfare Act and related subject matter, whereby, materials, books and films will be available for utilization by the Task Force members.

## Briefing Statement

Re: Alaska Native Child Welfare  
Task Force

I. The Indian Child Welfare Act

The Indian Child Welfare Act (ICWA), Public Law 95-608, is a federal law enacted by Congress on May 8, 1978. The Act was passed in response to the testimony of many Indian and non-Indian people who were appalled at the extreme number of Indian children who were placed in non-Indian foster and adoptive homes. The testimony revealed that these large number of placements were without regard for preserving the child's identity and culture were a significant cause of the breakdown of Indian families and tribes.

Thereby, the Act was passed to protect the integrity of Indian families and to help ensure that Indian children who are placed in adoptive or foster care homes continue to live in their natural cultural environment. The ICWA establishes national standards which state courts must follow before Indian children can be removed from their parents or Indian custodians.

The overall spirit and intent of the Act is to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families.

Title II of the Indian Child Welfare Act authorizes the Secretary of the Interior to make grants to Indian Tribes and organizations. During the fiscal year 1980, \$5.5 million was appropriated on a national level. Fourteen (14) Native agencies in Alaska received funding for a child and family program for the 1980 ICWA Grant Year, which went from June 1980 to March 31, 1981. The Alaska Native agencies include: the Aleutian -Pribilof Islands Association; the Admiralty Citizens Council, Inc.; the Bristol Bay Native Association; Central Council Tlingit and Haida Indian Tribes of Alaska; Copper River Native Association; Kodiak Area Native Association; Kotzebue IRA Council; Mauneluk Association; Metlakatla Indian Community; North Pacific Rim; Sitka Community Association; Tanana Chiefs Conference and the United Crow Band of Alaska.

II. Alaska State Legislation Concerning the Indian Child Welfare Act

During the Eleventh Legislature - second session (1980), Tlingit and Haida Central Council was instrumental in working with Representative Duncan in formulating House Concurrent Resolution No. 43 to the Alaska State Legislature; and very involved in developing and organizing the joint hearings that pertained to this bill and the Juneau White House Conference on families that was held on February 23, 1980.

The House Concurrent Resolution No. 43 did pass the legislature, thereby, the Alaska Department of Health and Social Services and the court system were to promptly take steps necessary to cooperate in the implementation of the ICWA in Alaska.

The Juneau White House Conference on Families of February 1980, centered around the issues that are impacting the stability and security of families in Juneau. The people who provided testimony spoke to upholding the traditional view of the family, to bringing God back into the home and schools and to getting rid of governmental interference in the family. The written testimony was more liberal in expressing a need to pass such issues as ERA, gay rights, freedom to choose abortion, and the acceptance of the "non-Traditional family". A report reflecting the conclusions and recommendations from the hearings was prepared by the Steering Committee Members.

### III. The Alaska Native Child Welfare Task Force

In the Fall of 1979 representatives from several Alaska Native Human Services Programs moved to organize an ICWA Task Force. The representatives from these programs participated in the formulation of the Task Force concept and movement towards organization of the group. The Task Force submitted before the 1979 Alaska Federation of Natives Convention a resolution to seek their endorsement and support.

The resolution did pass, whereby, the Alaska Federation of Natives officially sanctioned the Alaska Native Child Welfare Task Force. The Alaska Native Child Welfare Task Force is a state-wide effort to advocate and to assist Alaskan Natives and Amercian Indians in the implementation of the Indian Child Welfare Act, P.L. 95-608. The objectives of the Task Force are:

- (1) To actively participate in the formalization, establishment, and review of policies in order to safeguard the spirit and intent of the Indian Child Welfare Act;
- (2) To serve as an advocate on Indian Child Welfare issues in the community, state and national levels of the government;
- (3) To provide educational and training programs on the ICWA and related subjects to Alaskan Natives, Native Organizations, and other agencies who provide services to Native children and families; and
- (4) To serve as a clearing house of information on the Indian Child Welfare Act and related subject matter, whereby, material, books, films will be available for utilization by the Task Force members.

During this past year (1980) the Task Force membership has been comprised of Cook Inlet Native Association staff and representation from the ICWA grantees who could cover the expenses for staff travel.

Over the past year (1980) the Task Force has assumed an informational sharing focus in respects to addressing issues concerning implementation of the Act in Alaska and the ICWA grant application process.

### IV. Development of Senate Bills 105 and 106

During the general Task Force meeting at the 1980 Alaska Federation of Natives Convention in Anchorage, the existing Task Force membership identified the need to formally organize the Task Force and to secure a funding base.

Funding Information  
 General Fund \$50,000  
 Other Funds -0-  
 \$50,000

*Child's Rights are violated  
 when he is placed in home  
 1/2 white in past interest of child?  
 our legal right is to child, not white culture...*

Introduced: 3/24/81  
 Referred: Health, Education & Social Services and Finance

IN THE HOUSE

BY FULLER AND CLOCKSIN

HOUSE BILL NO. 385

IN THE LEGISLATURE OF THE STATE OF ALASKA  
 TWELFTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force, and providing for an effective date."

*BLACKS TOO?  
 ITALIANS?*

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

\* Section 1. The sum of \$50,000 is appropriated from the general fund to the Alaska Native Child Welfare Task Force for the operations of the task force during the period of its existence.

\* Sec. 2. This Act takes effect on the effective date of an Act establishing the Alaska Native Child Welfare Task Force.

*Why?*  
 - Reg. corp covered support!  
 - Atlantic Richfield Corp gave 100,000 to 'sp.' in Alaska  
 Do Reg. Corp can do too - if they care.  
 - Billions of assets - give a little.  
 40 m ac. of land - sell some  
 re. "preservation of culture" - nonsense - must avoid racism only.  
 Truth is everyone wants flesh to let's take rights.  
 Money, college education, ice cream  
 Culture can be taken care of - 1 boy i. e. g.  
 Irish are conceded St. Pol. flay  
 Germans .. October 1st  
 Politik - got down Pope

HB 385

POSITION PAPER

HOUSE BILL NO. 385

"An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force; and providing for an effective date."

The Department of Health and Social Services is in support of House Bill No. 385, making a special appropriation for the operation of the Alaska Native Child Welfare Task Force. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in either foster care or adoption. A task force to study the various issues concerning child welfare services for Alaskan Natives would be very valuable in terms of future planning and policy development. The Department would be pleased to participate in such a task force.

Department of Health and Social Services is in support of House Bill No. 385.

RECOMMENDED BY:

*John R. Pugh*  
John R. Pugh, Director  
Division of Family and  
Youth Services

DATE:

*3/25/81*

APPROVED BY:

*Helen D. Beirne*  
Helen D. Beirne  
Commissioner

DATE:

*4-7-81*

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 385  
 Title "An Act making a special appropriation for the Ak. Native Child Welfare Task Force..."  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
 Program Category Affected \_\_\_\_\_  
 IRU, Program, or Subprogram(s) Affected \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

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

House Bill No. 385 has no fiscal impact on the Department of Health and Social Services.

IV. DATE 3/25/81 PREPARED BY John R. Pugh John R. Pugh, Director  
 Division of Family and Youth Services  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (if not Legislative Finance) N&B Approval \_\_\_\_\_ Date 3/25/81

The purpose of organizing the existing Task Force is in order to ensure statewide representation of the Native agencies. And in order to pursue the Task Force objectives there is a need for a funding base from which to work.

4 30.81

WB 384

~~Fieldman~~

Myra Munson

Fieldman, Anne  
Text anthropology  
U of A

5/11/81

@

Over  
- no rec.

H B  
3 9 8

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

3/25/81

(5)

Date: May 26, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HR 393

"An Act related to state aid for health facility construction; and providing for an effective date."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING

DO PASS

[Signature]  
[Signature]  
[Signature]  
[Signature]  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MEMBERS HAVING

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature]  
 CHAIRMAN

"An act related to state aid for health facility construction; and providing for an effective date."

House Bill 393 proposes to include the cost of constructing certain health facilities constructed after January 1, 1968, and before July 1, 1980, as eligible costs for reimbursement under AS 29.90.010. Following conversations with the Department of Community and Regional Affairs it is the understanding of the Department of Health and Social Services (DHSS) that HB 393 would affect only three health care facilities: Juneau Alcoholism/Substance Abuse Detoxification and Rehabilitation Facility, Akiachak Health Clinic and Napaskiak Health Clinic.

The greatest impact would be upon the Juneau Alcoholism/Substance Abuse Detoxification and Rehabilitation Facility. This facility had been constructed with the anticipation of receiving a total of \$193,815 over a five year period under AS 43.18.010(j). One payment in the amount of \$38,763 was made to the City and Borough of Juneau before the municipal revenue sharing formula was recodified under Title 29 in 1980. The remaining four payments were not received by the City and Borough of Juneau since the Bill which recodified AS 43.18.010 also restricted reimbursement of health care facility construction costs to licensed hospitals, determined by DHSS to be general hospitals.

The effect of HB 393 would be to "reinstate" the Juneau Alcoholism/Substance Abuse Detoxification and Rehabilitation Facility, Akiachak Health Clinic, and Napaskiak Health Clinic as eligible facilities for the purposes of revenue sharing under AS 29.90.010. According to the Department of Community and Regional Affairs these facilities would receive the following funds over the next four years:

	<u>FY '82</u>	<u>FY '83</u>	<u>FY '84</u>	<u>FY '85</u>
Juneau Alcoholism/ Substance Abuse Detoxification	\$38,763	\$38,763	\$38,763	\$38,763
Akiachak	1,851	1,851	1,851	1,851
Napaskiak	1,000	1,000	1,000	-0-
<b>Total</b>	<b>\$41,614</b>	<b>\$41,614</b>	<b>\$41,614</b>	<b>\$40,614</b>

DHSS believes it would not be unreasonable to continue the anticipated payments to these facilities.

Recommended by: Phoebe A. Lindsey  
Phoebe A. Lindsey, Director  
Division of State Health  
Planning and Development

Date: April 22, 1981

Approved by: Helen D. Beirne  
Helen D. Beirne  
Commissioner  
Department of Health &  
Social Services

Date: 4/27/81

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HR 393

Title "An Act related to state aid for health facility construction, and providing \*

Requested by Miller Date 3/25/81

\* for an effective date."

II. FISCAL DETAIL

Agency Affected Health and Social Services

Program Category Affected Health

BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
<b>TOTAL</b>		0				

FUNDING (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS		0				
OTHER (Specify Fund Source)		0				

POSITIONS

FULL TIME		0				
PART TIME						
TEMPORARY						

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

IV. DATE

April 22, 1981

PREPARED BY

Phyllis A. Lindsey

AGENCY

DHS

PHONE

3038

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Notice) H&S Approval

Date 4/22/81

H B

397

*What about arbitration  
bill just passed  
Final*

Introduced: 3/25/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY MOSS BY REQUEST

2 HOUSE BILL NO. 397

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to training for certificated employees  
7 of borough or city school districts or regional educa-  
8 tional attendance areas; and providing for an effective  
9 date."

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

11 \* Section 1. AS 14.20 is amended by adding new sections to read:

12 ARTICLE 8. STAFF DEVELOPMENT PROGRAM.

13 Sec. 14.20.652. STAFF DEVELOPMENT PROGRAM REQUIRED. A borough or  
14 city school district or a regional educational attendance area shall  
15 establish a comprehensive staff development program including orienta-  
16 tion training for newly hired certificated employees of the district or  
17 attendance area and in-service training for all certificated employees  
18 of the district or attendance area.

19 Sec. 14.20.654. ESTABLISHMENT OF STAFF DEVELOPMENT PLANNING  
20 COMMITTEES. (a) A school board of a borough or city school district  
21 or a regional educational attendance area shall create and supervise a  
22 staff development planning committee.

23 (b) A majority of the members of the staff development planning  
24 committee shall be classroom teachers employed by the district or  
25 attendance area.

26 (c) If a staff development planning committee meeting is held  
27 during the school day, an employee of the district or attendance area  
28 who is a member of the committee shall be released from classroom or  
29 other assigned duties to attend the meetings without penalty or loss of

*180 days - Training Days allotted*

1 pay.

2 Sec. 14.20.656. POWERS AND DUTIES OF THE STAFF DEVELOPMENT PLAN-  
3 NING COMMITTEE. The staff development planning committee of a borough  
4 or city school district or regional educational attendance area shall,  
5 under the direction of the school board, plan and implement the compre-  
6 hensive staff development program.

7 Sec. 14.20.658. APPROVAL OF PLANS BY DEPARTMENT. A school board  
8 shall submit completed plans for a staff development program to the  
9 department for approval no later than April 1 during the school term  
10 before the term covered by the plans. The department shall approve or  
11 disapprove a staff development program plan within 30 days. A staff  
12 development program plan may be amended, subject to department approval.  
13 Only an approved program is eligible for state money under AS 14.20.-  
14 660.

15 Sec. 14.20.660. STAFF DEVELOPMENT TRAINING. The department  
16 shall, subject to the availability of money appropriated for that  
17 purpose, make payments to a borough or city school district or a  
18 regional educational attendance area to assist the district or attend-  
19 ance area to pay for the cost of implementing an approved staff develop-  
20 ment program under AS 14.20.652 - 14.20.662. Assistance under this  
21 section shall be made on the basis of a daily rate set by the department  
22 to be paid for each certificated employee of a school district or rural  
23 educational attendance area. A district or attendance area which has  
24 ~~fewer~~ <sup>fewer</sup> ~~employees~~ certificated employees is eligible for a higher rate than  
25 that established for a district or attendance area with <sup>3/2</sup> ~~more~~ ~~than~~  
26 certificated employees.

27 Sec. 14.20.662. REGULATIONS. The department shall adopt regula-  
28 tions to implement the provisions of AS 14.20.652 - 14.20.662.

29 • Sec. 2. This Act takes effect July 1, 1982.

DRAFT

A STRATEGY FOR IMPROVING  
ALASKA'S STATEWIDE STAFF  
DEVELOPMENT PROGRAM

J. Kelly Tonsmeire  
Alaska Department of Education

February 1981

## POSITION PAPER

### A STRATEGY FOR IMPROVING ALASKA'S STATEWIDE STAFF DEVELOPMENT PROGRAM

The Alaska State Board of Education has identified staff development as a top FY 82 priority. The Alaska Department of Education, in its role of enhancing the quality of education for Alaskan students, should foster the development of effective inservice training programs in each Alaskan school district. Educational research documents the great impact inservice training can have on improving educational programs.

The Alaska Professional Development Steering Committee, composed of representatives of the key organizations with responsibility for pre and inservice training of Alaskan educators, has made the following recommendations for addressing Alaska's most critical staff development needs:

1. The Department of Education should provide leadership and enhance coordination in the area of professional development for Alaskan educational personnel.
2. The Department of Education should demonstrate its commitment to professional development leadership by making sufficient resources available for this purpose.
3. The Department of Education should develop a communication network for statewide coordination of inservice training.
4. The Department of Education should facilitate the collaborative development of a training program for district inservice coordinators.
5. Criteria for approving inservice releases time that will enhance the quality of local inservice programs should be developed by the Department of Education.
6. The Department of Education should facilitate the collaborative development of a training program that will provide intensive preparation and follow-up support for teachers new to rural areas.

According to Department of Education records local districts spent almost four million dollars for inservice training during the 1979-80 school year. The Department of Education spent more than one million dollars to train local educational personnel involved in DOE administered programs during the same time period. At present there is very little coordination of these training activities. The Department of Education needs to assume responsibility for coordinating statewide inservice training programs by collecting and sharing information on training activities planned by school districts, regional resource centers, universities, and DOE. This information sharing can best be done by implementing the computerized inservice communication network that has already been designed. The Alaska Professional Development Steering Committee should also play a key role in coordinating staff development in Alaska. The steering committee should provide overall coordination of the statewide staff development program. Through subcommittees in a variety of subject areas (special education, vocational education, bilingual education, etc.) coordination of specific programs can be provided.

The key to strengthening local staff development programs is increasing the staff development skills of district coordinators. DOE should implement a training program for district staff development coordinators during the 1981-82 school year. Since each district has been prepared to plan and implement effective staff development programs, the Department should revise the criteria for district staff development for inservice released time. The Department should also encourage districts to implement staff development programs during the 1981-82 school year.

Respectfully,  
[Signature]

Each year 90% of the new teachers hired by Alaska school districts come from outside the state. Very few of these teachers have been prepared to meet the unique challenges of teaching in rural Alaska. Consequently, many teachers leave the state during or after their first year of teaching. This high turnover, which exceeds 50% in many of rural districts, is not only quite costly, it is detrimental to rural students because of a lack of programmatic continuity. There is a critical need for implementing a summer program to prepare new teachers to be successful in rural Alaska. On site follow-up should be provided during the first year of rural teaching as well. There is a tremendous interest from school districts, regional resource centers, and institutions of higher education in implementing such a program on a pilot basis during the summer of 1981. If successful, the program should be expanded during succeeding years.

Staff development is a unique area because it involves the entire education profession. It is not the sole responsibility of school districts or institutions of higher education, or professional associations, or the State Education Agency, but is rather a joint responsibility. The research tells us that effective staff development programs must be collaborative effort among all groups involved. In Alaska, through the work of our State Professional Development Steering Committee we have made great strides in expanding this collaboration on a statewide basis.

As we look down the road several years we can see the need to develop a comprehensive system for delivering staff development at the local level. This system must be designed to meet the needs for staff development in rural Alaska. It must be designed to be flexible and responsive to the needs of rural school districts. It must be designed to be cost-effective and to provide a high quality of staff development for all Alaska school districts.