

ALASKA LEGISLATURE COMMITTEE FILES 1900-1900 00 / 2

3956

SHEP

SB 319

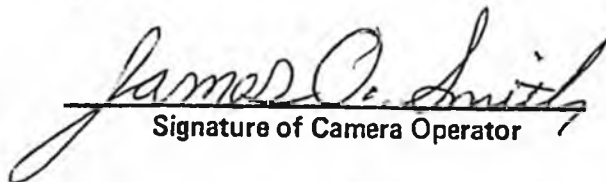
832



# RECORDS CERTIFICATION



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

  
Signature of Camera Operator

  
Date

S B

3 1 9

Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: SB 319

Sponsor: ZHAROFF, Rodey, Fahnenkamp

Date referred to committee: 5/9/85

Synopsis completed:

Fiscal note:

Further referrals: FINANCE

CONTACTS:

Terry Coon testify, John Nuttal  
1 Dot Truman, Gov's Council on Handicapped  
& Gifted ~~477-2507~~ 474-2440

Steve Hale 2800  
✓ DOE, Huxel x2865

~~Carol Desjardis~~, Gov's Office (Boards)

Mackinnon 6-9702

✓ Greene 6-1083

✓ NEA 6-3090  
Ed's  
Mummers

✓ Mike McMullen, DOA. requested fiscal note  
RE: Teachers Retirement 1/24/86 - need by 1/30.

✓ Turyla Coughlin, <sup>Mar. 3</sup> SERRE 6-6806  
John Coffee

✓ Zharoff (Peggy) 3844, 3473

*adopted  
conf. comm.*

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

*file*

Revision Date: \_\_\_\_\_

REQUEST	FISCAL DETAIL
Bill/Resolution No.: <u>CS8R 319 (S.M.)</u>	Agency Affected: <u>Education</u>
Title: <u>"An Act creating the special education service agency."</u>	BRU: <u>TRS State Match</u>
Sponsor: <u>HESS</u>	Components: <u>TRS State Match</u>
Requestor: <u>Faiks</u>	
Date of Request: <u>4/2/86</u>	

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
<b>OPERATING</b>						
PERSONAL SERVICES						
RTMNT & BNFTS						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
CRANTS, CLAIMS						
TRS MATCH		70.9	76.6	82.7	89.3	96.5
TOTAL OPERATING	-0-	70.9	76.6	82.7	89.3	96.5
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		70.9	76.6	82.7	89.3	96.5
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	70.9	76.6	82.7	89.3	96.5

POSITIONS:	-0-	-0-	-0-	-0-	-0-	-0-
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: J.K. Humphreys, Director Phone: 465-4470  
 Division: Retirement & Benefits Date: 4/2/86  
 Approved by Commissioner Eleanor Andrews Date: 4/3/86  
 Agency: Department of Administration

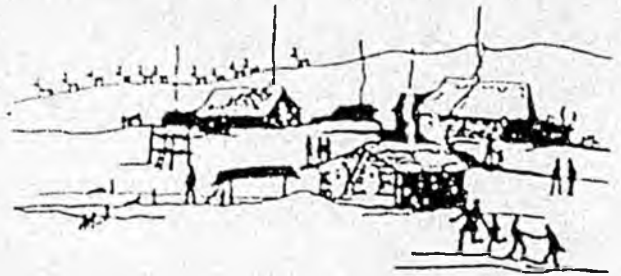
- Distribution (by Agency preparing fiscal note):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

CS Senate Bill 319 (HESS)  
Fiscal Note Analysis  
Prepared by Division of Retirement & Benefits  
Department of Administration

ANALYSIS: Passage of this bill would create a new special education service agency, with 21 professional employees participating in the Teachers' Retirement System (TRS). The FY 87 TRS covered payroll for this new agency is estimated to be \$798,465.

The TRS State Match cost of \$70.9 is calculated as follows:

$\frac{1}{4}$  of 17.76% (the actuarially determined contribution rate) times the estimated FY 87 TRS salaries (\$798,465) equals \$70,900.00



# LOW INCIDENCE HANDICAPPED OUTREACH PROJECT

## QUARTERLY REPORT

FOR THE PERIOD  
JULY-SEPTEMBER 1984

RECEIVED

DEC 18 1984

ALASKA H. G. COUNCIL

Alaska Resources for the  
Moderately/Severely Impaired

2211-B Arca Street  
Anchorage, Alaska 99508



*Major Accomplishments for the Ninth Quarter*

LIST OF TABLES

Table 1:

Number of Students Eligible for Service  
by State Eligibility Classifications.....2

Table 2:

Number of Students Served by Each Program  
during the Ninth Quarter.....4

Table 3:

Percent of Students Impacted Per Quarter.....5

Table 4:

Description of Technical Assistance Activity.....6

Table 5:

Number and Type of District Persons Contacted  
during the Eighth Quarter.....7

Table 6:

Summary of Hours of Service During the Ninth  
Quarter.....9

Table 7:

Status of Instructional Programs for the Project Year.....12

Table 8:

Program Expenditures - July 1, 1984 - September 30, 1984.....13

Budget Information on Table 8.....14

LIST OF FIGURES

Figure 1:

Students Referred and Eligible for Outreach Services.....1

Figure 2:

Number of Students on the Low Incidence Student  
Registry by State Eligibility Classifications.....3

Figure 3:

Percent of Service Delivery Hours.....8

Figure 4:

Percent of Program Expenditures by Categories.....12

Major Accomplishments for the Ninth Quarter

- At the end of the ninth quarter 174 low incidence handicapped students were referred and eligible for service. This represented a net decrease of 39 students from the previous quarter. (46 students were dropped and 7 new students were referred).

Figure 1 displays the number of students that were referred and eligible for service. See Table 1 for a display of the number of students by district on the low incidence student registry. Figure 2 displays the number of students on the low incidence student registry by state classification as of September 30, 1984. (Total = 174).

Figure 1 STUDENTS REFERRED AND ELIGIBLE FOR OUTREACH SERVICES

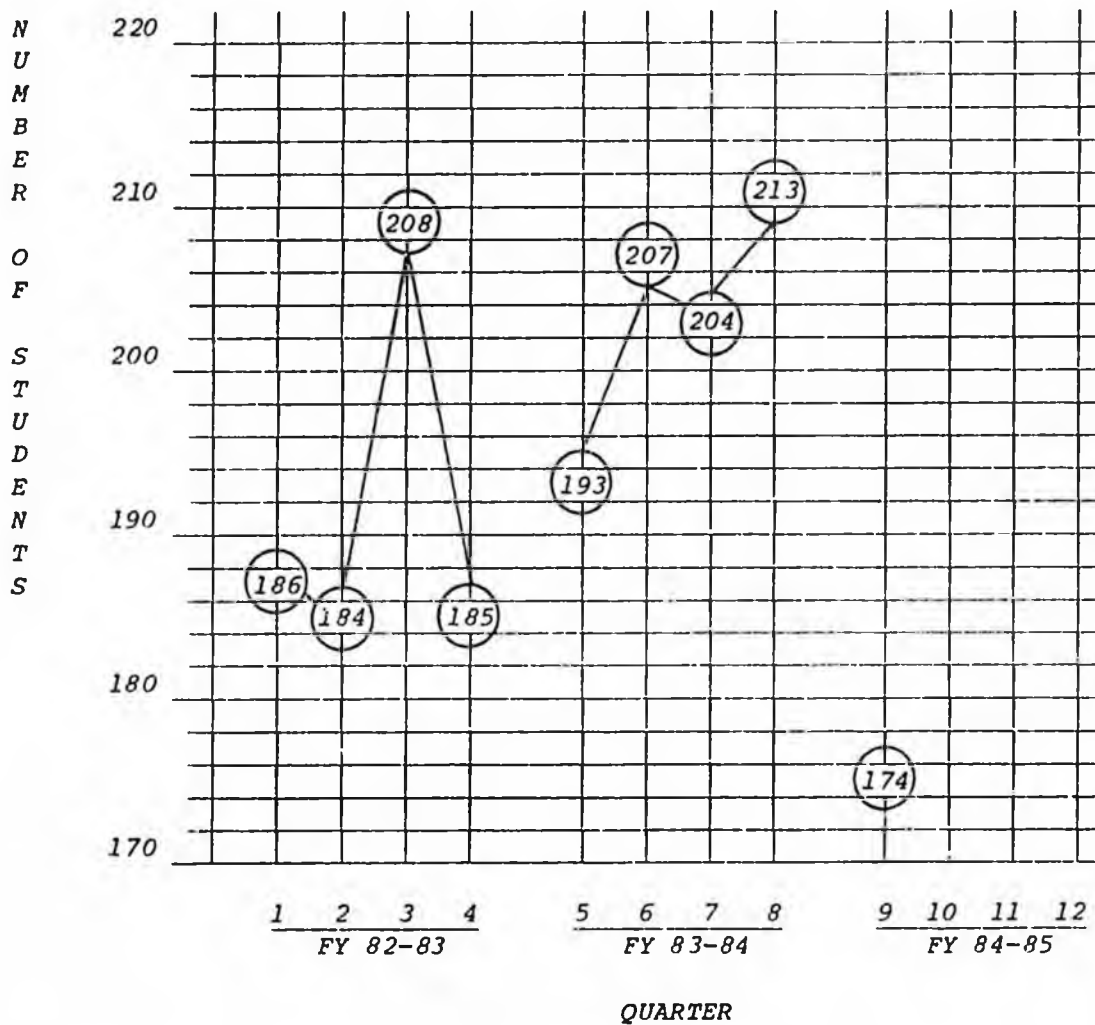


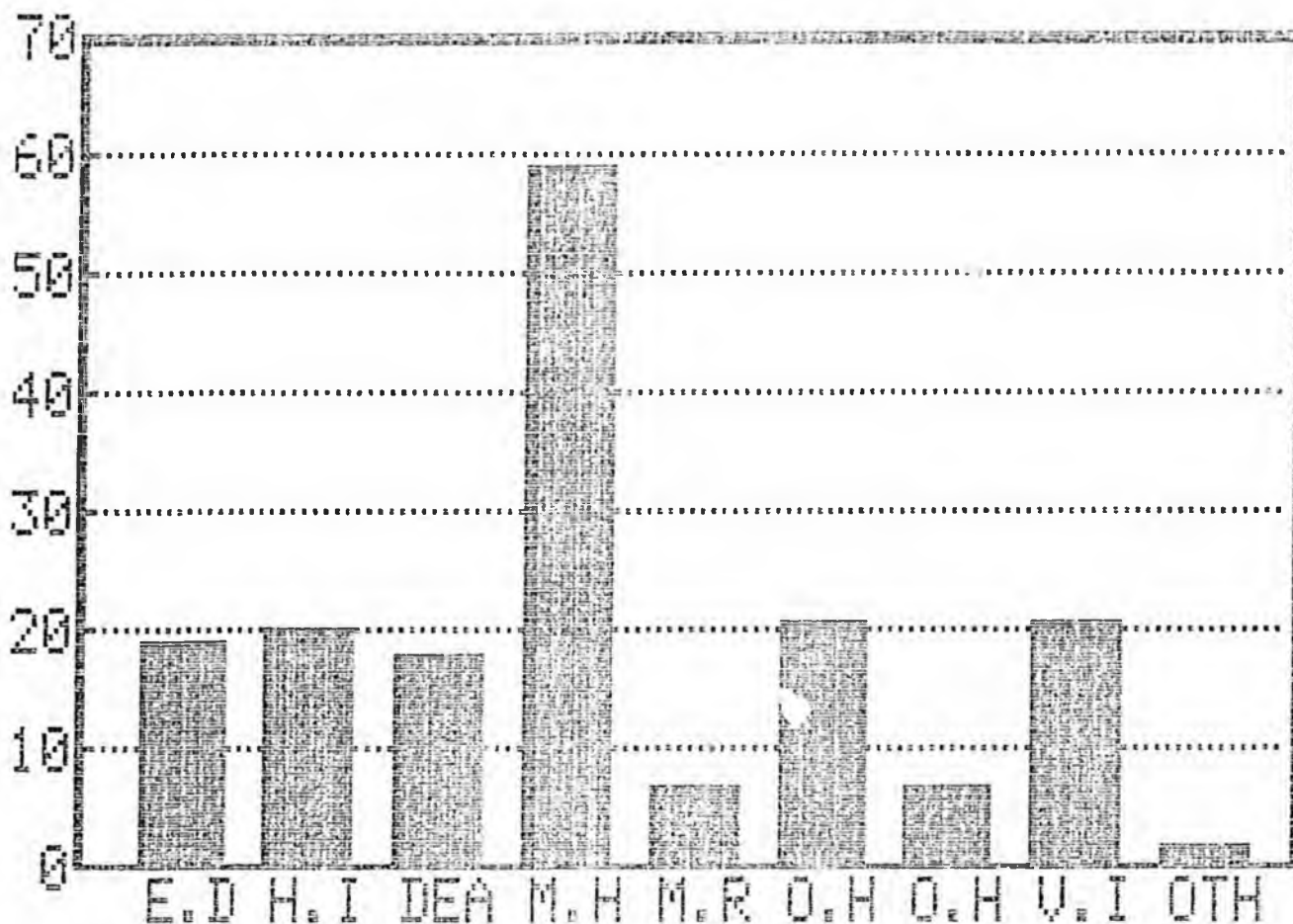
Table 1 ,

## Number of Students Eligible for Services by State Eligibility Classifications

DISTRICT	E.D.	H.I.	Deaf	M.H.	M.R.	O.H.	O.H.I.	V.I.	OTHER	TOTAL
Adak				1						1
Alaska Gateway				3		1	1	1		6
Aleutian Region										0
Anchorage										0
Annette										0
Bering Straits		1	1	3		1		1	1 LD	8
Bristol Bay										0
Chatham										0
Chugach										0
Copper River				3						3
Cordova										0
Craig	1									1
Delta Greely	1	2		3		2	1			9
Dillingham					1					1
Fairbanks				2				1		3
Galena										0
Haines						2				2
Hoonah					2					2
Hydaburg		1				1				2
Iditarod						1				1
Juneau		1	2	5	1			4		13
Kake	2		1							3
Kenai		5	3	1	1			2		12
Ketchikan			1	7	1	4	1			14
King Cove		1		1						2
Klawock	1			2						3
Kodiak	1		2	2				1	1 SI	7
Kuspuk				2						2
Lake and Peninsula	2									2
Lower Kuskokwim	4	3	2	6		1		5		21
Lower Yukon			1							1
Mat-Su				3		1		1		5
Nenana	2							1		3
Nome				2		1		1		4
North Slope			1	2		1	1			5
Northwest Arctic	2	1		3		2		2		10
Pelican						1				1
Petersburg	1		1	1			1			4
Pribilof				1						1
Railbelt	1			1			1			3
St. Marys		1				1				2
Sand Point										0
Sitka		4	1							5
Skagway				1						1
Southeast Island										0
Southwest				2		1		1		4
Tanana				1						1
Unalaska										0
Valdez			1							1
Wrangell	1		1		1					3
Yakutat										0
Yukon Flats							1			1
Yukon/Koyukuk				1						1
TOTAL	19	20	18	59	7	21	7	21	2	174

LD-Learning Disabled SI-Speech Impaired

**Figure 2** NUMBER OF STUDENTS ON THE LOW INCIDENCE STUDENT REGISTRY  
BY STATE ELIGIBILITY CLASSIFICATIONS (TOTAL = 174)



- During the ninth quarter, ARMSI staff provided services to 174 low incidence students. Several students require assistance from more than one disability area or from a program at ARMSI other than one that matches the district label for the student. Hence, the number of students served by each program will not necessarily match the number of students with a specific disability label (e.g., a multi-handicapped student may be best served by the blind and orthopedically handicapped programs).

See Table 2 for a display of the number of students served by specific programs at ARMSI.

Table 2,

## Number of Students Served by each Program during the Ninth Quarter

DISTRICT	E.D.	D/H.I.	M.H./M.R.	O.H/O.H.I.	V.I.	TOTAL # of Students in District
Adak			1			1
Alaska Gateway			5		1	6
Aleutian Region						0
Anchorage						0
Annette						0
Bering Straits		3	2	2	1	8
Bristol Bay						0
Chatham						0
Chugach						0
Copper River			3			3
Cordova						0
Craig	1					1
Delta Greely	1	2	3	3		9
Dillingham			1			1
Fairbanks					3	3
Galena						0
Haines				2		2
Hoonah			2			3
Hydaburg		1		1		2
Iditarod						0
Juneau		3	1		9	13
Kake		1				3
Kenai		8	2		2	12
Ketchikan		1	2	11		14
King Cove		1	1			2
Klawock	1		2			3
Kodiak	1	2	2		2	7
Kuspuk			2			2
Lake and Peninsula	2					2
Lower Kuskokwim	4	5	6	1	5	21
Lower Yukon		1				1
Mat-Su			3	1	1	5
Nenana	2				1	3
Nome			2	1	1	4
North Slope		1	2	2		5
Northwest Arctic	2	1	3	2	2	10
Pelican				1		1
Petersburg	1	1	2			4
Pribilof			1			1
Railbelt	1		1	1		3
St. Marys		1		1		2
Sand Point						0
Sitka		5				5
Skagway			1			1
Southeast Island		1				1
Southwest			2	1	1	4
Tanana			1			1
Unalaska						0
Valdez		1				1
Wrangell	1	1	1			3
Yakutat						0
Yukon Flats			1			1
Yukon/Koyukuk	1					1
TOTAL	20	39	56	30	29	174

- During the ninth quarter, ARMSI staff directly impacted 87 students or 47% of those students eligible for service. The types of service varies for each student. However, all service can be categorized by one of the seven types of service ARMSI provides. See Appendix A.

Table 3 displays the percent of students impacted for each quarter.

Table 3

Percent of Students Impacted Per Quarter

FY 82-83

QUARTER	PERCENT OF REGISTRY IMPACTED
1	Data Not Available
2	Data Not Available
3	Data Not Available
4	Data Not Available

FY 83-84

QUARTER	PERCENT OF REGISTRY IMPACTED
5	35%
6	74%
7	74%
8	61%

FY 84-85

QUARTER	PERCENT OF REGISTRY IMPACTED
9	47%
10	
11	
12	

- During the ninth quarter ARMSI staff provided service in 45 different sites among 26 school districts.

Table 4 provides a description of technical assistance activity for each quarter and total for the year. See Table 5 for a display of the number of persons served in quarters 5 through 9. Data for FY 82-83 were not available.

Table 4

Description of Technical Assistance Activity

	FY 83-84				TOTAL FOR YEAR
	QUARTER				
	5	6	7	8	
A. Number of districts with ratified Technical Assistance Agreements (total).	0	31	41	41	41
B. Number of district referring students during each quarter (total).	12	22	15	16	22
C. Number of districts visited by ARMSI staff (total).	22	34	33	36	41
D. Number of individual sites visited by ARMSI (total).	45	79	78	77	122
E. Number of individual students served on-site (total).	68	153	152	115	219
F. Number of district persons served on-site (total).	203	430	384	281	496
G. Number of times on-site technical assistance occurred (cumulative).	81	260	241	135	717

	FY 84-85				TOTAL FOR YEAR
	QUARTER				
	9	10	11	12	
A. Number of districts with ratified Technical Assistance Agreements (total).	26				
B. Number of district referring students during each quarter (total).	12				
C. Number of districts visited by ARMSI staff (total).	26				
D. Number of individual sites visited by ARMSI (total).	45				
E. Number of individual students served on-site (total).	87				
F. Number of district persons served on-site (total).	187				
G. Number of times on-site technical assistance occurred (cumulative).	83				

Table 5

## Number of Type of District Persons Contacted during the Ninth Quarter

DISTRICT	# of Admin.	# of Teach.	# of Aides	# of Certified	# of Non-Certified	# of Parents	TOTAL
Adak							0
Alaska Gateway	2	2		1			5
Aleutian Region							0
Anchorage							0
Annette							0
Bering Straits	3	6	2	1			12
Bristol Bay							0
Chatham							0
Chugach							0
Copper River	3	5	2		1	3	14
Cordova							0
Craig	2	2		1			5
Delta Greely	1	3	1	1			6
Dillingham							0
Fairbanks	2	5	1	1			9
Galena							0
Haines	1	3	1	1		2	8
Hoonah							0
Hydaburg	1	2			1		4
Iditarod							0
Juneau	1	5					6
Kake							0
Kenai	1	7		1			9
Ketchikan	2	2					4
King Cove							0
Klawock	1	8		1			10
Kodiak	2	3	2	1			8
Kuspuk	1	1					2
Lake and Peninsula							0
Lower Kuskokwim	6	2	3	2			13
Lower Yukon							0
Mat-Su	2	1					3
Nenana	3	4	1	1			9
Nome	2	2					4
North Slope	2	4		2			8
Northwest Arctic							0
Pelican							0
Petersburg	2	2		1			5
Pribilof							0
Railbelt	2	3	1		1	2	9
St. Marys							0
Sand Point							0
Sitka		7		2			9
Skagway		1	1	1			3
Southeast Island							0
Southwest	2	4				2	8
Tanana							0
Unalaska							0
Valdez							0
Wrangell		4					4
Yakutat							0
Yukon Flats							0
Yukon/Koyukuk	2	4	2	1		1	10
TOTAL	46	91	17	19	3	10	186

• ARMSI staff spent a total of 231.70 staff days on-site. A summary of hours of service delivery for this quarter is provided in Table 6. The percent of ARMSI staff time in service delivery categories can be seen in Figure 3. (OSA = On-Site Assistance; TT = Travel Time; DEM = Demonstration Site Training; OP = Office Preparation).

Table 6 is a summary of hours of service for the ninth quarter.

Figure 3 Percent of Service Delivery Hours

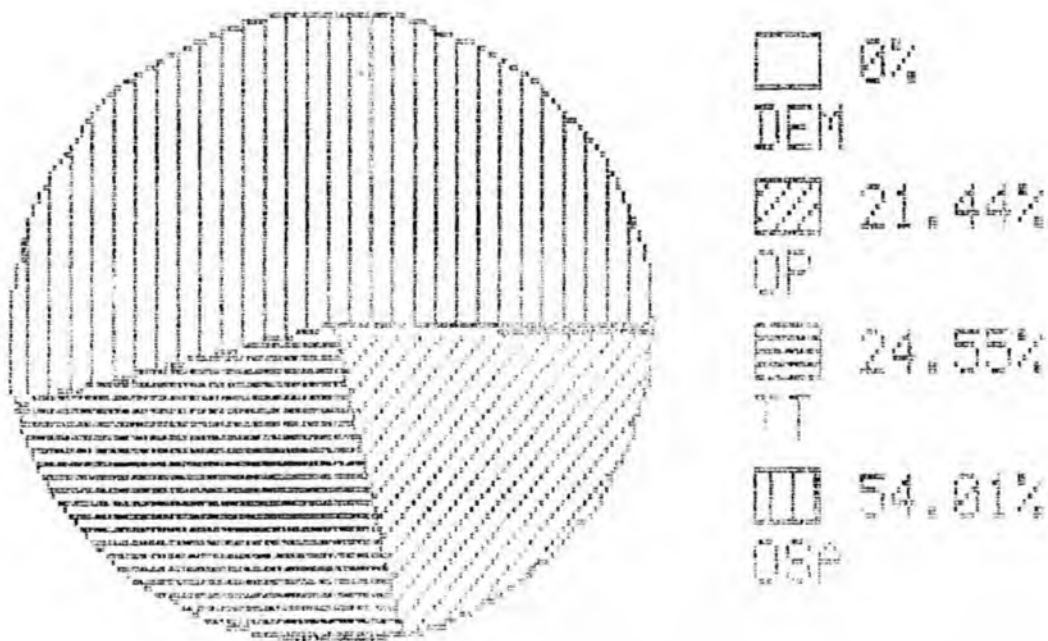


Table 6

Summary of Hours of Service Delivery During the Ninth Quarter

1. On-Site Assistance	
A. Administrative and/or Ancillary Conference	151.25
B. On-Site Preparation and Follow-Up	218.50
C. Parent Contact	139.85
D. Parent Training	4.50
E. Student Contact	95.50
F. Direct Student Teaching	16.00
G. Formal Assessment	34.50
H. Classroom Observation	236.00
I. Staff Feedback	320.50
J. Staff Training	108.75
	<hr/>
TOTAL	1325.35
2. Travel Time (includes weathered-in)	602.39
3. Office Preparation	526.25
	<hr/>
GRAND TOTAL	2453.99

- ARMSI staff initiated 94 new instructional programs and completed 4 instructional programs during this quarter.

Table 7 provides a breakdown of the number of programs written, completed and terminated.

Table 7

Status of Instructional Programs for the Ninth Quarter

1982-83

Quarter	# of Programs Written	# of Programs Completed	# of Programs Terminated
1	126	0	0
2	199	12	0
3	188	43	18
4	45	193	8
Total	558	248	26

Number of Programs Continued to 1983-84 School Year 284

1983-84

Quarter	# of Programs Written	# of Programs Completed	# of Programs Terminated
5	87	1	3
6	224	10	2
7	137	52	5
8	58	190	4
Total	506	253	14

Number of Programs Continued to 1984-85 School Year 239

1984-85

Quarter	# of Programs Written	# of Programs Completed	# of Programs Terminated
9	94	4	0
10			
11			
12			
Total			

- On-site technical assistance was not rated this quarter due to the lack of returns. Each participating district was given an opportunity to evaluate the effectiveness of the technical assistance they received from the Low Incidence Handicapped Outreach Project.

COST ANALYSIS

• During the ninth quarter, \$222,055.48 was expended to serve low incidence handicapped students.

Table 8 provides a breakdown of program expenditures across budget categories for the ninth quarter. Figure 4 displays the percent of monies spent in budget categories.

Figure 4 Percent of Program Expenditures by Categories

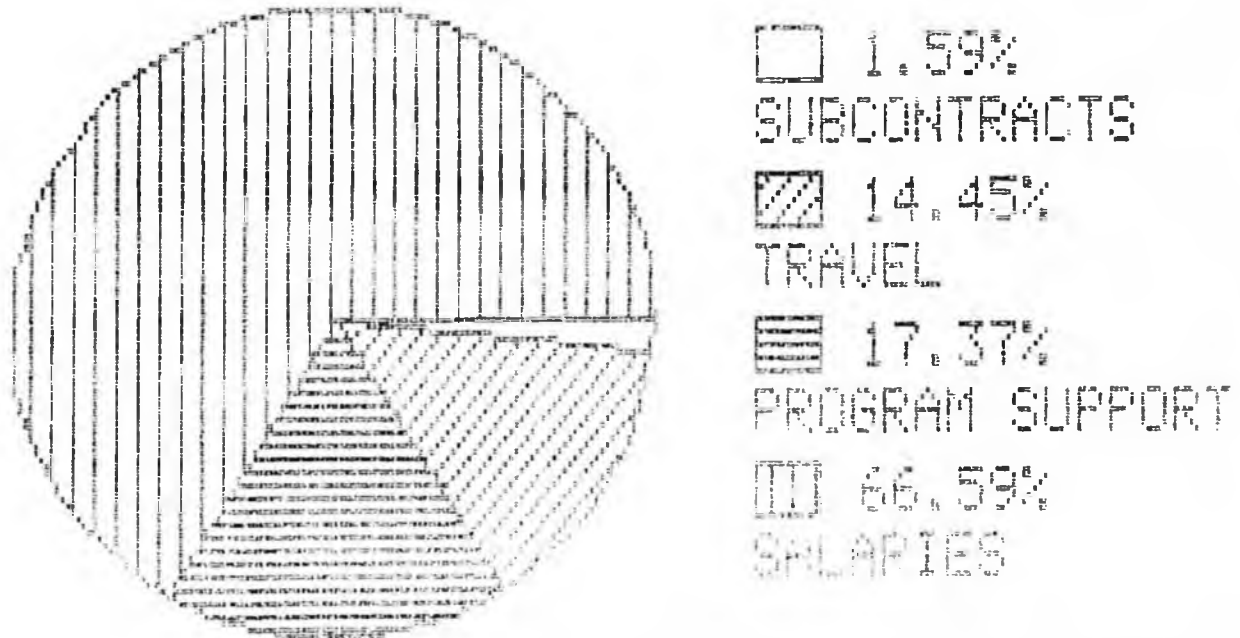


Table 8

Program Expenditures - July 1, 1984 through September 30, 1984

1. Salary and Fringe Benefits	\$ 147,871.05
2. Program Support	38,576.24
3. Travel and Per Diem	32,087.23
4. Subcontracted Costs	3,520.96
Total	\$ 222,055.48

BUDGET INFORMATION ON TABLE 8

*Salary and Fringe Benefits - Includes all administrative, professional and support staff salaries and fringe benefits.*

*Program Support - Includes telephone and postage; insurance bond; rental of facility, equipment, and postage meter; janitorial and facility maintenance; teaching supplies, office supplies, office equipment, books and depository expenses.*

*Subcontracted Costs - Includes auditing, advisory board meetings, and all subcontracted costs.*

*Travel and Per Diem - Includes all travel and per diem costs for staff.*

A P P E N D I X A

Alaska Resources for the Moderately/Severely Impaired  
Low Incidence Outreach Project

TYPES OF SERVICE

OVERVIEW

The purpose of the following classifications of service is to identify the kinds of service that are provided by the ARMSI staff to school districts and/or other local service providers. With these classifications comes the implication that the local service provider would not be able to provide these services without ARMSI assistance.

1. FORMAL EDUCATIONAL ASSESSMENT

Due to professional expertise not otherwise available to a district/program, ARMSI staff are involved in formal educational assessment of a student. The function of this activity is to make an initial assessment or annual assessment of the student's abilities for recommendations for the IEP. This assessment usually involves a formal written report and is different from the update approach of looking at student progress on a particular program.

2. EVALUATE STUDENT PROGRESS AND RECOMMEND/MONITOR INTERVENTION STRATEGIES

ARMSI staff reviews the educational needs of the student and determines whether the current intervention strategy is appropriate. This review may include IEP objectives, the student's instructional plan, teaching strategies, educational settings, etc. ARMSI staff makes recommendations as to what should be done in the near/immediate future in terms of intervention programs. This service is based on ARMSI staff expertise to evaluate the educational programs of the student and make recommendations.

3. *MODEL AND/OR TEACH OTHER PERSONS HOW TO CONDUCT PROGRAM(S)*

ARMSI staff works with an individual student and district staff to determine the teaching strategy necessary. ARMSI staff may model that method or use other methods to transfer skills to district staff and, for that period of time, may engage in direct intervention. The purpose of this approach is to train the district staff to conduct a specific intervention strategy. This type of service includes demonstration site training and workshops.

4. *DIRECT INTERVENTION*

Direct intervention means an ARMSI staff person provides instruction directly to a student. The instructional goals/objectives are identified by the student's IEP and delivered by ARMSI staff due to expertise needed by "Person Responsible" listed on IEP. Usually instruction is very specific and a) requires a high level of expertise, or b) involves liability, or c) requires such a short amount of instructional time that it is more efficient to teach the student directly rather than local staff. The Department of Education will be advised when direct intervention services are recommended and implemented.

5. *ASSIST IN THE PROCUREMENT OF MATERIALS/EQUIPMENT*

ARMSI staff supply or help procure materials for district personnel for the purpose of supporting the instruction of the target student. These materials may consist of articles, information books, special teaching curricula, prosthetic devices, adaptive text books, hearing aids, etc. ARMSI

staff may act as a clearinghouse to provide local personnel with material resources that would otherwise be difficult for them to obtain.

6. PARENT LIASON/TRAINING

ARMSI staff work directly with parent(s) as agreed upon with local/district staff. Interaction with parents may involve provision of information relative to the needs and/or progress of their child or may involve training of the parent to conduct home programs for the child.

7. ANCILLARY SERVICE

Services provided by ARMSI staff which do not necessarily have a direct instructional effect on the student. Examples are assisting with identifying and/or locating specialists, providing liaison with medical services, working in the area of interagency cooperation, dissemination of information, public relations, etc.

Alaska  
State Board  
of Education

Ernestine Griffin  
President  
Box 808  
Sitka, AK 99835  
747-3319

Don Gray  
326 Ketchikan Avenue  
Fairbanks, AK 99701  
456-7794 (w) 452-5737 (h)

Mary Schaeffer  
Second Vice President  
Box 106  
Kotzebue, AK 99752  
442-3311 (w) 442-3468 (h)

William Eubank  
Box 112  
Sand Point, AK 99661  
383-2377 or 385-3211

Sue Hull  
1630 Washington Drive  
Fairbanks, AK 99701  
479-5729

Barney Gottstein  
Vice President  
6411 "A" Street  
Anchorage, AK 99501  
561-1944 (w) 277-0382 (h)

Janie Leask  
P.O. Box 104836  
Anchorage, AK 99510  
274-3611 (w)

Col. Roger K. Strosnider  
Military Advisory Member  
USAF  
P.O. Box 4556  
Eielson AFB, AK 99702  
377-4222 (w) 488-3663 (h)

Katie Henry  
Student Advisory Member  
418 Kennedy Street  
Juneau, AK 99801  
586-1632

# BOARD REPORT

Pouch F, Juneau, Alaska 99811  
More Information: Harry Gamble 465-2821

FOR IMMEDIATE RELEASE  
February 6, 1986

Here is the action from the State Board of Education meeting February 3 and 4 in Juneau. The Board:

\*Approved a resolution supporting Governor Bill Sheffield's debt containment legislation, HB 520.

\*Supported the following legislation: CSSB 240, which would increase the penalty for illegally passing a school bus; Executive Order 62, which would transfer fire service training responsibilities from the Department of Education to the Division of Public Safety; SB 230, which would increase from two to three years the requirement for teacher tenure, and would permit schools to dismiss teachers because of loss of funds; SB 104, which would increase from three to five years the maximum duration of pupil transportation contracts; SB 8, which would encourage school districts to offer curriculum in personal safety; SB 381, which would establish a forward funding provision for funding public schools; HB 526, which would provide funding to the Alaska State Museum for preservation of important artifacts of Alaska culture; and HB 409, which would provide for training and licensing of school bus drivers.

\*Opposed the following legislation: SB 319, which would establish a separate unit within the Department of Education, with a governing board, to provide statewide services to severely handicapped students; CSHB 174, which would require teachers to be trained in first aid and emergency procedures.

\*Voted to take no position on: HB 480, which would prohibit the use of corporal punishment in school districts as a form of discipline; and SCR 10, which would request that the State Board request local school boards to require the study of Alaska History including ramifications of the Alaska Native Claims Settlement Act (ANCSA). In taking no position on these two measures, the Board noted that most local school districts already have established policies regarding corporal punishment and that nearly all school districts either require Alaska history, including the ramifications of ANCSA, or they provide such classes as an elective.

The Board also:

\*Accepted the Alaska Schools of the Future plan, for which Governor Sheffield provided \$1.5 million in his FY 1987 operating budget request.

\*Sent the following regulation for public comment: 4 AAC 06.27 (a)(b)(c), would be repealed and replaced with the

following: (a) State support for students under AS 14.17 will be calculated by including them in the student count of the district in which they are served. (b) This section becomes effective on July 1, 1986.

\*Adopted the following regulations: 4 AAC 06.111, a revision of Article II, Section 2 of the Alaska School Activities Association Bylaws; 4 AAC 18, which deals with employment restrictions on members of the immediate family of school board members; 4 AAC 60.020, exemptions from pre-school regulations; 4AAC 06.050, physical examinations of school employees; 4 AAC 12.010, reasons for denial or revocation of teacher certificate; 4 AAC 12.020 and .030, provisions for issuance of a teacher certificate to persons recommended for certification by the certifying agency of another state; 4AAC 12.045, repeal of professional certificate; 4 AAC 12.095(b), notification of other state certification agencies regarding revocation of certificates; 4 AAC 12.100, .115, .120, revision to administration of teacher certification; 4 AAC 33.100 (a)(b), special schools and programs operated by the Department of Education.

\*Approved a revised plan for special education.

\*Appointed the following to the Museum Collections Advisory Committee: Pauldine Carlo of Fairbanks and Phyllis Morrow of Bethel, with Richard Birmeister of Nome as alternate.

\*Changed the April meeting date of the State Board of Education to April 3 and 4. The meeting location remains Mt. Edgecumbe High School in Sitka.

\*Approved a waiver for Chugach School District from the requirement to spend at least 55 percent of its operating budget for instructional purposes, pending approval of Legislative Budget and Audit, as required by statute.

\*Heard a report on early childhood education from Darby Anderson, administrator of the Office of Curriculum Services.

\*Heard a report on the escalating costs of school insurance from Bob Greene, executive secretary of the Association of Alaska School Boards, and Paul Troeh, of the State Division of Insurance.

\*Accepted a newly published guide for student assessment presented by Al Hazelton, chief of the Office of Evaluation, Assessment and Research, and Bob Silverman, special projects administrator.

\*Heard an update on Mt. Edgecumbe High School by principal William Denking.

\*Heard a report by Commissioner Harold Reynolds on progress made toward achieving 1985-86 State Board of Education goals and objectives.

\*Heard the annual report of the Office of Adult and Vocational Education.

\*Heard the annual report from the Parent Advisory Committee for the Centralized Correspondence Study program.

Introduced: 5/9/85  
Referred: Health, Education and  
Social Services and Finance

*Superseded*

*Sandra*

1 IN THE SENATE

BY ZHAROFF AND RODEY +

2

SENATE BILL NO. 319

*FabruKamp*

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to a special education cooperative  
7 service unit."

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

9 \* Section 1. PURPOSE. It is the purpose of this Act to

10 (1) make special education and related services available to all  
11 exceptional children, as that term is defined in AS 14.30.350(4);

12 (2) encourage cooperation in making special educational programs  
13 and services available to these children;

14 (3) ensure that free appropriate public education services are  
15 provided for all exceptional children in the state.

16 \* Sec. 2. AS 14.30 is amended by adding new sections to read:

17 ARTICLE 8. SPECIAL EDUCATION COOPERATIVE SERVICE UNIT.

18 Sec. 14.30.600. UNIT ESTABLISHED. There is established in the  
19 department, as a separate entity, a special education cooperative  
20 service unit. (The unit may establish regional units if necessary to  
21 carry out its purposes.) *explicit*

22 Sec. 14.30.610. GOVERNING BOARD. (a) The unit shall be gov-  
23 erned by an 11 member board appointed by the commissioner of education  
24 with the approval of the state board of education. The board consists  
25 of

26 (1) one member from the Governor's Council for the Handi-  
27 capped and Gifted;

28 (2) one member from the Department of Education;

29 (3) five members who are special education teachers or

*regional units*

*board*

1 directors, school administrators, or higher education or teacher  
2 training representatives;

3 (4) two members who are parents of children requiring  
4 special education outreach services;

5 (5) one member from the Department of Health and Social  
6 Services;

7 (6) one member chosen from the public at large.

8 (b) The seven members appointed under (a)(3) - (4) of this  
9 section shall be chosen with due regard to geographically balanced  
10 representation of areas of the state and to representation of persons  
11 with a variety of different special education needs.

12 Sec. 14.30.620. TERMS, VACANCIES AND COMPENSATION. (a) The  
13 term of office of a board member is three years.

14 (b) A vacancy occurring during a term of office shall be filled  
15 in the same manner as the original appointment. A member appointed to  
16 fill a vacancy serves for the unexpired term of the member the new  
17 appointee succeeded.

18 (c) Board members receive ~~no salary~~ but are entitled to per diem  
19 and travel expenses authorized by law for other boards and commis-  
20 sions.

21 Sec. 14.30.630. BYLAWS. The board, in consultation with the  
22 department and on the approval of a majority of the members of the  
23 board, shall adopt and amend bylaws for the operation of the unit and  
24 the board.

25 Sec. 14.30.640. EMPLOYEES. ~~Employees of the unit are in the~~  
26 ~~exempt service under AS 39.25.110.~~ However, employees of the unit  
27 shall be members of either the Teachers' Retirement System (AS 14.25)  
28 or the Public Employees' Retirement System (AS 39.35).

29 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

*how often board meet? what cost?*

*are they now in TRS? cost?*

1 (1) receive and expend public and private funds to carry  
2 out the purposes of the unit;

3 (2) contract with the department and other public or pri-  
4 vate agencies for the provision of special education or related ser-  
5 vices;

6 (3) do <sup>vague</sup> (whatever is necessary) to carry out the purposes of  
7 AS 14.30.600 - 14.30.680. <sup>?</sup>

8 (b) The board shall

9 (1) provide special education services including

10 (A) itinerant outreach services to deaf, deaf-blind,  
11 mentally retarded, hearing impaired, blind and visually impaired,  
12 orthopedically handicapped, other health impaired, severely  
13 emotionally disturbed, and multi-handicapped students;

14 (B) special education instructional support and train-  
15 ing of local school district special education personnel; and

16 (C) other services the board determines to be appro-  
17 priate to special education needs;

18 (2) ~~hire an executive director~~ and approve the employment  
19 of personnel necessary to operate the unit;

20 (3) provide for an annual audit of the unit;

21 (4) provide the department with a three-year plan of opera-  
22 tion including a description of the services to be offered by the  
23 unit, the method by which the services will be evaluated, information  
24 on the number of students and school district personnel to be served,  
25 a schedule of funds available to the unit from all sources, and other  
26 information that may be required by the department by regulation;

27 (5) present an annual budget to the department.

28 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the  
29 unit shall be available to school districts that serve children whose

1 ~~special education needs occur infrequently, who require specialized~~  
2 ~~services not normally available in the school district, and who cannot~~  
3 ~~be easily served by local school district personnel because of the low~~  
4 ~~number of students in the district in need of the particular service.~~

5 The unit may provide services to exceptional children, as that term is  
6 defined in AS 14.30.350.

*# generated by  
all special ed  
students, not just  
those receiving  
these services*

7 Sec. 14.30.670. FUNDING. ~~Each fiscal year the department shall~~  
8 ~~allocate to the unit from the public school foundation account (AS 14.~~  
9 ~~17.010) \$100 for each special education student in the state in aver-~~  
10 ~~age daily membership or two percent of the funds appropriated to the~~  
11 ~~account for that fiscal year, whichever is greater.~~

*How much  
would this  
generate?*

12 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,  
13 unless the context otherwise requires,

14 (1) "board" means the governing board of the special educa-  
15 tion cooperative service unit;

16 (2) "unit" means the special education cooperative service  
17 unit.

18 \* Sec. 3. AS 39.25.110 is amended by adding a new paragraph to read:

*exempt  
service*

19 (23) employees of the special education cooperative service  
20 unit.

21 \* Sec. 4. Of the initial members of the governing board of the special  
22 education cooperative service unit, four shall serve a term of four years,  
23 five shall serve a term of three years, and two shall serve a term of two  
24 years. The initial terms shall be assigned to initial board members by the  
25 commissioner by lot.

*effective date July 1, 1986*

prepared by Gov's Council

12-20-85

SB 319

file

Efforts are continuing to obtain support for the special education cooperative service unit bill and to obtain input so the best possible bill can be developed. Three drafting errors have been identified which substantially change the bill from what was originally intended:

- a. the unit is created "in the department".
- b. employees would be state employees and subject to the state personnel act.
- c. funding would come out of the foundation account.

Executive Committee is working to obtain revisions either as a sponsor substitute or else a committee substitute.

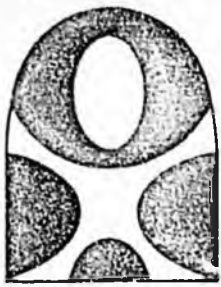
Information on the bill has been provided to various education organizations. There is considerable support and interest in the bill.

The Alaska State Program for the Deaf Advisory Board met on Dec. 17th. They are seeking enabling legislation and will be reviewing SB 319 with possible amendment to include the Program for the Deaf as one option. They have similar concerns regarding continued existence of the program and an adequate funding base.

Commissioner Reynolds will not present it for State Board review in January. He has asked us to submit our recommended revisions to him and will take it to the Board at a later date. Because of budget concerns the Commissioner is concerned about creating a service unit right now that would have fiscal impact. He does support the concept of the bill and will welcome our support to obtain needed funds for the contract programs.

The over-all budget situation at DOE and the current problem of being \$200,000 overspent in the contract line because of out-of-district transfers appears to be having a significant impact on how people in the Department view 319.

A more complete up-date and discussion will be on the Council meeting agenda at the request of Legislative Committee.



February 14, 1986

Don McKinnon  
ACSA  
326 Fourth Street, Suite 211  
Juneau, Alaska 99801

Dear Don,

I promised to get you some more information on SB 319, the special education cooperative service agency bill, some time ago. Things just got busy with the holidays and the start of the legislative session, so I didn't get back to you.

The following information explains the changes made in the bill so far. We have tried to specifically address the concerns you raised when we met at the ACSA conference in Anchorage.

If you would review the following material and the HB 543, House version, I will call you mid-week next week to talk with you about what has been happening legislatively. I sincerely appreciate your help in reviewing the bill and identifying concerns that superintendents and administrators might have. I think the resulting changes have vastly improved the legislation so that it will accomplish what needs to be done.

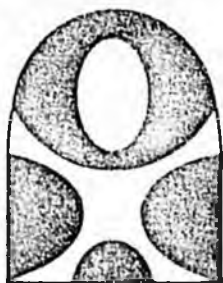
What follows is basically the summary I sent to the special education administrators on Tuesday.

I appreciated your remarks to the State Board in December. Your question as to whether they were fulfilling their role as advocates for education by maintaining the status quo on funding rather than pushing for a \$20+ million increase was "right on". Even though it's a tough year due to oil price fluctuations we must continue to urge adequate funding for education knowing that the dollars are there if the priority is put there.

Thanks again. I'll call you next week.

Sincerely,

Dot Truran  
Director



BILL SHEFFIELD, GOVERNOR  
State of Alaska

GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED

600 University Avenue, Suite C • Fairbanks, Alaska 99701 • Phone (907) 479-6507

474-2440

February 14, 1986

Bob Greene  
AASB  
326 Fourth Street, #510  
Juneau, Alaska 99801

Dear Bob,

I thought our paths would cross when I was in Juneau a few weeks ago, but guess you were out of town. I need to get back to you on SB319, the special education service agency bill. Rep. Duncan has introduced a companion bill, HB 543, which basically includes several of the changes resulting from review by a number of organizations and my earlier discussions with you, Don McKinnon, and special education administrators.

I hope you will be able to review the attached information which I sent to special education administrators this week and also take a look at HB 543.

You spoke to me about the issue of local control. I think the new bill provides for more local control and responsiveness to local district needs by having the agency and employees be separate from the Department of Education. The board membership can still be altered to specify superintendents or representatives from AASB, ACSA if you feel that would be better.

Also, there is no way we would want the funding to come out of foundation funding. That drafting error has been cleared up in the House version.

Are you aware that the Department of Education is thinking of having the districts pay from 25% to 75% of the cost of the outreach services? A letter was sent to districts in December suggesting that possibility and asking for districts to respond. The Council opposes such a move, especially since the DOE funding proposal was specifically designed so that those costs would not come out of foundation funding. We are watching that situation closely.

I will be calling you this week to discuss these education issues and get your comments on the bill. It is important that we get this public agency in place so that the services which districts need to be able to call on are not nicked and dimed to death as revenues decline.

Thanks for your help. Talk to you next week.

Sincerely,

*Dot Truman*

Dot Truman  
Director

SB 319 (Sandra)  
6-12-85

Education Cooperative Services Unit

Currently contracted to ARMSI -

4. new 250 students  
in 41 districts (1985)

1. statewide outreach services - "low incidence" handicaps. More cost effective than each district trying to provide.
2. 20+ education specialists - blind, deaf, emotionally disturbed, health & orthopedic impairments
3. annual budget item - \$1.4 million

\* The point is the service needs to be provided & outreach is more cost effective than hiring by each individual district. Need an entity (Dept. or Board) to hire & supervise & orchestrate the teachers involved.

Questions:

Fiscal implications - administrative costs? what portion of \$1.4 million currently goes to

1. participation in teachers' retirement system <sup>or PERS</sup>
2. board members' travel & per diem <sup>5 members 2x/yr = \$5000</sup>
3. executive director salary?

What is status of contract? Extend to ARMSI for an additional year? (1985-86)

Funding can be provided in foundation formula, but still need enabling legislation. <sup>↳ "Exceptional Children's Fund"</sup>

Gov's position on Boards? <sup>↳ we need to spell out in bill \$100/student?</sup>

Good back up.

BILL SHEFFIELD, GOVERNOR FEB 18 1985  
STATE OF ALASKA



GOVERNORS' COUNCIL FOR THE HANDICAPPED AND GIFTED

UNIVERSITY PLAZA OFFICES WEST · SUITE C · 600 UNIVERSITY AVENUE · FAIRBANKS, ALASKA 99701  
PHONE (907) 479-6507

February 11, 1985

Betty Fahrenkamp  
Senator  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Senator Fahrenkamp:

Sandra Schubert suggested we submit our request to you for consideration. It will be included in our report to the Legislature when we speak to the HESS Committees on February 21st.

We are seeking legislation (preliminary draft attached) to establish a special education cooperative services unit, a statewide public organization "in but not of" the Department of Education to help local school districts meet the unique needs of severely handicapped children. We are asking you to help codify in statute a program that is already working but which needs a permanent place in the state's system of education. Pertinent background information follows.

The Governor's Council has been involved in the creation and operation of a system of statewide outreach services for special education. A 1980 broad-based rural-urban task force developed the idea, and analyzed costs and benefits, as well as the number and nature of students requiring services which their local districts could not fully provide without outside help.

One of the primary reasons, then and now, for operating these outreach services under a statewide quasi-public umbrella, was to insure a permanent home and structure for the high-calibre personnel who would be required.

An allied reason was to insure availability and continuity of service. If a local school district isn't sure that an outreach unit will be "on call" to come and assist their teachers to serve a child with multiple handicaps, or a deaf or blind child, then the local district faces these costly alternatives:

1. Send the child away to Anchorage or to Harborview, the State's institution at Valdez (residential and school services may cost in excess of \$80,000 to \$100,000 per year not to mention the emotional/social cost to the child and the family).
2. Try to hire a single specialist and contract with several other professionals to work with the child (high cost, inefficient use of personnel, high burn-out and turnover rate, and lack of program continuity for the child).
3. Ignore the child's needs, write a token or inadequate IEP (individualized education program under P.L. 94-142 and A.S. 14.30), face Office of Civil Rights investigation, appeals and

litigation through P.A.D.D. or private attorneys, and audit exception/withdrawal of state special education funding (mean-while the child is not being served and school district credibility falters).

In 1980-81 the Department of Education decided to fund outreach services for special education as a cost-effective way to serve handicapped children who were:

a. the only one or one of a few handicapped children in a district, and

*SD* b. in need of services beyond those which a special education teacher would normally be trained and expected to provide.

Prior to 1981 the Department had paid for a lot of out-of-state and out-of-district transfers of special education students. In addition to spending millions of dollars for these placements, there continued to be more children needing services. Both the Molly Hootch case and federal special education regulations pushed the Department to provide for local services. It was clear that we could not continue to send children away from home without trying and exhausting local and in-state resources.

*300 at \$466/yr*  
Since 1981 Alaska Resources for the Moderately and Severely Impaired (ARMSI) has employed about 20 education specialists in blindness, deafness, emotional disturbance, health and orthopedic impairments. These specialists travel to and work with students, teachers, and families in local districts. The state contracts with ARMSI for \$1.4 million annually to provide the services. About 250-300 students and 30-40 school districts receive services each year.

ARMSI is part of a private non-profit organization. As a non-profit, it has the right to refuse service, is governed by a board which may or may not be concerned with special education outreach services, could decide to terminate the contract for services, and must compete with school districts to attract qualified personnel. ARMSI personnel are assisting the Department and local districts to fulfill the state's public education responsibilities. Yet ARMSI personnel do not have tenure, do not participate in the teacher's retirement system and do not have employment security from year to year. This school year is the third and final year of the three-year DOE-ARMSI contract. That means the Department goes out to bid and the project services are once again up for grabs. Such a bid process for an on-going public education service is disruptive and inefficient. It would be like the North Star Borough going out to bid for remedial reading services, or school psychology services, or special education services.

Therefore the ARMSI advisory committee asked the Council to contact the Legislature and seek enabling legislation for a special education cooperative service unit. This was the original recommendation from the 1980 task force. With three years of successful experience and the spectre of a new non-profit agency taking over the services every few years the ARMSI advisory group urged action in the 1985 Legislature.

Last fall the Council asked DOE to include this in the foundation proposal. It was partially but inadequately addressed in the proposal (Draft III). Then last

week, at the urging of the Council and the education community, the State Board of Education decided it did not have an adequate proposal to forward to the Legislature.

Among other things, this meant that the ARMSI outreach services were at risk and would have to find a home for next year. DOE considered and rejected an agreement between two districts to manage the unit fiscally, going out to bid at this late date in the school year, handing the project to the Southeast Regional Resource Center without going to bid. Right now the Department is proposing to extend the three year ARMSI contract for one additional year. They have given public notice of intent for one year continuation. During the extension period, July 1, 1985 through June 30, 1986 DOE would develop guidelines and regulations for these services.

This would give us time to get Legislative action and establish a permanent structure within which the services would be operated.

We feel there will be plenty of school district/educator support, both urban and rural, plus solid parent support for a bill. We feel this should be handled now, and separately from the big foundation proposal since that will involve many issues of larger over-all significance to education in Alaska.

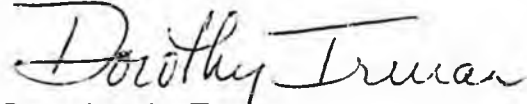
As you can see, we are asking to codify what is already tested and found to be working. Also, there will be no fiscal note since the funding is already in the BOE Contracts BRU. At this time cooperative units such as the one proposed may be a model for the future when revenues decline and every district will be unable to afford to do everything by itself. They operate successfully in many other states.

Senator Zharoff has indicated his willingness to co-sponsor legislation. We have not contacted other legislators, pending your review and advice. We feel you are a strong proponent of this type of service and that you are in a key position to lead the way for this important statewide program.

Our staff and members will work with you to insure the success of this project.

Thank you for your consideration of this request. Our preliminary draft and background materials are enclosed. Amendment to A.S. 14.30 Article 3 would appear most desirable.

Sincerely,



Dorothy J. Truran  
Staff for  
Blanche Walters, Chair

enc: Draft *see SB 319*  
Low-Incidence Report  
ARMSI Report

## ADVANTAGES OF SPECIAL EDUCATION COOPERATIVE SERVICES UNIT (SECSU)

1. Continuity of services for the most handicapped special education students.
2. Stability of funding and staff/personnel from year to year.
3. Ready access to specialists to give local teachers ideas, training, and support.
4. Stops repeating the RFP/Bid process every few years.
5. Solid basis for program so it's not subject to the whims of each administration or administrator.
6. Cost-effective, efficient mechanism:
  - o Districts call one unit rather than six or eight to get needed service.
  - o Specialists collaborate/team approach.
  - o Reduces number of children sent away from home.
  - o Reduces teacher burn-out and turn-over in bush since they have help and support.
  - o One specialist can assist several districts.
  - o Districts work together to maximize resources.
  - o Materials can be shared.
  - o Reduces amount of consultant services needed.
  - o Teachers can be brought together for specialized training.
7. Special workshops or summer programs can be designed for students with similar handicaps from several districts (e.g. blind students can receive special orientation, mobility, or other training through a centralized program).
8. Specialists travel to many districts so they can put districts/teachers with similar needs in touch with each other.
9. Clear administrative structure with a board comprised of users, parents, local districts and with public accountability to the Department of Education.
10. Structure and procedures can be refined and modified through a public process as needs change in the future (i.e. regional units can be started in future when/if population increases make that feasible and financially sound).
11. Can build on successes of and affiliate with similar units in existence across the united states.
12. Supports local districts rather than competing with them for funding or forcing them to use funds for expensive one-time only consultants.
13. Not competing with private sector health professionals since unit specialists are educators with special certification to work with these children.

FACT SHEET  
SPECIAL EDUCATION COOPERATIVE SERVICES UNIT

- WHAT:** A unit of education specialists who provide materials, training, and on-site help to local school districts which are serving hard-to-serve "low incidence" handicapped children.
- The Department of Education provides \$1.4 million per year for these contractual services.
- WHO:** ARMSI (Alaska Resources for the Moderately and Severely Impaired) a branch of the private-non-profit Employment and Training Center of Alaska in Anchorage has provided the services for the past three years.
- Twenty-two certified and three non-certified staff, including specialists in deafness, blindness, orthopedic handicaps, emotional disturbance, health impairments, mental retardation, and multihandicapping conditions currently provide the services.
- HOW:** School districts identify and evaluate exceptional students. Local special education personnel ascertain that special assistance is required which is not locally available. ARMSI is contacted. ARMSI staff come to the district, participate in IEP meetings, bring materials, work with teachers, aides, students and, sometimes, family members, to provide special education services appropriate to the needs of individual children.
- WHEN:** ARMSI staff can provide services year-round. Contacts with districts can be as frequent as weekly or only a few times per school year, depending on needs.
- WHERE:** ARMSI offices are in Anchorage. This year ARMSI is serving about 250 students in 41 school districts. Staff travel approximately half time. When in Anchorage they organize materials, consult by phone, collaborate with other unit staff, develop training materials, and coordinate services.
- WHY:** The intent of the proposed legislation is to provide a permanent state administrative structure attached to the Department of Education for the on-going operation of the cooperative services unit program.

SPECIAL EDUCATION  
1985 ENROLLMENTS

District	Exceptionality											Total
	MR	HH	D	VH	ED	OI	OHI	LD	DB	MH	SI	
None								50		1	35	75
Alaska Gateway	3			1			1	60			19	84
Aleutian Chair	2							11				13
Anchorage BSC	125	32	37	12	119	88	12	2,326	12	79	890	3,733
Anchorage On-Base	7	4		3	6	13	3	130			100	266
Annette Island	1				1	2		28			13	45
Bering Strait	8	1	1	1		2		145			33	191
Bristol Bay BSD	2							15			7	24
Chatham	5	1			2			23		1	28	60
Chugach								4			5	9
Copper River	4							33		1	21	59
Cordova CSD					2	1	1	32			13	49
Craig CSD				1				15			9	25
Delta Greely	2	2				1		80		3	43	131
Dillingham CSD	4				2			19		1	13	39
Fairbanks	4	1		1		5	1	14		15	24	65
Fairbanks MSSSD	43	3	4	3	25	4	2	564		16	276	940
Fairbanks On-Base	2						1	155			72	230
Galena CDS	1				2			12			5	20
Haines						2						2
Haines BSD		1				2		44		2	19	68
Hess	174	1	5	9		15	99			23	84	410
Heenah CSD	1	2						14		1	24	42
Hydaburg CSD		1				1	1	17			9	29
Iditarod	3						1	33		1	9	47
Juneau BSD	16	8		2	2	11	1	226		17	239	522
Kake CSD						2		16		2	17	37
Kenai Peninsula BSD	22	5	5	4	45	26	6	505		3	283	904
Ketchikan Gateway BSD	5	3			28	3		177		6	60	282
Ketchikan		1						4				5
King Cove CSD	2	3						15		1	7	28
Klawock										1		1
Klawock CSD	1				1			23		1	15	41
Kodiak Island BSD	14		2		18	6	3	181		4	83	311
Kuspuk	12			1				40			1	54
Lake & Peninsula		1			2			31			30	64
Lower Kuskokwim	31	10	3	3	16	4	1	195		2	38	303
Lower Yukon	17		1	1	4	2		89		5	16	135
Mat-Su										1	1	2
Mat-Su BSD	31	4	3	6	6	8	2	431		11	163	665
Menana CSD					3			12		1	8	24
Nome										3	2	5
Nome CSD	1	3		1	3	2	2	42		2	17	73
Northwest Arctic	10	1		1	4	1	2	164		4	40	227
North Slope BSD	4	3	2		2		3	97		1	27	139
Pelican						1		3			3	7
Petersburg CSD	1		1		1	4		25		2	33	67
Pribilof	1			4				19		2	8	34
Railbelt	1						1	21		1	2	26
Sand Point	1	1					3					5
Sandpoint CSD	1							7			1	9
Sitka BSD	10	3			3	9		168		2	82	277
Skagway CSD								5		1	3	9
Southeast Island								37			14	51
Southwest Region	1	2				1		32		2	9	47
St. Mary's CSD	1	1			2			20		1		25
Tanana (Estimated)					1			4				5
Unalaska CSD (Est.)	1	1						8			13	23
Valdez CSD	2	2						27			18	49
Valdez-Barrowview	11											11
Wrangell CSD	3	1			1	1		68		10	7	91
Yakutat CSD								19			10	29
Yukon Flats						1		28		1	16	46
Yukon Koyukuk	1				2			47		2	31	83
<b>TOTAL</b>	<b>592</b>	<b>102</b>	<b>64</b>	<b>55</b>	<b>301</b>	<b>220</b>	<b>146</b>	<b>6,559</b>	<b>12</b>	<b>233</b>	<b>3,048</b>	<b>11,372</b>

MR = Mentally Retarded      ED = Emotionally Disturbed      DB = Deaf/Blind  
 HH = Hard of Hearing      OI = Orthopedically Impaired      MH = Multiply Handicapped  
 D = Deaf      OHI = Other Health Impaired      SI = Speech Impaired  
 VH = Visually Handicapped      LD = Learning Disability

NOTE: Circled totals comprise target population of the proposed Special Education Cooperative Service Unit, with an estimated three hundred of these students requiring unit services annually.



file SB 319  
FEB 17 1986

BILL SHEFFIELD, GOVERNOR  
State of Alaska

**GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED**

600 University Avenue, Suite C • Fairbanks, Alaska 99701 • Phone (907) 479-6507

MEMORANDUM of FEBRUARY 11, 1986

TO: SPECIAL EDUCATION DIRECTORS and GROUPS CONCERNED WITH  
SPECIAL EDUCATION

RE: SENATE BILL 319 and HOUSE BILL 543

FROM: DOT TRURAN, Staff, GOVERNOR'S COUNCIL *DT*

Enclosed is a copy of HOUSE BILL 543, which is the House version of SB 319, the special education service agency (cooperative service or outreach service) bill.

It is important for you to know about these bills, recent changes, and some of the rationale behind them. It is also important for you to give input to your legislators and the members of the HESS and Finance Committees.

The Senate HESS Committee will be having a hearing on SB 319 on February 27th. The House HESS Committee may hear HB 543 on the 26th. Once they are passed out of the HESS Committees, they will be considered by the Finance Committees.

Senator Fahrenkamp, Chair of Senate HESS, has had a member of her staff participate in the special education funding formula development, and is very interested in seeing that comprehensive special education services are available statewide.

House Bill 543, introduced last week by Representative Duncan of Juneau, contains the revisions to SB 319 suggested by various groups over the past six months. They are also contained in a draft committee substitute (CS) for SB 319. The changes came up in discussions with members of the ARMSI Board and staff, Don McKinnon of the Superintendents' Association, Bob Greene of the School Boards' Association, and the Executive Committee of the Governor's Council for the Handicapped and Gifted.

The changes are as follows:

- I. The revised bill calls for a Special Education Service Agency separate from the Department of Education, but related to it by regulations, funding, and appointment of board members.

The original bill established a "cooperative service unit" in the Department which meant it would be operated by the department and personnel would be DOE employees recruited under the state's civil service system, and paid at state wage scales. Concerns were raised about issues of local control, insuring responsiveness to local and rural districts' needs, obvious political problems with establishing 20-some new state positions at a time when the Governor and the Legislature are cutting state positions, and the difficulties inherent in hiring specialists or changing staffing patterns via the state's personnel system.

2. The revised bill says that the employees of the new special education service agency are not state employees and not subject to the state's personnel rules. But, employees would be able to be members of the Teachers' Retirement System or the Public Employees' Retirement System.

This means the outreach services agency would be better able to recruit and retain the quality of program specialists needed to serve local districts. Under the present arrangement, contract for services to a non-profit agency, the education specialists cannot be members of the teachers' retirement system and therefore often look for other employment where there is job security from year-to-year and access to retirement benefits.

3. The new bill cleans up the funding mechanism language so that funding for the agency does not come out of foundation funding. It was never intended by the original sponsors, Senators Zharoff and Rodey, that funding should come out of the foundation account, but a drafting oversight had it set up that way in the original SB 319.

Given the possibility of reduced foundation funding over-all for some rural districts, and the fact that there has been no increase in foundation funding the past three years, the idea of taking the outreach services funding from the foundation account or charging the districts for the services would be a "double whammy".

As revised in HB 543 the funding would come from the Department of Education in a separate budget line item from the foundation funding. But funding would be related to foundation funding as follows: an amount equivalent to two per cent (note there is still a typo in the bill) of the funds appropriated for special education would be provided to the agency each year or \$100 per special education student in ADM statewide would be budgeted for the agency.

Since about two per cent of the state's special education students may be served by the outreach agency each year, an amount equal to two per cent of the total special education funding might be a reasonable funding base. Under the proposed DOE foundation proposal about \$61 million would be generated statewide for special education. Two per cent would be \$1.22 million. Based on \$100 per student in special education, the 15,000 students would provide a base of \$1.5 million for the outreach services. The \$61 million would go to districts in foundation funding for special education. At least an additional \$1.22 or \$1.5 million, whichever is greater, would go to fund the special education service agency. (Note that contract outreach services are currently budgeted at \$1.3 million and not all needed services are currently available.)

This is a pro-ration of funding based on the total population much like a tax on the whole population to make sure services are provided to the most needy.

The proposed bill provides a base level of funding and would not preclude districts from paying for "extra" services (above base, such as diagnostic or other service not available) if this was mutually agreed. Nor would it preclude utilizing regional agencies such as Southeast Regional Resource Center from providing many of the services on a regional basis as an arm of the special education service agency.

The fiscal relationship that would be constant over time would be that as

dollars for education increase, the dollars for the agency would increase or, as the number of students increases over-all, the number of students requiring the outreach services will increase and so will the funding. Both of these mechanisms are consistent with the principles used in school funding in Alaska and across the country: more students in more schools generate more dollars, and education funding continues to change based on state economic conditions and inflation factors.

If the funding were based on actual cost per student or dollars per student/district there would be big fluctuations from fall to spring and from year to year, with a constant game of "catch'up" to what is needed, thus defeating the purpose of stabilizing the funding and insuring continuity of service.

Here is the status regarding groups supporting the legislation:

OFFICIALLY IN FAVOR:

Governor's Council for the Handicapped and Gifted

Alaska Association of Administrators for Special Education

Alaska Resources for the Moderately and Severely Impaired Advisory Board

National Education Association, Alaska

Council for Exceptional Children, Alaska

The Department of Education (Steve Hole, January 30th) indicated a desire to support the bill. The idea is considered good (Commissioner Reynolds, January 29th). Three technical concerns need further discussion or some sort of resolution in order for the department to fully support the legislation: fiscal note, funding mechanism, and sunset provision. Discussions are continuing on these issues.



SENATOR FRED F. ZHAROFF  
ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

POUCH V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474 • 465-3844 (Labor and Commerce Committee)

*Start file*  
MAY 8 1985

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

M E M O R A N D U M

TO: All Senators

FROM: Sen. Fred Zharoff *Zharoff*

DATE: May 7, 1985

It is my intent to introduce the attached bill before session adjourns and I would appreciate your co-sponsorship. Please contact my office by Thursday, May 9, 1:00 P.M. if you are interested in co-sponsoring this legislation.

A Special Education Cooperative Services Unit is an outreach program designed to meet the unique needs of severely handicapped children when resources are not readily available within the school district. This was a recommendation by a 1980 Task Force of the Governor's Council for the Handicapped and Gifted.

In 1981, this service was contracted out to a private non-profit concern by Department of Education and has proven to be a successful program. It currently serves 250-300 children and more than thirty school districts. The purpose of this legislation is to create a fixed entity within Alaska's education system funded through DOE which would ensure availability and continuity of service.

If a local school district isn't guaranteed that an outreach unit will be "on call" to come and assist their teachers to serve a child with multiple handicaps, or a deaf or blind child, the alternatives are less desirable and very costly. This legislation will guarantee the outreach service on a continuing basis.

Sandra

SB 319 - Oct  
2-18-86

S.E. Regional Resource Center provides primarily

- 1) physical therapists
- 2) psychological services

ARMSI has tried to steer clear ~~off~~ of this to be complementary rather than competitive.

If SB 319 didn't pass, contract would go out for bid & SE RRC would bid on it.

Statute still on books to allow school districts to come together & form resource centers for some programs for efficiency. Poorly funded & supervised by DOE. Southcentral mismanaged - went bankrupt. SE RRC only one left.  
↳ left bad taste in peoples mouths.

*Superseded*

*Sandra*

Ford,  
01/22/86

Original sponsors: Zharoff, Rodey  
and Fahrenkamp

*Title Change*

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 319 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the special education service  
7 agency."

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

9 \* Section 1. PURPOSE. It is the purpose of this Act to

10 *Help school districts and*  
(1) *more* make special education and related services available to all

11 exceptional children, as that term is defined in AS 14.30.350(4);

12 *between districts & education agencies*  
(2) encourage cooperation in making special educational programs

13 and services available to these children;

14 *the availability of qualified specialists to assist districts in*  
(3) ensure ~~that free appropriate public education services are~~  
15 *the provision of services to hard to serve exceptional*  
~~provided for all exceptional children in the state without regard to location~~

16 \* Sec. 2. AS 14.30 is amended by adding new sections to read:

17 ARTICLE 8. SPECIAL EDUCATION SERVICE AGENCY.

18 Sec. 14.30.600. AGENCY ESTABLISHED. There is established, as a  
19 public organization, a special education service agency.

20 Sec. 14.30.610. GOVERNING BOARD. (a) The agency shall be gov-  
21 erned by an 11 member board appointed by the commissioner of education  
22 with the approval of the state board of education. The board consists  
23 of

24 (1) one member from the Governor's Council for the Handi-  
25 capped and Gifted;

26 (2) one member from the Department of Education;

27 (3) five members who are special education teachers or  
28 directors, school administrators, or higher education or teacher  
29 training representatives;

1 (4) two members who are parents of children requiring  
2 special education outreach services;

3 (5) one member from the Department of Health and Social  
4 Services;

5 (6) one public member.

6 (b) The seven members appointed under (a)(3) - (4) of this  
7 section shall be chosen with due regard to geographically balanced  
8 representation of areas of the state and to representation of persons  
9 with a variety of different special education needs.

10 Sec. 14.30.620. TERMS, VACANCIES, AND COMPENSATION. (a) The  
11 term of office of a board member is three years.

12 (b) A vacancy occurring during a term of office shall be filled  
13 in the same manner as the original appointment. A member appointed to  
14 fill a vacancy serves for the unexpired term of the member the new  
15 appointee succeeded.

16 (c) Board members receive no salary but are entitled to per diem  
17 and travel expenses authorized by law for other boards and commis-  
18 sions.

19 Sec. 14.30.630. BYLAWS. The board, in consultation with the  
20 department and on the approval of a majority of the members of the  
21 board, shall adopt and amend bylaws for the operation of the agency  
22 and the board.

23 Sec. 14.30.640. EMPLOYEES. Employees of the agency are not in  
24 the state service and are not subject to the State Personnel Act  
25 (AS 39.25). However, employees of the agency shall be members of  
26 either the Teachers' Retirement System (AS 14.25) or the Public Em-  
27 ployees' Retirement System (AS 39.35).

28 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

29 (1) receive and expend public and private funds to carry

1 out the purposes of the agency;

2 (2) contract with the department and other public or pri-  
3 vate agencies for the provision of special education or related ser-  
4 vices;

5 (3) do whatever is necessary to carry out the purposes of  
6 AS 14.30.600 - 14.30.680. *vague*  
*(the Service agency)*

7 (b) The board shall

8 (1) provide special education services including

9 (A) itinerant outreach services to deaf, deaf-blind,  
10 mentally retarded, hearing impaired, blind and visually impaired,  
11 orthopedically handicapped, other health-impaired, severely  
12 emotionally disturbed, and multi-handicapped students;

13 (B) special education instructional support and train-  
14 ing of local school district special education personnel; and

15 (C) other services the board determines to be appro-  
16 priate to special education needs;

17 (2) hire an executive director and approve the employment  
18 of personnel necessary to operate the agency;

19 (3) provide for an annual audit of the agency;

20 (4) provide the department with a three-year plan of opera-  
21 tion including a description of the services to be offered by the  
22 agency, the method by which the services will be evaluated, informa-  
23 tion on the number of students and school district personnel to be  
24 served, a schedule of funds available to the agency from all sources,  
25 and other information that may be required by the department by regu-  
26 lation;

27 (5) present an annual budget to the department.

28 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the  
29 agency shall be available to school districts that serve children

1 whose special education needs occur infrequently, who require special-  
 2 ized services not normally available in the school district, and who  
 3 cannot be easily served by local school district personnel because of  
 4 the low number of students in the district in need of the particular  
 5 service. The agency may provide services to exceptional children, as  
 6 that term is defined in AS 14.30.350.

7 Sec. 14.30.670. FUNDING. Each fiscal year the department shall  
 8 allocate to the agency <sup>not less than</sup> \$100 for each special education student in the  
 9 state in average daily membership or the equivalent of 2 [REDACTED]  
 10 percent of the funds appropriated for special education for that  
 11 fiscal year, whichever is greater.

12 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,  
 13 unless the context otherwise requires,

14 (1) "agency" means the special education service agency;

15 (2) "board" means the governing board of the special educa-  
 16 tion service agency.

17 \* Sec. 3. AS 14.25 is amended by adding a new section to read:

18 Sec. 14.25.047. PARTICIPATION BY SPECIAL EDUCATION AGENCY EM-  
 19 PLOYEES. An employee of the Special Education Agency may participate  
 20 in the retirement fund under this chapter if

21 (1) the employee possesses or is eligible to possess a  
 22 *TRS* teacher certificate under AS 14.20.020; and

23 (2) the employee pays all retroactive contributions re-  
 24 quired to be made under this chapter. ~~to the agency from~~

25 \* Sec. 4. AS 14.25.220(20) is amended to read:

26 (20) "membership service" means

27 (A) full or part-time service as a teacher in a public  
 28 school in the Territory or State of Alaska, or both, under the  
 29 supervision and control of the Territorial Board of Education or

1 the Department of Education or the school board of a city,  
2 regional educational attendance area, or borough school district;

3 (B) full-time or part-time teaching at the University  
4 of Alaska or a full-time administrative position at the Universi-  
5 ty of Alaska which requires academic standing and which has been  
6 approved for inclusion in the system by the administrator;

7 (C) any period during which the teacher receives a  
8 disability benefit under this system or is on an approved sabbat-  
9 ical leave granted in accordance with AS 14.20.310; [OR]

10 (D) continuous service as a state legislator when  
11 performed by a state legislator who elects membership under  
12 AS 14.25.040(b), subject to the requirements of AS 14.25.040(c);  
13 or

14 (E) full-time or part-time service as an employee of  
15 the Special Education Agency subject to the requirements of  
16 AS 14.25.047;

17 \* Sec. 5. Notwithstanding AS 14.30.620(a), enacted by sec. 2 of this  
18 Act, the initial members of the governing board of the special education  
19 service agency, four shall serve a term of four years, five shall serve a  
20 term of three years, and two shall serve a term of two years. The initial  
21 terms shall be assigned to initial board members by the commissioner of  
22 education by lot.

SB 319 SPECIAL EDUCATION SERVICE AGENCY (ZHAROFF, FAHRENKAMP CO-SPONSOR)

ESTABLISHES PUBLIC AGENCY TO PROVIDE SERVICES TO LOW-INCIDENCE HANDICAPPED.

INTENT: COST EFFECTIVENESS (VS. EACH DISTRICT HIRING OWN SPECIALIST)

INSURE CONTINUITY (LAST 4 YEARS OFFERED UNDER CONTRACT; UP FOR BID)

MAJOR POINTS:

11 MEMBER BOARD + EXECUTIVE DIRECTOR (APPOINTED BY DEPT. EDUC.)

FUNDING OUTSIDE FOUNDATION ACCOUNT (BASED ON \$100/SP. ED. STUDENT

OR 2% OF FOUNDATION'S SPECIAL ED. MONIES)

TEACHERS ELIGIBLE FOR TEACHERS' RETIREMENT

SERVICES AVAILABLE TO ALL SCHOOL DISTRICTS THAT REQUIRE SERVICES NOT

NORMALLY AVAILABLE IN THE SCHOOL DISTRICT (EX: DEAF, BLIND, ETC.)

CONCERNS:

STATE BD. EDUC. TOOK POSITION AGAINST:

1. WANT LINE ITEM APPROPRIATION INSTEAD OF \$100/STUDENT

2. WANT SUNSET PROVISION FOR BOARD

SCHOOL BOARDS ASSOCIATION SUPPORT IN CONCEPT. CONCERN:

1. ADMINISTRATIVE STRUCTURE ELABORATE AND COSTLY

SOUTHEAST REGIONAL RESOURCE CENTER:

1. MAY OPPOSE, AS THEY WANTED TO BID ON THE SERVICE CONTRACT

FISCAL IMPACT:

CONTRACT FUNDS WERE \$1.3 MILLION THIS YEAR. \$100/STUDENT WOULD  
GENERATE \$1.5 MILLION. ADMINISTRATIVE COSTS (\$70,000 T.R.S., \$60,000  
F.I.C.A., BOARD MEETINGS AND STAFF) WOULD COME OUT OF THIS

NOTE:

BILL NEEDS AN EFFECTIVE DATE: IMMEDIATE EXCEPT FOR FUNDING SECTION (7/1/86).

TEACHERS WOULD HAVE ALASKA CERTIFICATES WITH SPECIAL ED. CREDENTIAL --

THIS IS NOT SPECIFIED IN THE BILL.

(SP 319)

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : HB-543  
Title : An Act creating the special  
education service agency.  
Sponsor : Duncan  
Requestor : SPONSOR  
Date of Request : February 6, 1986

**FISCAL DETAIL**

Agency Affected : Department of Education  
BRU : K-12 support  
Components : Schools for the  
handicapped

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS		234.0	234.0	234.0	234.0	234.0
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>234.0</b>	<b>234.0</b>	<b>234.0</b>	<b>234.0</b>	<b>234.0</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING : (Thousands of Dollars)**

GENERAL FUND		234.0	234.0	234.0	234.0	234.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

FY-86 Grant to Alaska Resources for the Moderately & Severly Impaired \$1,300.0  
 FY-86 Number of special education students 15,340 X \$100 (Sec. 14.30.670) 1,534.0  
 FY-87 cost estimate \$ 234.0  
 Post FY-87 costs will vary based upon special education K-12 population.

Prepared by : Steve Hole Phone : 465-2800  
 Division : Commissioner's Office Date : February 6, 1986

Approved by Commissioner : Harold Reynolds, Jr. Date : February 6, 1986  
 Agency : Department of Education

**Distribution (by Agency preparing fiscal note) :**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

→ immediate  
① effective / 7-1-86 fiscal

② State Bd. appoint members

? ③ sunset provision - 4 yrs.

④ funding mechanism  
Original sponsors: Zharoff, Rodey  
and Fahrenkamp

⑤ board make-up

2-28-86  
1:20 PM

Ford  
2/24/86

*Superseded*

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 319 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the special education service agen-  
7 cy."

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

9 \* Section 1. PURPOSE. It is the purpose of this Act to

10 (1) assist districts and rural educational attendance areas to  
11 make more special education and related services available to exceptional  
12 children, as that term is defined in AS 14.30.350(4);

13 (2) encourage cooperation between districts and education  
14 agencies in making special educational programs and services available to  
15 these children;

16 (3) ensure that qualified specialists are available to assist  
17 districts in the provision of free appropriate public education services  
18 for those exceptional children that are difficult to serve, without regard  
19 to their location in the state.

20 \* Sec. 2. AS 14.30 is amended by adding new sections to read:

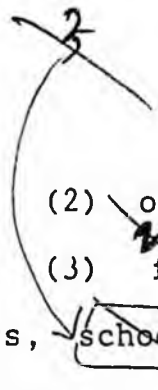
21 ARTICLE 8. SPECIAL EDUCATION SERVICE AGENCY.

22 Sec. 14.30.600. AGENCY ESTABLISHED. There is established, as a  
23 public organization, a special education service agency.

24 Sec. 14.30.610. GOVERNING BOARD. (a) The agency shall be gov-  
25 erned by an 11 member board appointed by the [commissioner of education  
26 with the approval of the ] state Board of Education. The board consists  
27 of

28 (1) one member from the Governor's Council for the Handi-  
29 capped and Gifted;

leave  
as B



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

- (2) one member from the Department of Education;
- (3) ~~five~~ members who are special education teachers or directors, school administrators, or higher education or teacher training representatives;
- (4) two members who are parents of children requiring special education outreach services;
- (5) one member from the Department of Health and Social Services;
- (6) one public member.

(b) The seven members appointed under (a)(3) - (4) of this section shall be chosen with due regard to geographically balanced representation of areas of the state and to representation of persons with a variety of different special education needs.

Sec. 14.30.620. TERMS, VACANCIES, AND COMPENSATION. (a) The term of office of a board member is three years.

(b) A vacancy occurring during a term of office shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy serves for the unexpired term of the member the new appointee succeeded.

(c) Board members receive no salary but are entitled to per diem and travel expenses authorized by law for other boards and commissions.

Sec. 14.30.630. BYLAWS. The board, in consultation with the department and on the approval of a majority of the members of the board, shall adopt and amend bylaws for the operation of the agency and the board.

Sec. 14.30.640. EMPLOYEES. Employees of the agency are not in the state service and are not subject to the State Personnel Act (AS 39.25). However, employees of the agency shall be members of

1 either the Teachers' Retirement System (AS 14.25) or the Public Em-  
2 ployees' Retirement System (AS 39.35).

3 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

4 (1) receive and expend public and private funds to carry  
5 out the purposes of the agency;

6 (2) contract with the department and other public or pri-  
7 vate agencies for the provision of special education or related ser-  
8 vices;

9 (3) do whatever is necessary to carry out the purposes of  
10 AS 14.30.600 - 14.30.680.

11 (b) The board shall

12 (1) provide special education services including

13 (A) itinerant outreach services to deaf, deaf-blind,  
14 mentally retarded, hearing impaired, blind and visually impaired,  
15 orthopedically handicapped, other health-impaired, severely  
16 emotionally disturbed, and multi-handicapped students;

17 (B) special education instructional support and train-  
18 ing of local school district special education personnel; and

19 (C) other services the board determines to be appro-  
20 priate to special education needs;

21 (2) hire an executive director and approve the employment  
22 of personnel necessary to operate the agency;

23 (3) provide for an annual audit of the agency;

24 (4) provide the department with a three-year plan of opera-  
25 tion including a description of the services to be offered by the  
26 agency, the method by which the services will be evaluated, informa-  
27 tion on the number of students and school district personnel to be  
28 served, a schedule of funds available to the agency from all sources,  
29 and other information that may be required by the department by

1 regulation;

2 (5) present an annual budget to the department.

3 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the  
4 agency shall be available to school districts that serve children  
5 whose special education needs occur infrequently, who require special-  
6 ized services not normally available in the school district, and who  
7 cannot be easily served by local school district personnel because of  
8 the low number of students in the district in need of the particular  
9 service. The agency may provide services to exceptional children, as  
10 that term is defined in AS 14.30.350.

11 Sec. 14.30.670. FUNDING. Each fiscal year the department shall  
12 allocate to the agency not less than \$100 for each special education  
13 student in the state in average daily membership or the equivalent of  
14 two percent of the funds appropriated for special education for that  
15 fiscal year, whichever is greater.

16 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,  
17 unless the context otherwise requires,

18 (1) "agency" means the special education service agency;

19 (2) "board" means the governing board of the special educa-  
20 tion service agency.

21 \* Sec. 3. AS 14.25 is amended by adding a new section to read:

22 Sec. 14.25.047. PARTICIPATION BY SPECIAL EDUCATION AGENCY EM-  
23 PLOYEES. An employee of the Special Education Agency may participate  
24 in the retirement fund under this chapter if

25 (1) the employee possesses or is eligible to possess a  
26 teacher certificate under AS 14.20.020; and

27 (2) the employee pays all retroactive contributions re-  
28 quired to be made under this chapter.

29 \* Sec. 4. AS 14.25.220(20) is amended to read:

1 (20) "membership service" means

2 (A) full or part-time service as a teacher in a public  
3 school in the Territory or State of Alaska, or both, under the  
4 supervision and control of the Territorial Board of Education or  
5 the Department of Education or the school board of a city, re-  
6 gional educational attendance area, or borough school district;

7 (B) full-time or part-time teaching at the University  
8 of Alaska or a full-time administrative position at the Universi-  
9 ty of Alaska which requires academic standing and which has been  
10 approved for inclusion in the system by the administrator;

11 (C) any period during which the teacher receives a  
12 disability benefit under this system or is on an approved sabbat-  
13 ical leave granted in accordance with AS 14.20.310; [OR]

14 (D) continuous service as a state legislator when  
15 performed by a state legislator who elects membership under  
16 AS 14.25.040(b), subject to the requirements of AS 14.25.040(c);  
17 or

18 (E) full-time or part-time service as an employee of  
19 the Special Education Agency subject to the requirements of  
20 AS 14.25.047;

21 \* Sec. 5. Notwithstanding AS 14.30.620(a), enacted by sec. 2 of this  
22 Act, the initial members of the governing board of the special education  
23 service agency, four shall serve a term of four years, five shall serve a  
24 term of three years, and two shall serve a term of two years. The initial  
25 terms shall be assigned to initial board members by the commissioner of  
26 education by lot.

p.1, L.25 State Bd. Educ. appoint Bd.  
p.5, L.21 sunset provision (4 yrs.)  
p.6, L.2 effective date

Ford  
2/28/86

Original sponsors: Zharoff, Rodey  
and Fahrenkamp

1 IN THE SENATE BY THE HEALTH, EDUCATION AND  
2 SOCIAL SERVICES COMMITTEE

3 CS FOR SENATE BILL NO. 319 (HESS)

4 IN THE LEGISLATURE OF THE STATE OF ALASKA

5 FOURTEENTH LEGISLATURE - SECOND SESSION

6 A BILL

7 For an Act entitled: "An Act creating the special education service agen-  
8 cy; and providing for an effective date."

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

10 \* Section 1. PURPOSE. It is the purpose of this Act to

11 (1) assist districts and rural educational attendance areas to  
12 make more special education and related services available to exceptional  
13 children, as that term is defined in AS 14.30.350(4);

14 (2) encourage cooperation between districts and education agen-  
15 cies in making special educational programs and services available to these  
16 children;

17 (3) ensure that qualified specialists are available to assist  
18 districts in the provision of free appropriate public education services  
19 for those exceptional children that are difficult to serve, without regard  
20 to their location in the state.

21 \* Sec. 2. AS 14.30 is amended by adding new sections to read:

22 ARTICLE 8. SPECIAL EDUCATION SERVICE AGENCY.

23 Sec. 14.30.600. AGENCY ESTABLISHED. There is established, as a  
24 public organization, a special education service agency.

25 Sec. 14.30.610. GOVERNING BOARD. (a) The agency shall be gov-  
26 erned by an 11 member board appointed by the state Board of Education.  
27 The board consists of

28 (1) one member from the Governor's Council for the Handi-  
29 capped and Gifted;

(2) one member from the Department of Education;

1 (3) five members who are special education teachers or  
2 directors, school administrators, or higher education or teacher  
3 training representatives;

4 (4) two members who are parents of children requiring  
5 special education outreach services;

6 (5) one member from the Department of Health and Social  
7 Services;

8 (6) one public member.

9 (b) The seven members appointed under (a)(3) - (4) of this  
10 section shall be chosen with due regard to geographically balanced  
11 representation of areas of the state and to representation of persons  
12 with a variety of different special education needs.

13 Sec. 14.30.620. TERMS, VACANCIES, AND COMPENSATION. (a) The  
14 term of office of a board member is three years.

15 (b) A vacancy occurring during a term of office shall be filled  
16 in the same manner as the original appointment. A member appointed to  
17 fill a vacancy serves for the unexpired term of the member the new  
18 appointee succeeded.

19 (c) Board members receive no salary but are entitled to per diem  
20 and travel expenses authorized by law for other boards and commis-  
21 sions.

22 Sec. 14.30.630. BYLAWS. The board, in consultation with the  
23 department and on the approval of a majority of the members of the  
24 board, shall adopt and amend bylaws for the operation of the agency  
25 and the board.

26 Sec. 14.30.640. EMPLOYEES. Employees of the agency are not in  
27 the state service and are not subject to the State Personnel Act  
28 (AS 39.25). However, employees of the agency shall be members of  
29 either the Teachers' Retirement System (AS 14.25) or the Public

1 Employees' Retirement System (AS 39.35).

2 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

3 (1) receive and expend public and private funds to carry  
4 out the purposes of the agency;

5 (2) contract with the department and other public or pri-  
6 vate agencies for the provision of special education or related ser-  
7 vices;

8 (3) do whatever is necessary to carry out the purposes of  
9 AS 14.30.600 - 14.30.680.

10 (b) The board shall

11 (1) provide special education services including

12 (A) itinerant outreach services to deaf, deaf-blind,  
13 mentally retarded, hearing impaired, blind and visually impaired,  
14 orthopedically handicapped, other health-impaired, severely  
15 emotionally disturbed, and multi-handicapped students;

16 (B) special education instructional support and train-  
17 ing of local school district special education personnel; and

18 (C) other services the board determines to be appro-  
19 priate to special education needs;

20 (2) hire an executive director and approve the employment  
21 of personnel necessary to operate the agency;

22 (3) provide for an annual audit of the agency;

23 (4) provide the department with a three-year plan of opera-  
24 tion including a description of the services to be offered by the  
25 agency, the method by which the services will be evaluated, informa-  
26 tion on the number of students and school district personnel to be  
27 served, a schedule of funds available to the agency from all sources,  
28 and other information that may be required by the department by regu-  
29 lation;

1 (5) present an annual budget to the department.

2 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the  
3 agency shall be available to school districts that serve children  
4 whose special education needs occur infrequently, who require special-  
5 ized services not normally available in the school district, and who  
6 cannot be easily served by local school district personnel because of  
7 the low number of students in the district in need of the particular  
8 service. The agency may provide services to exceptional children, as  
9 that term is defined in AS 14.30.350.

10 Sec. 14.30.670. FUNDING. Each fiscal year the department shall  
11 allocate to the agency not less than \$100 for each special education  
12 student in the state in average daily membership or the equivalent of  
13 two percent of the funds appropriated for special education for that  
14 fiscal year, whichever is greater.

15 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,  
16 unless the context otherwise requires,

17 (1) "agency" means the special education service agency;

18 (2) "board" means the governing board of the special educa-  
19 tion service agency.

20 \* Sec. 3. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.047. PARTICIPATION BY SPECIAL EDUCATION AGENCY EM-  
22 PLOYEES. An employee of the Special Education Agency may participate  
23 in the retirement fund under this chapter if

24 (1) the employee possesses or is eligible to possess a  
25 teacher certificate under AS 14.20.020; and

26 (2) the employee pays all retroactive contributions re-  
27 quired to be made under this chapter.

28 \* Sec. 4. AS 14.25.220(20) is amended to read:

29 (20) "membership service" means

1 (A) full or part-time service as a teacher in a public  
2 school in the Territory or State of Alaska, or both, under the  
3 supervision and control of the Territorial Board of Education or  
4 the Department of Education or the school board of a city, re-  
5 gional educational attendance area, or borough school district;

6 (B) full-time or part-time teaching at the University  
7 of Alaska or a full-time administrative position at the Universi-  
8 ty of Alaska which requires academic standing and which has been  
9 approved for inclusion in the system by the administrator;

10 (C) any period during which the teacher receives a  
11 disability benefit under this system or is on an approved sabbat-  
12 ical leave granted in accordance with AS 14.20.310; [OR]

13 (D) continuous service as a state legislator when  
14 performed by a state legislator who elects membership under  
15 AS 14.25.040(b), subject to the requirements of AS 14.25.040(c);  
16 or

17 (E) full-time or part-time service as an employee of  
18 the Special Education Agency, subject to the requirements of  
19 AS 14.25.047;

20 \* Sec. 5. AS 44.66.010(a) is amended by adding a new paragraph to read:

21 (13) Special Education Service Agency (AS 14.30.600) --

22 June 30, 1990.

23 \* Sec. 6. Notwithstanding AS 14.30.620(a), enacted by sec. 2 of this  
24 Act, the initial members of the governing board of the special education  
25 service agency, four shall serve a term of four years, five shall serve a  
26 term of three years, and two shall serve a term of two years. The initial  
27 terms shall be assigned to initial board members by the State Board of  
28 Education by lot.

29 \* Sec. 7. AS 14.30.670 enacted in sec. 2 of this Act takes effect

1 July 1, 1986.

2 \* Sec. 8. Except for AS 14.30.670 enacted in sec. 2 of this Act, this  
3 Act takes effect immediately in accordance with AS 01.010.070(c).  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

30.347

§ 14.30.350

EDUCATION

§ 14.30.350

ldren.  
dation  
ildren  
lvance

Effect of amendments. — The 1984 for "part of special services" near the amendment substituted "related services" beginning of the section.

uiring  
es for

Sec. 14.30.350. Definitions. In AS 14.30.180 — 14.30.350,

d chil-

(1) "appropriate education" means personalized instruction with sufficient support services to permit a child to benefit educationally from the instruction;

ay by  
ats to  
sion of

(2) "consent" is only obtained if the parent or guardian has been fully informed of all information relevant to the object of the consent;

(3) "department" means the Department of Education;

sult of  
fficial  
civil  
nduct.

(4) "exceptional children" means children who differ markedly from their peers to the degree that special facilities, equipment, or methods are required to make their educational program effective; these children may be identified in the following categories:

h 147

(A) "deaf" children exhibit a hearing impairment that hinders the children's ability to process linguistic information through hearing, with or without amplification, and that adversely affects educational performance;

nding  
it may  
ilable  
7 SLA

(B) "deaf-blind" children exhibit concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot be accommodated in a special education program solely for deaf or blind children;

When  
excep-  
en the  
in the  
school  
nt for  
d for  
urse-  
imum  
child.  
7 SLA

(C) "gifted" children exhibit outstanding intellect, ability, or creative talent as determined in accordance with regulations of the department;

(D) "hard-of-hearing" children exhibit a hearing impairment, whether permanent or fluctuating, that adversely affects educational performance but that is not within the meaning of (A) of this paragraph;

(E) "learning disabled" children exhibit a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations; the term includes such conditions as perceptual handicaps, brain injury, minimal brain disfunction, dyslexia, and developmental aphasia; this category does not include children who have learning problems that are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage;

(F) "mentally retarded" children score two or more standard deviations below the national norm on an individual standardized test of intelligence and exhibit deficits in adaptive behavior manifested during the developmental period, that adversely affect the children's educational performance;

(G) "multihandicapped" children exhibit two or more of the conditions described in (A), (B), (D) — (F) and (H) — (L) of this paragraph, the combination of which causes such severe educational problems that they cannot be accommodated in a special education program for any one of the conditions;

(H) "orthopedically impaired" children exhibit a severe orthopedic impairment, including impairments caused by congenital anomaly, disease, or other causes, that adversely affects educational performance;

(I) "other health-impaired" children exhibit an autistic condition that is manifested by severe communication and other developmental and educational problems or exhibit limited strength, vitality, or alertness due to chronic or acute health problems such as heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, that adversely affects educational performance;

(J) "seriously emotionally disturbed" children exhibit one or more of the following characteristics over a long period of time and to a marked degree, that adversely affects educational performance: (i) an inability to learn that cannot be explained by intellectual, sensory, or health factors; (ii) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (iii) inappropriate types of behavior or feelings under normal circumstances; (iv) a general pervasive mood of unhappiness or depression; or (v) a tendency to develop physical symptoms or fears associated with personal or school problems; the term includes children who are schizophrenic but does not include children who are only socially maladjusted;

(K) "speech-impaired" children exhibit a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects educational performance;

(L) "visually handicapped" children exhibit a visual impairment that, even with correction, adversely affects educational performance;

(5) "related services" means transportation and developmental, corrective, and other supportive services required to assist a handicapped or gifted child to benefit from special education and includes but is not limited to speech pathology and audiology, psychological services, physical and occupational therapy, recreation, counseling services, and medical services for diagnostic or evaluation purposes; the term also includes school health services, school social work services, and parent counseling and training;

(6) "special education" means specially designed instruction, at no cost to the parent, to meet the unique needs of a handicapped child, including classroom instruction, instruction in physical education, home instruction, and instruction in hospitals and institutions; the term includes speech pathology, or any other related service, if the

of the condi-  
is paragraph,  
nal problems  
a program for

re orthopedic  
tal anomaly,  
ional perfor-

tic condition  
velopmental  
, vitality, or  
uch as heart  
a, sickle cell  
or diabetes,

one or more  
ne and to a  
nance: (i) an  
, sensory, or  
satisfactory  
inappropri-  
nces; (iv) a  
; or (v) a  
ciated with  
n who are  
aly socially

n disorder,  
irment, or a  
nance;  
mpairment  
rformance;  
elopmental,  
st a handi-  
nd includes  
ychological  
ounseling  
urposes;  
ocial work

tion, at no  
oped child,  
education,  
tions; the  
ice, if the

service consists of specially designed instruction, at no cost to the parents, to meet the unique needs of a handicapped child, and is considered special education rather than a related service under state standards; the term also includes vocational education if it consists of specially designed instruction, at no cost to the parents, to meet the unique needs of a handicapped child; in this paragraph

(A) "at no cost" means that all specially designed instruction is provided without charge but does not preclude incidental fees that are normally charged to nonhandicapped students or their parents as a part of the regular education program;

(B) "physical education" means the development of physical and motor fitness, fundamental motor skills and patterns, skills in aquatics, dance, and individual and group games, and sports (including intramural and lifetime sports); the term includes special physical education, adapted physical education, movement education, and motor development;

(C) "vocational education" means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree;

(7) "school district" means a borough school district, a city school district, or a regional educational attendance area. (§ 2 ch 120 SLA 1959; am §§ 5, 6 ch 81 SLA 1965; am §§ 13, 14 ch 144 SLA 1970; am § 2 ch 119 SLA 1981; am § 18 ch 147 SLA 1984)

Effect of amendments. — The 1984 amendment rewrote this section.

#### Article 4. Health Education.

##### Section 360. Curriculum

Sec. 14.30.360. Curriculum. (a) Each district in the state public school system shall be encouraged to initiate and conduct a program in health education for kindergarten through grade 12. The program should include instruction in physical health including alcohol and drug abuse education, cardiopulmonary resuscitation (CPR), early cancer prevention and detection, dental health, family health, environmental health, and appropriate use of health services.

(b) The state board shall establish by regulation guidelines for a health education program. A school health education specialist position shall be established and funded in the department to coordinate the program statewide. Adequate funds to enable curriculum and resource development, adequate consultation to school

**SB 319 ESTABLISHING A SPECIAL EDUCATION SERVICE AGENCY****ZHAROFF IS SPONSOR; YOU'RE A COSPONSOR.****YOU SUPPORTED IN H.E.S.S., FINANCE HAS DONE A C.S.****GENERALLY:**

1. ESTABLISHES SPECIAL EDUCATION SERVICE AGENCY TO PROVIDE SERVICES TO ALL SCHOOL DISTRICTS THAT REQUIRE SERVICES NOT NORMALLY AVAILABLE IN THE SCHOOL DISTRICT (EX: DEAF, BLIND, ETC.). WILL SUPPLANT A.R.M.S.I., WHICH NOW PROVIDES THIS SERVICE UNDER CONTRACT TO DEPT. EDUCATION. (\$1.3 MILLION THIS YEAR, SERVE 300 KIDS)

**INTENT: COST EFFECTIVENESS; INSURE CONTINUITY**

2. FUNDING OUTSIDE FOUNDATION ACCOUNT (BASED ON \$85/SPECIAL ED. STUDENT OR 2% OF FOUNDATION'S SPECIAL ED. MONEY)
3. TEACHERS ELIGIBLE FOR TEACHERS RETIREMENT (CONTRIBUTIONS WOULD COME OUT OF THE FUNDING GENERATED IN #2 ABOVE).
4. GOVERNOR'S COUNCIL ON THE HANDICAPPED & GIFTED SERVES AS THE GOVERNING BOARD.

**FINANCE C.S. MAKES COST-SAVING CHANGES:**

1. REDUCED THE PER-STUDENT FUNDING FROM \$100 TO \$85.
2. USES EXISTING GOVERNOR'S COUNCIL ON HANDICAPPED & GIFTED RATHER THAN CREATING A NEW 11-MEMBER BOARD.
3. CONTRIBUTIONS TO TEACHERS RETIREMENT SYSTEM COME OUT OF THE PER-STUDENT ALLOCATION (SO NO SEPARATE FISCAL NOTE).
4. SUNSET IN 2 YEARS RATHER THAN 4.

Offered: 4/14/86  
Referred: Rules

Original sponsors: Zharoff, Rodey  
and Fahrenkamp

1 IN THE SENATE CS FOR SENATE BIL BY THE FINANCE COMMITTEE  
2 CS FOR SENATE BILL NO. 319 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL

6 For an Act entitled: "An Act creating the special education service agen-  
7 cy; and providing for an effective date."

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

9 \* Section 1. PURPOSE. It is the purpose of this Act to

10 (1) assist districts and rural educational attendance areas to  
11 make more special education and related services available to exceptional  
12 children, as that term is defined in AS 14.30.350(4);

13 (2) encourage cooperation between districts and education agen-  
14 cies in making special educational programs and services available to these  
15 children;

16 (3) ensure that qualified specialists are available to assist  
17 districts in the provision of free appropriate public education services  
18 for those exceptional children that are difficult to serve, without regard  
19 to their location in the state.

20 \* Sec. 2. AS 14.30 is amended by adding new sections to read:

21 ARTICLE 8. SPECIAL EDUCATION SERVICE AGENCY.

22 Sec. 14.30.600. AGENCY ESTABLISHED. There is established, as a  
23 public organization, a special education service agency.

24 Sec. 14.30.610. GOVERNING BOARD. (a) The agency shall be gov-  
25 erned by the Governor's Council for the Handicapped and Gifted  
26 (AS 47.80.030).

27 Sec. 14.30.620. EMPLOYEES. Employees of the agency are not in  
28 the state service and are not subject to the State Personnel Act  
29 (AS 39.25). However, employees of the agency shall be members of

1 either the Teachers' Retirement System (AS 14.25) or the Public  
2 Employees' Retirement System (AS 39.35).

3 Sec. 14.30.630. POWERS AND DUTIES. (a) The agency may

4 (1) receive and expend public and private funds to carry  
5 out the purposes of the agency;

6 (2) contract with the department and other public or pri-  
7 vate agencies for the provision of special education or related ser-  
8 vices;

9 (3) do whatever is necessary to carry out the purposes of  
10 AS 14.30.600 - 14.30.660.

11 (b) The agency shall

12 (1) provide special education services including

13 (A) itinerant outreach services to deaf, deaf-blind,  
14 mentally retarded, hearing impaired, blind and visually impaired,  
15 orthopedically handicapped, other health-impaired, severely  
16 emotionally disturbed, and multi-handicapped students;

17 (B) special education instructional support and train-  
18 ing of local school district special education personnel; and

19 (C) other services appropriate to special education  
20 needs;

21 (2) provide for an annual audit of the agency;

22 (3) provide the department with a <sup>3</sup>two-year plan of opera-  
23 tion including a description of the services to be offered by the  
24 agency, the method by which the services will be evaluated, informa-  
25 tion on the number of students and school district personnel to be  
26 served, a schedule of funds available to the agency from all sources,  
27 and other information that may be required by the department by regu-  
28 lation;

29 (4) present an annual budget to the department.

1           Sec. 14.30.640. ELIGIBILITY FOR SERVICE. The services of the  
2 agency shall be available to school districts that serve children  
3 whose special education needs occur infrequently, who require special-  
4 ized services not normally available in the school district, and who  
5 cannot be easily served by local school district personnel because of  
6 the low number of students in the district in need of the particular  
7 service. The agency may provide services to exceptional children, as  
8 that term is defined in AS 14.30.350.

9           Sec. 14.30.650. FUNDING. Each fiscal year the department shall  
10 allocate to the agency not less than <sup>[3100]</sup> \$85 for each special education  
11 student in the state in average daily membership or the equivalent of  
12 two percent of the funds appropriated for special education for that  
13 fiscal year, whichever is greater. The amount allocated to the agency  
14 shall be reduced each fiscal year by the amount contributed by the  
15 department to the Teachers' Retirement System (AS 14.25) or the Public  
16 Employees' Retirement System (AS 39.35) on behalf of employees of the  
17 agency.

18           Sec. 14.30.660. DEFINITION. In AS 14.30.600 - 14.30.660, unless  
19 the context otherwise requires, "agency" means the special education  
20 service agency.

21 \* Sec. 3. AS 14.25 is amended by adding a new section to read:

22           Sec. 14.25.047. PARTICIPATION BY SPECIAL EDUCATION AGENCY EM-  
23 PLOYEES. An employee of the Special Education Agency may participate  
24 in the retirement fund under this chapter if

25           (1) the employee possesses or is eligible to possess a  
26 teacher certificate under AS 14.20.020; and

27           (2) the employee pays all retroactive contributions re-  
28 quired to be made under this chapter.

29 \* Sec. 4. AS 14.25.220(20) is amended to read:

1 (20) "membership service" means

2 (A) full or part-time service as a teacher in a public  
3 school in the Territory or State of Alaska, or both, under the  
4 supervision and control of the Territorial Board of Education or  
5 the Department of Education or the school board of a city, re-  
6 gional educational attendance area, or borough school district;

7 (B) full-time or part-time teaching at the University  
8 of Alaska or a full-time administrative position at the Universi-  
9 ty of Alaska which requires academic standing and which has been  
10 approved for inclusion in the system by the administrator;

11 (C) any period during which the teacher receives a  
12 disability benefit under this system or is on an approved sabbat-  
13 ical leave granted in accordance with AS 14.20.310; [OR]

14 (D) continuous service as a state legislator when  
15 performed by a state legislator who elects membership under  
16 AS 14.25.040(b), subject to the requirements of AS 14.25.040(c);  
17 or

18 (E) full-time or part-time service as an employee of  
19 the Special Education Agency, subject to the requirements of  
20 AS 14.25.047;

21 \* Sec. 5. AS 44.66.010(a) is amended by adding a new paragraph to read:

22 (13) Special Education Service Agency (AS 14.30.600) --  
23 June 30, 1986. [1990]

24 \* Sec. 6. AS 47.80.090 is amended by adding a new paragraph to read:

(12) govern the special education service agency, and may hire  
personnel necessary to operate the agency.

\* Sec. 7. AS 14.30.650 enacted in sec. 2 of this Act takes effect  
28 July 1, 1986. (funding mechanism)

29 \* Sec. 8. Except for AS 14.30.650 enacted in sec. 2 of this Act, this

DUTIES OF  
GOVERNOR'S  
COUNCIL ON  
HANDICAPPED  
& GIFTED

1 Act takes effect immediately in accordance with AS 01.010.070(c).

Offered: 3/7/86  
Referred: Finance

Original sponsors: Zharoff, Rodey  
and Fahrenkamp

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2

CS FOR SENATE BILL NO. 319 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act creating the special education service agency;

7

and providing for an effective date."

8

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

9

\* Section 1. PURPOSE. It is the purpose of this Act to

10

(1) assist districts and rural educational attendance areas to

11

make more special education and related services available to exceptional

12

children, as that term is defined in AS 14.30.350(4);

13

(2) encourage cooperation between districts and education agencies

14

in making special educational programs and services available to these

15

children;

16

(3) ensure that qualified specialists are available to assist

17

districts in the provision of free appropriate public education services

18

for those exceptional children that are difficult to serve, without regard

19

to their location in the state.

20

\* Sec. 2. AS 14.30 is amended by adding new sections to read:

21

ARTICLE 8. SPECIAL EDUCATION SERVICE AGENCY.

22

Sec. 14.30.600. AGENCY ESTABLISHED. There is established, as a

23

public organization, a special education service agency.

24

Sec. 14.30.610. GOVERNING BOARD. (a) The agency shall be gov-

25

erned by an 11 member board appointed by the state Board of Education.

26

The board consists of

27

(1) one member from the Governor's Council for the Handi-

28

capped and Gifted;

29

(2) one member from the Department of Education;

1 (3) five members who are special education teachers or  
2 directors, school administrators, or higher education or teacher  
3 training representatives;

4 (4) two members who are parents of children requiring  
5 special education outreach services;

6 (5) one member from the Department of Health and Social  
7 Services;

8 (6) one public member.

9 (b) The seven members appointed under (a)(3) - (4) of this  
10 section shall be chosen with due regard to geographically balanced  
11 representation of areas of the state and to representation of persons  
12 with a variety of different special education needs.

13 Sec. 14.30.620. TERMS, VACANCIES, AND COMPENSATION. (a) The  
14 term of office of a board member is three years.

15 (b) A vacancy occurring during a term of office shall be filled  
16 in the same manner as the original appointment. A member appointed to  
17 fill a vacancy serves for the unexpired term of the member the new  
18 appointee succeeded.

19 (c) Board members receive no salary but are entitled to per diem  
20 and travel expenses authorized by law for other boards and commis-  
21 sions.

22 Sec. 14.30.630. BYLAWS. The board, in consultation with the  
23 department and on the approval of a majority of the members of the  
24 board, shall adopt and amend bylaws for the operation of the agency  
25 and the board.

26 Sec. 14.30.640. EMPLOYEES. Employees of the agency are not in  
27 the state service and are not subject to the State Personnel Act  
28 (AS 39.25). However, employees of the agency shall be members of  
29 either the Teachers' Retirement System (AS 14.25) or the Public

1 Employees' Retirement System (AS 39.35).

2 Sec. 14.30.650. POWERS AND DUTIES. (a) The board may

3 (1) receive and expend public and private funds to carry  
4 out the purposes of the agency;

5 (2) contract with the department and other public or pri-  
6 vate agencies for the provision of special education or related ser-  
7 vices;

8 (3) do whatever is necessary to carry out the purposes of  
9 AS 14.30.600 - 14.30.680.

10 (b) The board shall

11 (1) provide special education services including

12 (A) itinerant outreach services to deaf, deaf-blind,  
13 mentally retarded, hearing impaired, blind and visually impaired,  
14 orthopedically handicapped, other health-impaired, severely  
15 emotionally disturbed, and multi-handicapped students;

16 (B) special education instructional support and train-  
17 ing of local school district special education personnel; and

18 (C) other services the board determines to be appro-  
19 priate to special education needs;

20 (2) hire an executive director and approve the employment  
21 of personnel necessary to operate the agency;

22 (3) provide for an annual audit of the agency;

23 (4) provide the department with a three-year plan of opera-  
24 tion including a description of the services to be offered by the  
25 agency, the method by which the services will be evaluated, informa-  
26 tion on the number of students and school district personnel to be  
27 served, a schedule of funds available to the agency from all sources,  
28 and other information that may be required by the department by regu-  
29 lation;

1 (5) present an annual budget to the department.

2 Sec. 14.30.660. ELIGIBILITY FOR SERVICE. The services of the  
3 agency shall be available to school districts that serve children  
4 whose special education needs occur infrequently, who require special-  
5 ized services not normally available in the school district, and who  
6 cannot be easily served by local school district personnel because of  
7 the low number of students in the district in need of the particular  
8 service. The agency may provide services to exceptional children, as  
9 that term is defined in AS 14.30.350.

10 Sec. 14.30.670. FUNDING. Each fiscal year the department shall  
11 allocate to the agency not less than \$100<sup>85</sup> for each special education  
12 student in the state in average daily membership or the equivalent of  
13 two percent of the funds appropriated for special education for that  
14 fiscal year, whichever is greater. Deduct TRS

15 Sec. 14.30.680. DEFINITIONS. In AS 14.30.600 - 14.30.680,  
16 unless the context otherwise requires,

17 (1) "agency" means the special education service agency;

18 (2) "board" means the governing board of the special educa-  
19 tion service agency.

20 \* Sec. 3. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.047. PARTICIPATION BY SPECIAL EDUCATION AGENCY EM-  
22 PLOYEES. An employee of the Special Education Agency may participate  
23 in the retirement fund under this chapter if

24 (1) the employee possesses or is eligible to possess a  
25 teacher certificate under AS 14.20.020; and

26 (2) the employee pays all retroactive contributions re-  
27 quired to be made under this chapter.

28 \* Sec. 4. AS 14.25.220(20) is amended to read:

29 (20) "membership service" means

1 (A) full or part-time service as a teacher in a public  
2 school in the Territory or State of Alaska, or both, under the  
3 supervision and control of the Territorial Board of Education or  
4 the Department of Education or the school board of a city, re-  
5 gional educational attendance area, or borough school district;

6 (B) full-time or part-time teaching at the University  
7 of Alaska or a full-time administrative position at the Universi-  
8 ty of Alaska which requires academic standing and which has been  
9 approved for inclusion in the system by the administrator;

10 (C) any period during which the teacher receives a  
11 disability benefit under this system or is on an approved sabbat-  
12 ical leave granted in accordance with AS 14.20.310; [OR]

13 (D) continuous service as a state legislator when  
14 performed by a state legislator who elects membership under  
15 AS 14.25.040(b), subject to the requirements of AS 14.25.040(c);  
16 or

17 (E) full-time or part-time service as an employee of  
18 the Special Education Agency, subject to the requirements of  
19 AS 14.25.047;

20 \* Sec. 5. AS 44.66.010(a) is amended by adding a new paragraph to read:  
21 (13) Special Education Service Agency (AS 14.30.600) --  
22 June 30, 1990.

23 \* Sec. 6. Notwithstanding AS 14.30.620(a), enacted by sec. 2 of this  
24 Act, the initial members of the governing board of the special education  
25 service agency, four shall serve a term of four years, five shall serve a  
26 term of three years, and two shall serve a term of two years. The initial  
27 terms shall be assigned to initial board members by the State Board of  
28 Education by lot.

29 \* Sec. 7. AS 14.30.670 enacted in sec. 2 of this Act takes effect

1 July 1, 1986.

2 \* Sec. 8. Except for AS 14.30.670 enacted in sec. 2 of this Act, this

3 Act takes effect immediately in accordance with AS 01.010.070(c).

# Alaska State Legislature

BETTYE FAHPENKAMP, Chairman  
ARLISS STURGULEWSKI, Vice Chairman  
JOE JOSEPHSON  
PAUL FISCHER  
EDNA ARMSTRONG-DE VRIES



P O BOX V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

### SECTIONAL ANALYSIS

#### CSSB 319 (HESS)

Section 1 Purpose section: To ensure that special education services are available to exceptional children.

Section 2 AS 14.30.600 establishes the special education service agency as a public organization.

~~AS 14.30.610 provides for the agency to be governed by an 11-member board appointed by the Commissioner of Education.~~

AS 14.30.640 allows employees of the agency to be eligible for the Teachers Retirement System.

AS 14.30.640 specifies that the following services would be provided: itinerant services to deaf, blind, multi-handicapped, mentally retarded, and other students; and instructional support and training of school district personnel. Provides for hiring of an executive director.

AS 14.30.660 provides that services would be available to all school districts whose students require special services not normally available in the school district.

~~AS 14.30.670 establishes a funding mechanism based on an allotment (\$100) for every special education student in the state or 2% of the funds appropriated for special education for the fiscal year, whichever is greater.~~

Sections 3 and 4 make corresponding changes to the Teachers Retirement Act.

Section 5 establishes the terms of the board members.

#### CHANGES IN SENATE FINANCE:

~~AGENCY WILL BE GOVERNED BY THE GOVERNOR'S COUNCIL ON THE HANDICAPPED AND GIFTED.~~

~~FUNDING WILL BE \$85/STUDENT. CONTRIBUTIONS TO THE TEACHERS' RETIREMENT SYSTEM WILL BE DEDUCTED FROM THIS AMOUNT.~~

# Alaska State Legislature

BETTYE FAHRENKAMP, Chairman  
ARLISS SURGULEWSKI, Vice Chairman  
JOE JOSEPHSON  
PAUL FISCHER  
EDNA ARMSTRONG-DE VRIES



P O BOX 4  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

### M E M O R A N D U M

TO: Members, Senate Committee on Health, Education and Social Services

FROM: Committee Staff

RE: Committee Meeting, February 27, 1986

DATE: February 25, 1986

---

On Thursday, February 27, from 1:30-3:30 pm in the Beltz Room the Senate Committee on Health, Education and Social Services will hear the following bills:

SB 319, creating the special education service agency, would establish a special agency to provide outreach services to low-incidence, hard-to-serve handicapped children in all Alaskan school districts. The public agency would be managed by an 11-member board appointed by the Commissioner of Education. Funding for the program would be outside of the foundation account, based on the total number of special education students served or a percentage of the foundation funds appropriated for special education. Teachers would be eligible for the Teacher's Retirement System. SB 319 is intended to insure continuity and availability of special education services.

Special education outreach services have been offered the past four years under contract to Alaska Resources for the Moderately and Severely Impaired (ARMSI). Approximately 275 students are currently being served by 21 specialists at an annual cost of \$1.3 million. The contract expires June 30, 1986.

A draft committee substitute has been prepared at the sponsor's request. (Attached)



*Sandra*  
BILL SHEFFIELD, GOVERNOR  
State of Alaska

**GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED**

600 University Avenue, Suite C • Fairbanks, Alaska 99701 • Phone (907) 479-6507

**POSITION PAPER ON CSSB 319, HB 543**

An act creating a special education outreach services agency

February 17, 1986

The Alaska Governor's Council for the Handicapped and Gifted supports CSSB 319 and HB 543.

The main objective of the legislation is to insure long-term continuity and availability of special education outreach services to low-incidence, hard-to-serve handicapped children in all Alaskan school districts.

The proposed legislation achieves this important goal by creating a public agency to manage the services in cooperation with the Department of Education, and by providing a basic level of funding for the outreach services in relation to the total number of special education students enrolled in school and the total amount of funding for special education in Alaska.

Every child in the United States has the right to a free public education. Sometimes handicapped children have been denied that right because of the severity of the handicap, lack of funding, lack of availability of trained teachers, remoteness or rural location, and discriminatory attitudes. This legislation will help Alaska to keep the promise of a free, appropriate education for every handicapped child no matter where he or she lives and no matter what kind of handicapping condition he or she experiences.

By adopting this measure, at least 300 low-incidence handicapped children per year will receive the services they need for their future personal and academic success. Deaf, blind, orthopedically handicapped, seriously health impaired, deaf-blind, multiply-handicapped, severely mentally retarded, and emotionally disturbed school-age children will be served in all school districts.

Services will be available to assist local administrators, teachers, students and parents in each school district. In many cases, these services will eliminate the need for costly out-of-district or out-of-state placements away from home and family.

Without stable funding and continuity of services, students will not receive the services they require, a number of due process hearings and legal actions are likely to be filed, thirty or forty students will have to leave home and be placed in special schools in Anchorage or outside the state at a cost of \$25,000 to \$95,000 per year per student. And, long-term, we will see people with disabilities becoming adults with life-long dependency on all forms of public programs because they did not have the benefit of specialized education and training to prepare them for social or economic independence.

The Council appreciates legislators' interest in special education for exceptional children, and urges passage of CSSB 319 and HB 543.

GROUPS SUPPORTING CSSB 319 and HB 543

Alaska Association of Administrators for Special Education

Alaska Resources for the Moderately and Severely Impaired, Advisory Board

NEA Alaska

Alaska Council for Exceptional Children

Protection and Advocacy for the Developmentally Disabled