

**HOUSE BILL NO. 202**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SEATON BY REQUEST

Introduced: 4/16/15

Referred: Education, Labor and Commerce

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the duties of the Alaska Commission on Postsecondary Education;**  
2 **relating to a statewide workforce and education-related statistics program; relating to**  
3 **information obtained by the Department of Labor and Workforce Development; and**  
4 **providing for an effective date."**

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

6 \* **Section 1.** AS 14.42.030(e) is amended to read:

7 (e) The commission may

8 (1) adopt regulations under AS 44.62 (Administrative Procedure Act)

9 to

10 (A) carry out the purposes of

11 (i) AS 14.43.091 - 14.43.849, 14.43.990, AS 14.44, and  
12 AS 14.48; [AND]

13 (ii) AS 14.43.910 and 14.43.920 as they relate to the  
14 purposes of AS 14.43.091 - 14.43.849, 14.43.990, AS 14.44, and

1 AS 14.48; **and**

2 **(iii) AS 14.42.035 and (7) and (8) of this subsection;**

3 (B) ensure compliance with the requirements imposed by state  
4 and federal statutes and regulations governing the guaranty, insurance,  
5 purchase, or other dealings in eligible loans by federal agencies,  
6 instrumentalities, or corporations; and

7 (C) establish standards for the

8 (i) administration of hearings conducted under  
9 AS 14.43.153; and

10 (ii) administrative enforcement of collection orders  
11 under AS 14.43.151 - 14.43.155;

12 (2) delegate to the executive director of the commission or a  
13 subcommittee of the commission any duty imposed on or power granted to the  
14 commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to  
15 adopt regulations and its duty to consider appeals under AS 14.43.100(b) and  
16 AS 14.48.120;

17 (3) establish task forces, committees, or subcommittees, not  
18 necessarily consisting of commission members, to advise and assist the commission in  
19 carrying out its functions;

20 (4) contract with or use existing institutions of postsecondary  
21 education or other individuals or organizations to make studies, conduct surveys,  
22 submit recommendations, or otherwise contribute to the work of the commission;

23 (5) establish fees for the review of an out-of-state institution that

24 (A) requests approval for participation in the programs under  
25 AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

26 (B) is not accredited by a national or regional accreditation  
27 association recognized by the Council for Higher Education Accreditation;

28 (6) collect all fees and costs incurred in collection of the amount owed  
29 on a loan or repayment obligation if the loan or repayment obligation becomes  
30 delinquent or in default; in this paragraph, fees and costs include attorney fees, court  
31 costs, and collection fees charged by a collection agency; [AND]

1 (7) if approved by the department, receive and analyze performance  
 2 data for students in grades kindergarten through 12 and enter into contracts for the  
 3 purpose of assessing education outcomes; and

4 (8) administer a statewide workforce and education-related  
 5 statistics program under AS 14.42.035.

6 \* **Sec. 2.** AS 14.42.035 is amended by adding new subsections to read:

7 (b) The commission may maintain a database containing information received  
 8 under this section, AS 14.42.030(e)(7) and (8), and AS 23.20.110, for the purpose of  
 9 compiling statewide workforce and education-related statistics and analyzing  
 10 education and training outcomes. The commission may enter into cooperative  
 11 agreements with state agencies, the University of Alaska, and other organizations to  
 12 share data and information related to education and employment. The commission  
 13 may not provide unit records to the federal government under this subsection.

14 (c) The commission shall, for the purposes of this section and  
 15 AS 14.42.030(e)(7) and (8), remove personally identifiable information, including first  
 16 name, last name, and middle name, social security number, student identification  
 17 number, residential address, and mailing address, before placing the information in the  
 18 database under (b) of this section. The commission is not required to remove the  
 19 month or year of birth from a record under this subsection.

20 (d) In this section, "unit record" means information pertaining to an  
 21 individual.

22 \* **Sec. 3.** AS 23.20.110 is amended by adding a new subsection to read:

23 (s) The department may provide information obtained under this chapter to  
 24 another state agency if

25 (1) the disclosure is authorized under 20 C.F.R. 603, as amended;

26 (2) the disclosure is for the statewide workforce and education-related  
 27 statistics program described under AS 14.42.035;

28 (3) the department has entered into a written agreement with the  
 29 agency receiving the information in which the agency agrees not to disclose the  
 30 information unless

31 (A) the subsequent disclosure is for the statewide workforce

1 and education-related statistics program described under AS 14.42.035; and

2 (B) the agency is authorized to make the subsequent disclosure  
3 under a written agreement between the agency and the Alaska Commission on  
4 Postsecondary Education.

5 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
6 read:

7 **APPLICABILITY.** AS 23.20.110(s), enacted by sec. 3 of this Act, applies to  
8 information obtained by the Department of Labor and Workforce Development under  
9 AS 23.20 before, on, or after the effective date of this Act.

10 \* **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).