

Haines Borough Assembly & Haines Borough School Board



Joint Session
March 4, 2014 – 6:30pm
Haines High School
AGENDA



A. Call to Order/Pledge to the Flag

B. Assembly Roll Call – Michelle Webb, Interim Borough Clerk

C. School Board Roll Call – Ashley Sage, District Secretary

D. Approval of Agenda

E. Public Comments

F. Business

a. School District Major Maintenance Projects Status and Action Plan

Motion #1: Adopt a resolution to request the legislature to fund the Department of Education and Early Development (DEED) Capital Improvement Projects (CIP) funding through the Department of Education.

Motion #2: Authorize staff to proceed with the application process to place bond measures on the 2014 ballot.

b. Six-year Capital Improvement Plan, per Borough Charter 7.04(A)

c. Mosquito Lake School Update

d. FY15 Budget – Reserve & Expenditure Forecasts

e. Chilkat Valley Preschool

Motion: Approve in concept locating the preschool modular building on the school campus, and assign resolution of technical and building details to borough and school district administration.

f. School-Library Path Discussion

G. Board/Assembly Comments

H. Adjournment

Haines Borough

Stephanie Scott, Mayor

Assembly:

Jerry Lapp, Deputy Mayor

Dave Berry Jr.

Diana Lapham

Debra Schnabel

Joanne Waterman

George Campbell

Julie Cozzi, Interim Borough Manager

School District

School Board:

Anne Marie Palmieri, President

Sarah Swinton, Vice President

Sara Chapell

Brian Clay

Scott Doddridge

Lisa Schwartz

Brenda Jones

Michael Byer, Superintendent

**Joint Resolution
of the
Haines Borough Assembly and the Haines School Board
Haines, Alaska**

DRAFT

**A JOINT RESOLUTION OF THE HAINES BOROUGH ASSEMBLY AND
THE HAINES SCHOOL BOARD REQUESTING THE ALASKA STATE
LEGISLATURE TO FUND THE DEPARTMENT OF EDUCATION AND
EARLY DEVELOPMENT MAJOR MAINTENANCE PROGRAM.**

WHEREAS, the mission of the Alaska Department of Education and Early Development (DEED) is "to ensure quality standards-based instruction to improve academic achievement for all students" (Alaska Constitution Article 7, Sec. 1; AS 14.17); and

WHEREAS, the core services of DEED include the development of active partnerships with government entities in pursuit of state educational goals; and

WHEREAS, the DEED Major Maintenance Program is an active partnership between a district, a municipality, and the State of Alaska in service of maintenance of school facilities; and

WHEREAS, a conscientiously maintained school facility is a necessary element in students' academic achievement; and

WHEREAS, school districts compete in good faith for major maintenance grants; and

WHEREAS, the Haines Borough Assembly and Haines School Board support increased funding for the DEED Major Maintenance Program,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Haines Borough Assembly and the Haines School Board jointly request the legislature to include increased funding for the DEED Major Maintenance Program in the FY15 state budget.

Adopted by a duly constituted quorum of the Haines Borough Assembly and the Haines School Board this ___ day of ____, 2014.

Stephanie Scott, Borough Mayor

Anne Marie Palmieri, School Board President

Attest:

Michelle L. Webb, Interim Borough Clerk

Estimated annual debt service requirements in dollars and mills if school projects are funding using DEED bond debt reimbursement program

In 2005 the Haines Borough bonded to construct the new K-12 facility which incorporated the existing high school building. The Borough qualified with the State of AK DEED for 70% debt reimbursement. The Borough uses roughly 1.33 mills of property tax levy each year to generate the needed local 30% payment on the debt. That debt will be paid off in 2025. If the Borough were to bond to finance current school capital needs the the impact would be as follows depending on which projects took place:

	Estimated Project Cost	Estimated Annual Debt Pmt*	DEED 60% Debt Reimbursement		DEED 70% Debt Reimbursement	
			Annual Amt Needed with 60% reimbursement	Mills** needed at 2013 Values	Annual Amt Needed with 70% reimbursement	Mills needed at 2013 Values
High School and Vocation Ed. Buildings						
1 High School Air Handling Unit	\$ 350,000	\$ 25,896	\$ 10,358	0.04	\$ 7,769	0.03
2 Vocational Ed. Mechanical Upgrades	1,667,000	123,339	49,336	0.17	37,002	0.13
3 High School Locker Room	850,500	62,927	25,171	0.09	18,878	0.06
4 High School Roof Repairs	145,500	10,765	4,306	0.01	3,230	0.01
	<u>3,013,000</u>	<u>222,927</u>	<u>89,171</u>	<u>0.31</u>	<u>66,878</u>	<u>0.23</u>
5 Mosquito Lake Mechanical Systems Upgrades	475,000	35,145	14,058	0.05	10,544	0.04
6 Pool Locker Room and Entry	1,655,200	122,466	48,986	0.17	36,740	0.13
	<u>\$ 5,143,200</u>	<u>\$ 380,538</u>	<u>\$ 152,215.20</u>	<u>0.52</u>	<u>\$ 114,161.40</u>	<u>0.39</u>
7 HS Roof Replacement (either 4 or 7 not both)	1,941,600	143,656	57,462	0.20	43,097	0.15

* Assumes a 20-year repayment scheudle at 4.2% interest rate

**0.52 mills represents \$52 per year in taxes on a \$100,000 home.

Memo



Date: July 3, 2013
To: Mayor, Assembly
From: Mark Earnest, Borough Manager
Jila Stuart, Finance Director
RE: Proposed 2013 G.O. Bond Issue

The Haines Borough School District's older facilities which were not replaced in 2006 when the new K-8 building was constructed are in need of rehabilitation and repairs. The Borough Manager along with the Public Facilities Director and School District officials have worked with the firm Jensen Yorba Lott to develop a scope of work and associated cost estimates. The proposed work includes:

Haines High School Vocational Education Building Mechanical Upgrades	\$1,667,000
Mosquito Lake Air Handling Unit	\$346,500
High School Air Handling Units	\$362,300
High School Roof Repairs	\$145,500
High School Locker rooms	\$850,500
Pool Locker rooms	\$1,655,200
Cost of Issuance (<i>CFO estimate</i>)	\$23,000

Total	\$5,050,000

The Borough is applying to the Alaska Department of Education & Early Development to qualify for the School Debt Reimbursement Program which would pay for 60 or 70% of the debt payments, depending on qualifications. Assuming a 20-year repayment period and a 3.90% interest rate annual debt payments would be \$364,039. If the proposed project qualifies at the 70% level the Borough's annual share of debt repayment would be \$109,212. This translates to 0.38 mills with 2013 assessed taxable values. If the project qualifies at the 60% level the Borough's annual share would be \$145,615. This is 0.50 mills with the 2013 assessed taxable values.

HBSD MAJOR MAINTENANCE PRIORITIES

1. High School Air Handling Unit Replacement

- Existing Fan Units serving Existing School areas: These units may need to be replaced in the next 10-15 years. This replacement should be included in future funding requests. These units are wearing out, are excessively noisy, and interfere with the ability of a teacher to be heard by students.
 - FY15 CIP Ranking: 35
 - Project Cost (Winning Bid): \$319,235
 - 65% Reimbursement:..... \$207,501
 - Local Share: \$111,732

2. Vocational Education Building Mechanical Upgrades

- Plumbing and heating work for the Voc-Ed building shown on school construction drawings M206, M409, M506, and M605. The work shown on these Contract Drawings was removed in the VE process and was not added back into the project during the Woodshop Change order.
 - FY15 CIP Ranking: 16
 - Estimated Project Cost (FY15 CIP Application): \$1,697,626
 - 65% Reimbursement:..... \$1,103,457
 - Local Share: \$594,169

3. School Roof Survey and Maintenance Recommendations

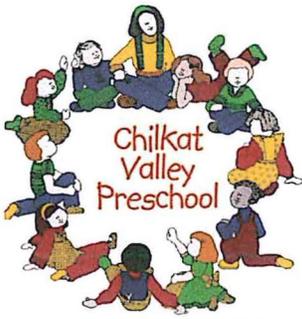
- The Haines School roof needs a survey to determine immediate maintenance work necessary as well as a long-term plan.
 - Estimated Project Cost (JYL Report, 8/13): \$43,500
 - 65% Reimbursement:..... \$28,275
 - Local Share: \$15,225

4. HS/Pool Locker Rooms and Mechanical Systems

- Replacement of the high school locker rooms. All mechanical systems for the high school locker rooms (including heating systems, ventilation, and plumbing) will most likely fail in the near future and should be included in future funding requests. Additionally, plumbing systems for the pool locker rooms above are reaching the end of their maintainable life and should be replaced. There are some leaks occurring from pool locker room waste piping and possibly from pool locker room domestic water piping.
 - FY15 CIP Ranking: 57
 - Estimated Project Cost (FY15 CIP Application): \$1,936,658
 - 65% Reimbursement:..... \$1,258,828
 - Local Share: \$677,830

5. Mosquito Lake Air Handler Replacement

- This unit is old and noisy and didn't get replaced when the boiler was renovated and it should have been.
 - FY15 CIP Ranking: 47
 - Estimated Project Cost (FY15 CIP Application): \$149,245
 - 65% Reimbursement:..... \$97,009
 - Local Share: \$52,236



A program dedicated to the fullest development of the whole child.

Chilkat Valley Preschool

PO Box 1165 Haines AK 99827

(907) 766-3213

cvpreschool@aptalaska.net

www.chilkayvalleypreschool.org

March 2, 2014

20013-2014 BOARD OF DIRECTORS

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Meghan Elliott
Assistant Teacher

Renee Hoffman
Office Manager

Dear Haines Borough Assembly and School Board Members,

We strongly believe that early childhood education is a valuable asset to our community, and we appreciate the borough's continued support of this community service. We would like to clarify that Chilkat Valley Preschool is a State Certified pre-elementary school program open to the public, not a private school or daycare.

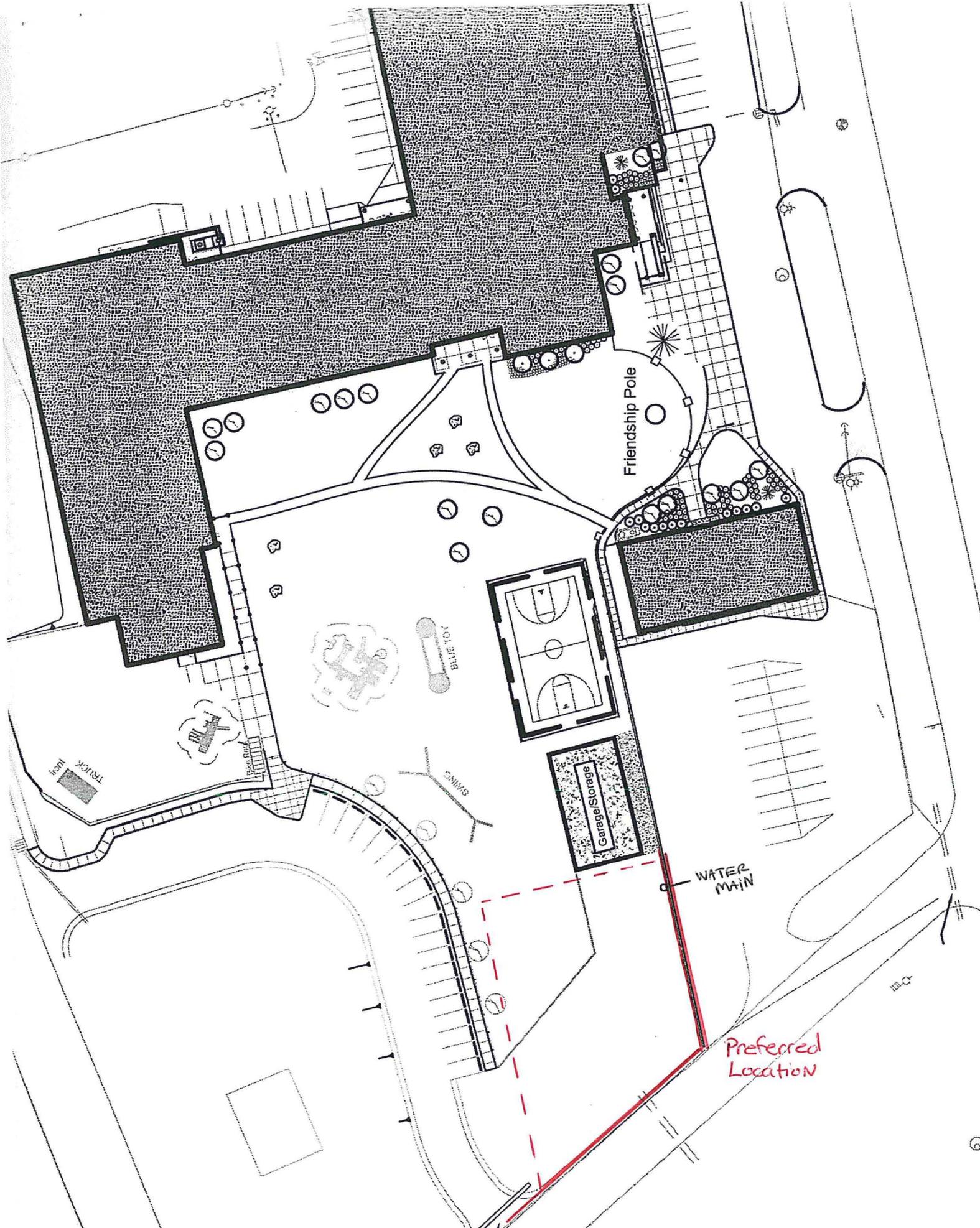
Our current plan to continue this service for the community is to move the Preschool into a modular classroom. After extensive research of available facility options in town we believe the best location for this program is within the main education center of our community, on the Haines Borough School grounds. (see attached map). A few of the benefits to locating the preschool at this location include transition alignment for children from Preschool into Kindergarten and the close proximity for services supporting children with special needs. Preschool programs being located at or in public schools have proven beneficial to school districts in other Alaskan communities including Skagway, Gustavus, Juneau, and many others across the nation.

In an informative discussion with the school board in February, a few locations for the modular unit were discussed. We have chosen the location (portrayed in the map provided) due to its access to parking and playground. These shared spaces present no time conflicts with current program schedules. This site also has level terrain for ease of developing foundation and is close to utilities, while being far enough removed from the main school building to avoid any conflict of space. Other benefits of a modular classroom are that we will be able to tailor the building design to fit the site and aesthetically compliment the Haines School building. Most importantly this project would not create any additional costs for the School District or Borough as the Preschool would assume all facility expenses and maintenance.

Securing a definitive location is imperative for us to meet our project timeline, and to effectively secure the funding needed for this project.

Respectfully,

Chilkat Valley Preschool Board



1010

Friendship Pole

Garage/Storage

WATER MAIN

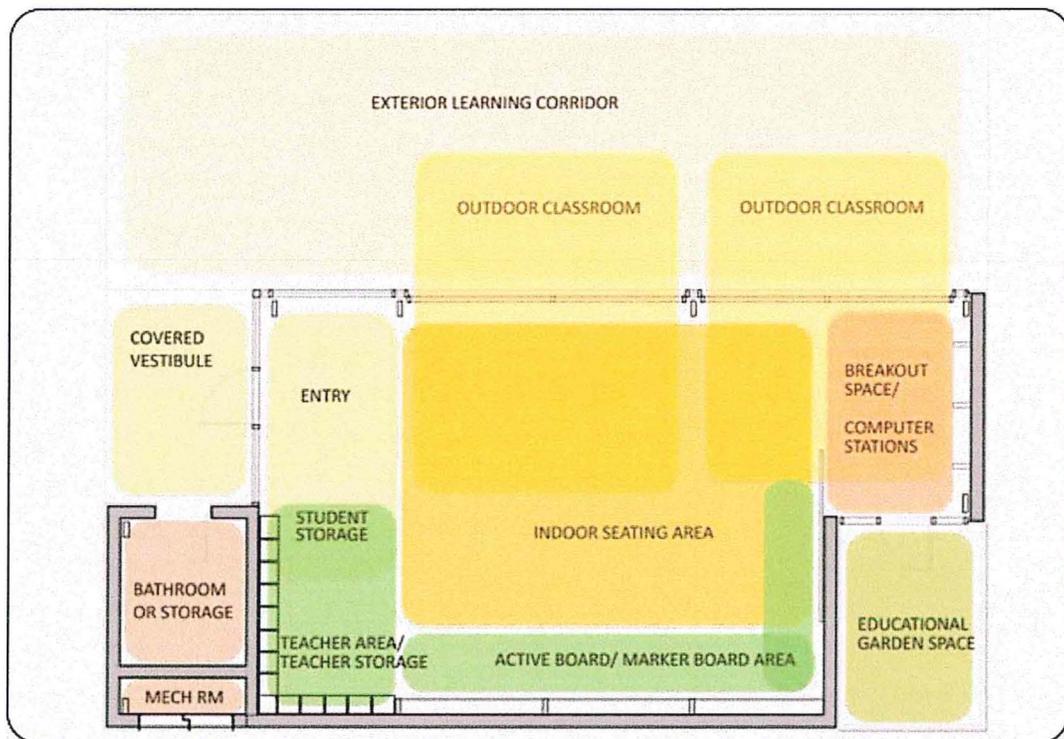
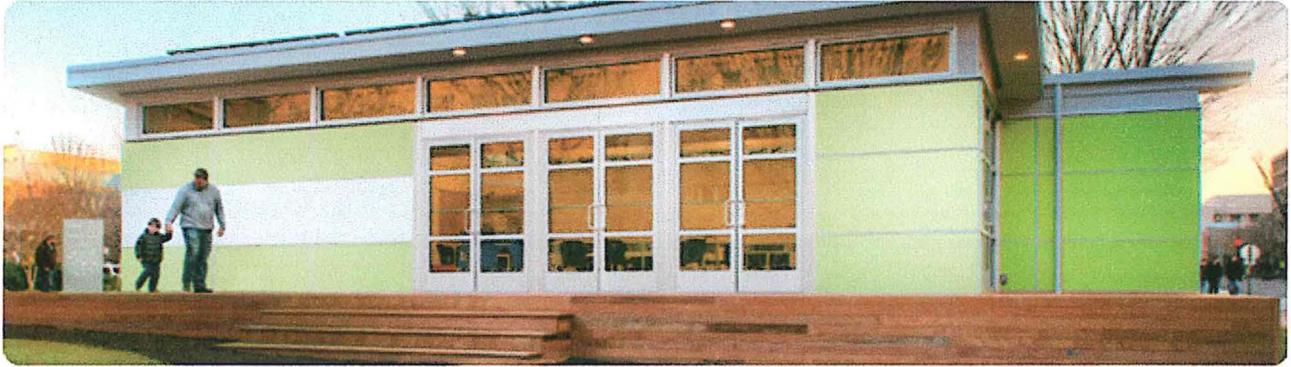
Preferred Location

TRUCK

BLUE TOY

SWIMMING

Sample Building



Specific Building Requirements

- Minimum 840 sq. ft. of useable indoor space, exclusive of hallways, bathrooms, storage, office and kitchen space.
- Access to 1800 sq ft of outdoor recreation space.
- Total building square footage 1500'

Chilkat Valley Preschool

Facility Action Plan

P.O. Box 1165 Haines AK 99827 USA

<http://chilkatvalleypreschool.org>

907-766-3213

- 1) Evaluate potential building within the Haines Town site that could serve as a home to the Chilkat Valley Preschool
 - a. Survey vacant buildings
 - b. Prioritize based on location, condition, cost....
 - i. Senior Center
 - ii. Elks Lodge

- 2) Identify vacant land within the Haines Town site that could a building could be constructed on to house the Chilkat Valley Preschool.
 - a. Prioritize based on location and development costs
 - i. Current priority Haines Borough School property, Haines Borough Property, Private land donation, purchase land.
 - ii. Cost comparison modular vs. new construction
 - iii. Land development costs

- 3) Preliminary drawings of necessary building requirements.
 - a. Simple sketch outlining square footage, number of rooms, bathrooms, kitchen, safety requirements, etc.
 - b. Develop specific drawings based on funding source requirements
 - c. Construction/ Installation timeline

- 4) Develop a funding strategy to provide a long term home for the Chilkat Valley Preschool
 - a. Develop a necessary budget based off of items 1 through 3.
 - b. Engage Thunderbird Consulting
 - c. Approach businesses for in kind donations, materials and services
 - d. Preliminary call to Rasmussen for Tier 2 funding.
 - e. ACF Strengthening Organizations grant available quarterly up to \$10,000 but typically \$3,000 to \$5,000
 - f. Other grants to consider Haines Borough, Chalet Martin, HUD, more to come.

- 5) Develop a long term funding strategy for maintaining the Chilkat Valley Preschool program.

BOYD, CHANDLER & FALCONER, LLP

Attorneys At Law

Suite 302

911 West Eighth Avenue

Anchorage, Alaska 99501

Telephone: (907) 272-8401

Facsimile: (907) 274-3698

bcf@bcf.us.com

MEMORANDUM

TO: STEPHANIE SCOTT
MAYOR, HAINES BOROUGH

FROM: 
BROOKS CHANDLER
BOROUGH ATTORNEY

DATE: FEBRUARY 26, 2013

RE: BOROUGH APPROPRIATION TO CHILKAT VALLEY PRESCHOOL

You asked whether a \$20,000 appropriation to the Chilkat Valley Preschool (CVP) is contrary to the Alaska Constitution's ban on spending public funds for any "private educational institution". Based on our review of some of the corporate paperwork of CVP and our understanding of the nature of services it delivers, as well as review of the Alaska Supreme Court case on this topic, in our opinion the answer is NO. The reasons for this conclusion are set forth in greater detail below.

FACTS

The CVP was incorporated in 1973 as an Alaskan nonprofit corporation. CVP has consistently identified itself to the Department of Corporations as being in the business of "Child Care" using a standard business category (NAICS number 6100) which is no longer in current use but is under the general category of "educational services". CVP's state business license identifies CVP's "line of business" as "educational services" and uses a standard business category (NAICS number 611710) for "educational support services". CVP is licensed as a day care provider under state law with a maximum capacity of 24 children. For purposes of this

Hon.. Stephanie Scott

February 26, 2013

Page 2

opinion we have assumed CVP is not certified as a pre-elementary school under state law¹. The CVP website describes CVP as an “early childhood educational facility” which emphasizes students’ “immersion in play oriented, multi-sensory learning opportunities”. We have assumed there is an early childhood learning component to the services provided by CVP. CVP does charge for services. Annual tuition ranges from \$1377 for a two day per week program to \$2025 for a four day a week program. Scholarship/discounts are available based on need. Assistance through state funded child care programs is also available. The CVP uses a Borough-owned building rent free under the terms of a properly authorized written lease.

There is also a publically funded Head Start program in the Borough. This program is administered by RuralCap a state-wide non-profit corporation. Funding is provided by the federal government, the state government and private contributions. This is a certificated pre-elementary school under state law with mandatory educational components. There are income eligibility requirements. Up to 10% of the students are not required to meet income eligibility criteria. The program is certificated to serve 20 students depending on the age mix. There is currently a waiting list. The Borough School District does provide staff support for students with special needs including supplies. The program must be provided free of charge.

LAW

Alaska Constitution.

Article VII, Section 1 of the Alaska Constitution states: “No money shall be paid from public funds for the direct benefit of any religious or other private educational institution”. The minutes of the Constitutional Convention indicate the purpose of this article is to support and protect a strong system of public schools². But the delegates to the convention rejected proposed alternative language that would prohibit “direct or indirect benefits”³. Alaska is the only state in the country with this particular compromise embedded in the language of a state constitution.

¹ Certification is optional under state law and largely duplicates the requirements for licensing as a child care facility. AS 14.07.020(a)(10); 4 AAC 60.035.

² Delegate Armstrong, speaking for the committee which drafted art. VII, stated that it had sought to “provide and protect for the future of our public schools.” 2 Proceedings of the Alaska Constitutional Convention at 1514. Delegate Coghill expressed the thought that the amount of tax dollars available for the support of public schools might be lessened if public funds were used to support a great many private schools. Id. at 1520.

³ 2 Proceedings of the Alaska Constitutional Convention 1528.

Hon.. Stephanie Scott
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This constitutional language is not a blanket prohibition of any and all forms of public support for private education. Our Supreme Court has concluded, "Article VII, section 1 was thus designed to commit Alaska to the pursuit of public, not private education, without requiring absolute governmental indifference to any student choosing to be educated outside the public school system"⁴.

Alaska Statutes

AS 14.07.020(a)(10) authorizes the state to establish accreditation standards for private schools but also indicates the state is not authorized to require private schools to be accredited.

Alaska Administrative Code

4 AAC 60.010 specifies that the State does not regulate the educational content of pre-elementary schools that do not receive direct state or federal funding. The state does regulate child care facilities and requires criminal background checks for employees of such facilities. 7 AAC 57.010 et. seq.

Court Cases

In *Sheldon Jackson College v. State*, 599 P.2d 127 (Alaska 1979), the Alaska Supreme Court considered whether a state tuition grant program was a direct benefit to private educational institutions. The tuition grant program provided for state aid to Alaska residents attending private colleges in Alaska based on the difference between private and public tuition charges up to a cap of \$2,500 per student. The court identified four issues to examine in order to determine if the government action was prohibited by art. VII, sec. 1, of the Alaska Constitution: (1) Does the benefit flow only to private institutions? (2) Does the benefit involve government aid to education conducted outside the public schools? (3) Is the benefit trivial or substantial? (4) Are the funds transferred directly to a private school or through an intermediary?

The court decided that the tuition grant program violated the Alaska Constitution. A main basis for the court's decision was that the grant program was designed to offset only the difference between tuition charged by public schools and tuition charged by private colleges in Alaska. Similar assistance was not available to students at the University of Alaska. Therefore, the grant was "a subsidy of the education received by the student" at the private school.



Attorney General Opinions

⁴ *Sheldon Jackson College v. State*, 599 P.2d 127, (Alaska 1979)

In 2000, the Alaska Attorney General concluded AIDEA could not make loans to religious educational institutions for financing of facility improvements. One basis for the Attorney General's conclusion was that providing a loan would amount to using public funds to directly benefit a private educational institution thereby violating Art. VII, Sec. 1 of the Alaska Constitution⁵.

In 2007, the Alaska Attorney General recommended the governor veto a legislative appropriation of \$50,000 to the Gateway School & Learning Center, a private Christian school, for facility improvements, technology upgrades, equipment and supplies. The recommendation was based on a conclusion the appropriation violated Art. VII, Sec. 1⁶.

In 2008 the Alaska Attorney General recommended the governor veto a legislative appropriation of \$300,000 to the Ilisagvik College for a Workforce Development Program due to a conclusion the appropriation violated Art. VII, Sec. 1⁷. The college was a private two year community college that was not part of the University of Alaska system.

ANALYSIS

The main issue is whether pre-elementary school education is within the constitutional prohibition on direct public funding of private schooling. A secondary issue is whether CVP is an "educational institution" as that phrase is used in Art. VII, Sec. 1. There is certainly an educational component of CVP that goes beyond traditional "day care". Whether that makes CVP an "educational institution" for constitutional purposes is debatable.

Three of the four components of the Sheldon Jackson case are clearly met if that analysis is extended to pre-elementary education. The benefit is substantial (\$833 per student if CVP is at capacity). It is paid directly. It is provided only to a private institution.

But I believe the fourth component "government aid to education conducted outside the public schools" is not met. In my opinion, pre-elementary education in general and CVP in particular are not within the meaning of "private educational institution" as that term is used in the Alaska Constitution. Accordingly, the Borough payment to CVP is not "government aid to education conducted outside the public schools".

The underlying purpose of the constitutional prohibition was to strengthen a "system" of public schools. At present, that public school system does not extend universally to the population served by CVP- children under the age of 6. The Alaska "public school system" begins at age 6.

⁵ AGO 661-97-0624, Jan. 12, 2000.

⁶ AGO 883-07-0071, June 13, 2007.

⁷ AGO 883-08-0119, May 13, 2008.

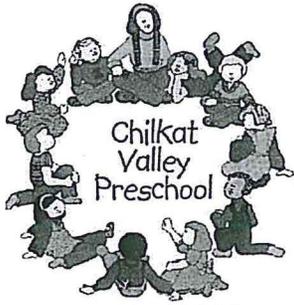
Hon.. Stephanie Scott
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Page 5

Only a certain portion of children under the age of 6 have an opportunity to participate in Head Start.

Therefore, the purpose behind the constitutional limitation of public support for “private educational institutions” is not furthered by restrictions on public funding of private pre-elementary education. If at some point in the future pre-elementary education was incorporated more fully into the public school system or if mandatory local contributions to Head Start were required the constitutional limitation would apply. Until that occurs, I believe direct Borough support of CVP is not prohibited by law. Whether such support should continue is a matter of public policy to be determined each year during Assembly consideration of the Borough budget.

This is a relatively close question and it is possible to reach a different conclusion. The analysis would turn on funding for CVP diminishing the funds available for the Borough to contribute to the Haines Borough School District above and beyond the mandatory minimum contribution required by law. The analysis would also turn on whether CVP is in fact an “educational institution” as opposed to a child care facility or some hybrid of both functions. But I believe on balance funding CVP is more like funding a community school program or a form of adult education than like funding a “private educational institution”. CVP is something “extra” with educational value not an alternative to sending children to public school.

Let me know if you have any additional questions on this topic.



A program dedicated to the fullest development of the whole child.

Chilkat Valley Preschool

PO Box 1165 Haines AK 99827

(907) 766-3213

cvpreschool@aptalaska.net

www.chilkayvalleypreschool.org

RECEIVED

MAR 04 2013

HAINES BOROUGH

March 5, 2013

20012 - 2013 BOARD OF DIRECTORS

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Maor Cohen
Vice President

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Becky Gonce
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Melissa Ganey

Dear Haines Borough Assembly Members and Mayor Scott,

In response to Borough Attorney Brooks Chandler's memorandum to the Mayor dated Feb. 26, we would like to clarify that Chilkat Valley Preschool is a pre-elementary school program open to the public, not a private school or daycare. Please see the attached paperwork provided from the State of Alaska Department of Education and Early Development.

We strongly believe that early childhood education is a valuable asset to our community, and we appreciate the borough's continued support of this community service.

Respectfully,

Kristin White for Chilkat Valley Preschool

STAFF

Janet Hayes
Lead Teacher

Josie Allen
Assistant Teacher

Renee Hoffman
Office Manager



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Education
and Early Development**

DIVISION OF TEACHING AND LEARNING SUPPORT

810 West 10th Street, Suite 200
P.O. Box 110500
Juneau, Alaska 99811-0500
Office: 907.465.8693
Fax: 907.465.2806

February 28, 2013

Janet Hayes
Chilkat Valley Preschool
221 First Ave. North
Haines, AK 99827

Re: Application Approval

Dear Ms. Hayes:

The Alaska Department of Education & Early Development has reviewed and approved the application from the for **Chilkat Valley Preschool** to operate a pre-elementary school program for children 3 to 5 years of age located at 221 first Ave. North, Haines, AK 99827. This letter provides approval to serve up to **24** children per session, age 3-5, with a minimum of 3 state approved staff members, per session. No more than **24** children, including related children, may be in attendance. This approval is valid until **March 1, 2014.**

You are required to report any changes in your program to the Department of Education & Early Development at least 30 days in advance of the proposed changes.

You will also need to submit a completed renewal application to the Department at least 90 days prior to the expiration date noted in the first paragraph of this letter to allow ample time to schedule and complete inspections.

Thank you for continuing to provide a safe and positive early childhood educational experience for Alaska's young children.

Sincerely,

A handwritten signature in cursive script that reads "Melora Gaber".

Melora Gaber
Education Specialist

Michelle Webb

From: mbyer [mbyer@hbsd.net]
Sent: Tuesday, February 25, 2014 12:51 PM
To: Michelle Webb
Subject: Fwd: Opinion Request

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category, Agenda Business

Hi Michelle,

Below is the email from our attorney regarding the Chilkat Valley Preschool matter.

Michael

*Michael Byer, Superintendent
Haines Borough School District
Office: (907) 766-6725
Fax: (907) 766-6794*

Begin forwarded message:

From: John Sedor <sedor@alaskalaw.pro>
Subject: RE: Opinion Request
Date: February 18, 2014 at 12:49:29 PM AKST
To: mbyer <mbyer@hbsd.net>

Hi Michael,

Per our discussion, we would be happy to review and research the facts addressed and render a legal opinion on this issue for the Board. I would recommend that the District decide what the goal or purpose is first before proceeding with this research. It may be that the District can achieve its goal through other approaches such as minimizing any risk it might have through arrangements with the Borough (I have not researched or contacted the Borough re: any potential approaches).

The opinion that the Borough received expressly states that the conclusion that CVP is not an "educational institution" is "debatable" (pg 4). Further, the opinion states that its conclusion is "a relatively close question" that may depend on whether funding to CVP diminishes funding to the District (I don't know if the Borough contributes to the cap or not but that may be relevant) and whether CVP is an "educational institution" for purposes of constitutional analysis.

Please let me know if you have any questions or if you would like us to proceed with the research.

John

From: mbyer [mailto:mbyer@hbsd.net]
Sent: Sunday, February 16, 2014 4:10 PM
To: John Sedor
Subject: Opinion Request

John,

Would you agree with the attached opinion from the Haines Borough attorney that an appropriation from the borough to the private Chilkat Valley Preschool is not in conflict with the provision in the Alaska constitution prohibiting the spending of “public funds for the direct benefit of any religious or other private educational institution.”

We’ve been approached by the Chilkat Valley Preschool asking if they could put a portable on school property to operate from.

Michael

*Michael Byer, Superintendent
Haines Borough School District
Office: (907) 766-6725
Fax: (907) 766-6794*

School - Library Path Discussion

