

# KENAI PENINSULA BOROUGH SCHOOL DISTRICT

## Resolution 25-26-1

### **A Resolution of the Kenai Peninsula Borough School District Opposing the Commissioner of Education's Proposed Amendments to 4 AAC Chapter 09 Regarding the Financing of Public Schools and Required Local Contributions**

**WHEREAS**, the Kenai Peninsula Borough School District (KPBSD) is committed to providing a high-quality public education to all students across its vast and diverse region; and

**WHEREAS**, the State of Alaska's Foundation Formula determines funding for public schools through a combination of the Base Student Allocation (BSA), student count adjustments, and required local and federal contributions; and

**WHEREAS**, Alaska statute permits boroughs and municipalities to contribute additional funding to support their local school districts, beyond the required local contribution, subject to a statutory cap; and

**WHEREAS**, the Kenai Peninsula Borough has a longstanding history of funding KPBSD near or at the maximum allowable contribution under state law, demonstrating a strong local commitment to education; and **WHEREAS**, the Alaska Department of Education and Early Development has proposed changes to 4 AAC Chapter 09 that would redefine which local appropriations and in-kind services are considered permissible under the local contribution cap;

**WHEREAS**, these proposed changes would significantly limit the ability of boroughs like the Kenai Peninsula Borough to make supplemental investments in their public schools; and

**WHEREAS**, these changes may also significantly restrict the ability of tribal entities and community organizations to make supplemental investments in schools or school programs; and

**WHEREAS**, the proposed regulation would include in the state-imposed cap all local revenues, such as fundraising, food service income, donations, and other community supports, disincentivizing municipal and community investment in schools; and

**WHEREAS**, the proposed changes were initially submitted as emergency regulations with inadequate notice and without a clear showing of justification or coordination with local education stakeholders; and

**WHEREAS**, restricting the definition of local contributions would undermine local governance, reduce funding flexibility, and increase the risk of program reductions, staffing losses, and service disruptions for KPBSD students and families; and

**WHEREAS**, Alaska's failure to pass the federal Impact Aid Disparity Test for FY26 was not due to districts receiving lawful local contributions, but rather due to technical accounting issues-issues which should be addressed and appealed prior to making regulatory changes that would harm students; and

**WHEREAS**, the Federal Impact Aid Program has stated that it neither asked nor recommended that DEED change its state regulations; and

**WHEREAS**, the Federal Impact Aid Program has stated that "State regulations are not within the Impact Aid Program's interest or purview";

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenai Peninsula Borough School District Board of Education opposes the proposed amendments to 4 AAC Chapter 09 and any regulatory or policy changes that restrict lawful local contributions and reduce local authority to invest in education;

**BE IT FURTHER RESOLVED**, that the Kenai Peninsula Borough School District urges the Alaska State Board of Education, the Commissioner of Education, and the Governor to reject these regulatory amendments;

**BE IT FURTHER RESOLVED**, that the Kenai Peninsula Borough School District supports the State of Alaska pursuing an appeal of the federal Impact Aid Disparity Test results, rather than enacting changes that would undermine Alaska's public school system and local partnerships.

**PASSED AND APPROVED** by the Kenai Peninsula Borough School District Board of Education this \_\_\_day of\_\_\_\_\_, 2025.

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Zen Kelly, President

Board of Education

Kenai Peninsula Borough School District

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Attest:

Nikkol Sipes

Notary Public, State of Alaska

My Commission Expires 06/22/2026

Board Members:

- Zen Kelly, President
- Jason Tauriainen, Vice President
- Virginia Morgan, Clerk
- Penny Vadla, Treasurer
- Tim Daugharty, Member
- Patti Truesdell, Member
- Sarah Douthit, Member
- Kelley Cizek, Member
- Dianne MacRae, Member