

Introduced by:  
Date:  
Action:  
Vote:

Mayor  
03/17/26

**KENAI PENINSULA BOROUGH  
RESOLUTION 2026-016**

**A RESOLUTION REQUESTING THE STATE LEGISLATURE AMEND  
ALASKA STATUTES SECTION 14.17.410 TO REDUCE STATUTORY  
DISINCENTIVES FOR SCHOOL CLOSURE OR CONSOLIDATION  
DECISIONS**

**WHEREAS,** Alaska Statutes (AS) 14.17.410 includes provisions related to school closures and consolidations; and

**WHEREAS,** AS 14.17.410(b)(1)(H) provides that "notwithstanding (A)--(C) of this paragraph, if one or more schools close and consolidate with one or more other schools in the same community and district and, as a result of the consolidation, basic need generated by the district's ADM of the consolidated schools as adjusted under (A)- (C) of this paragraph decreases, the district may use the last fiscal year before the consolidation as the base fiscal year to offset that decrease for the first four fiscal years following consolidation according to the following method: ..."; and

**WHEREAS,** AS 14.17.410(b)(1)(H) is known as the hold harmless provision by providing a four-year alternative ADM calculation method if a district's basic need generated by the district's ADM will be decreased following a consolidation decision; and

**WHEREAS,** AS 14.17.410(b)(1)(K) provides that " a district that offsets a decrease under (H) of this paragraph may not reopen a school that was closed for consolidation in the district until

- (i) seven or more years have passed since the school closure; and
- (ii) the district provides evidence satisfactory to the department that the schools affected by the consolidation are over capacity"; and

**WHEREAS,** AS 14.17.410(b)(1)(L) provides that "a district may not reopen and reconsolidate a school that was consolidated in the district more than once every seven years for purposes of the calculations made under (H) of this paragraph"; and

**WHEREAS,** there is a three-year gap between the funding hold harmless provisions and the seven-year prohibition for reopening a school in the event the hold harmless provision is utilized; and

**WHEREAS**, this is not a request for additional funding, this is a request for the state to recognize the difficult cost controlling measures that districts are undertaking and for the state not to disincentive those decisions by arbitrarily limiting options for school consolidations or reopening of schools should the need arise;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the Assembly requests AS 14.17.410 be amended to align the "seven or more years" language regarding reopening a school under AS 14.17.410(b)(1)(K) with the four-year hold harmless provision under AS 14.17.410(b)(1)(H).

**SECTION 2.** That a copy of this resolution will be provided to all Alaska State Legislators

**SECTION 3.** That this resolution takes effect immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 17TH DAY OF MARCH, 2026.**

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Ryan Tunseth, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent: