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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

1
2
3 LEGISLATIVE COUNCIL,)
4)
5 Plaintiff,)
6)
7 v.)
8)
9 GOVERNOR MICHAEL J.)
DUNLEAVY, et al.,)
Defendants.)

Case No. 1JU-19-00753 CI

AFFIDAVIT OF ELWIN BLACKWELL

11 STATE OF ALASKA)
12) ss.
13 FIRST JUDICIAL DISTRICT)

I, Elwin Blackwell, being duly sworn, state as follows:

15 1. I am the School Finance Manager in the Alaska Department of Education
16 and Early Development (DEED) and I have personal knowledge of the matters
17 stated in this affidavit.

19 2. State aid for public education in Alaska is calculated pursuant to a
20 statutory formula found in AS 14.17.410. A key part of that formula is the average
21 daily membership ("ADM") of each school district. A school district's ADM is
22 calculated based on a 20-day student count period which ends on the fourth Friday in
23 October. *See* AS 14.17.600. The ADMs are due to DEED within two weeks after the
24 last day of the count period. *See* 4 AAC 09.015(c).

26 3. State aid is distributed to school districts on or before the 15th day of every

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1 month pursuant to AS 14.17.610(a). Because the exact amount of state aid is
2 uncertain until a school district's ADM for the fiscal year has been determined, the
3 statute requiring monthly distribution of state aid provides that the last three
4 payments may be adjusted "after the balance has been recomputed on the basis of
5 student count and other data reported for the current fiscal year." AS 14.17.610(a).
6

7 4. Supplemental grant funding, like that found in § 4, ch. 6, SLA 2018—
8 which is over and above the statutory "state aid" amount—is paid out in a lump sum.
9 Because the appropriation expressly provides that grant amounts will be distributed
10 "according to the average daily membership for each district adjusted under AS
11 14.17.410(b)(1)(A) – (D)," grants are not distributed until later in the school year,
12 when DEED has the information it needs to calculate each district's share of the
13 appropriation.
14

15 5. The districts have two weeks after the end of the 20-day count period to
16 submit the ADMs to the DEED. Once the ADMs have been submitted in mid-
17 November, DEED must reconcile any students that exceed one ADM. Once the
18 reconciliation process is complete, in mid-to-late December, the districts have 30
19 days to appeal the reconciled ADMs. After the end of the appeals period in mid-
20 January, DEED will run the reconciled ADMs through the formula to determine
21 what basic need will be for that fiscal year. The formula consists of running the
22 ADMs through several multipliers and add-ons to come up with the Adjusted ADM
23 which is multiplied by the Base Student Allocation to arrive at Basic Need.
24
25

26 6. The supplemental grant funding is distributed using the adjusted ADM

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1 derived from the foundation formula. Since the Adjusted ADM is not known until
2 mid-to-late January, DEED is not able to distribute the supplemental funding before
3 late January or early February.

4 7. Because of this timetable for distributing supplemental grant money, even
5 if the parties' stipulation in this litigation regarding the payment of state aid had
6 included this supplemental funding, no additional money would have been paid to
7 school districts before January 2020 at the very earliest.

Elwin Blackwell

Elwin Blackwell
School Finance Manager

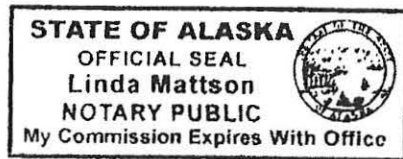
SUBSCRIBED AND SWORN TO before me this

12
13 3rd day of August, 2019.

Linda Mattson

Notary Public in and for Alaska

My Commission Expires: with office



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