CS FOR SENATE BILL NO. 235(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/12/06
Referred: Rules
Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act relating to a public school performance incentive program; and providing for an effective date."

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

* Section 1. The uncodified law of the State of Alaska is amended by adding a new section to read:

INTENT. It is the intent of the legislature that the state establish the public school performance incentive program described in sec. 2 of this Act to serve as an incentive for public school personnel to create a learning environment in which the students at that school demonstrate improved academic achievement more rapidly than would usually be expected, or, if already at an advanced level of achievement, continue to perform at an advanced level. It is intended that payments under the program described in sec. 2 of this Act be available to all employees at such a school, including all teachers, administrators, and noncertificated personnel such as paraprofessionals and other support staff, so that all personnel collaborate to promote overall student achievement. A payment under the program described in sec. 2 of
this Act is not intended to supplant or otherwise affect public school employee salaries or to have any effect on evaluation, promotion, discipline, or retirement of public school employees. The program described in sec. 2 of this Act is not intended to replace or affect any current state, local, or federal financing of public education or any necessary future increases in that state, local, or federal financing.

* Sec. 2. AS 14.03 is amended by adding a new section to read:

Sec. 14.03.126. Public school performance incentive program. (a) The department shall establish by regulation a program that provides, subject to appropriation, for an annual school performance incentive payment by the department to personnel employed at public schools at which students have demonstrated significant improvement in performance on statewide assessments, as determined by the department. The department shall set the amount of the school performance incentive payment, not to exceed $5,500 for each certificated employee and $2,500 for each noncertificated employee. Notwithstanding any other provision of law, a school performance incentive payment under this section may not be included in the calculation of benefits for purposes of AS 14.25 or AS 39.35.

(b) The department shall establish a procedure by regulation for a school performance incentive payment by the department to personnel employed at the central office of a school district in which at least one school has met the requirements for distribution of a school performance incentive payment to employees of the school. The amount paid under this subsection may not exceed five percent of the total paid to all employees at all schools eligible under this section for the school performance incentive payment in the district. A payment under this subsection

(1) may be made only to an employee who the department, in consultation with the chief school administrator of the district, determines has substantially contributed to the improvement in achievement at the schools in the district that meet the requirements for the school performance incentive payment; and

(2) may not exceed the highest school performance incentive payment paid to a certificated teacher in the district.

(c) A school district may not consider school performance incentive payments when determining salaries for school personnel. Neither a school district nor the
Professional Teaching Practices Commission may consider the receipt or nonreceipt of a school performance incentive payment by a school employee when evaluating, promoting, or disciplining the employee.

(d) Notwithstanding (a) of this section, the department may not distribute a school performance incentive payment to more than 850 certificated employees annually. The limitation of this subsection does not apply to payments made under (a) or (b) of this section to noncertificated employees or school district central office personnel. The department shall include the limitation of this subsection in regulations adopted under this section.

(e) In this section,

(1) "school district" means a borough school district, a city school district, a regional educational attendance area, or a state boarding school;

(2) "school performance incentive payment" means a payment under the program established under this section.

* Sec. 3. AS 14.03.126, as added by sec. 2 of this Act, is repealed June 30, 2009.

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

REPORT AND RECOMMENDATIONS. Before December 31, 2008, the Legislative Budget and Audit Committee shall review the school performance incentive program established under AS 14.03.126, as enacted in sec. 2 of this Act, and submit a report to the legislature that includes recommendations for legislation pertaining to the program.

* Sec. 5. This Act takes effect July 1, 2006.