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SENATOR BERTA GARDNER *SENATE DISTRICT H*

SB 184 Jury Service Exemption

SB 184 directs the Department of Education and Early Development to develop regulations defining “low performing schools” for purposes of jury duty exemption for teachers.

Current statute exempts from jury duty those teachers working in schools that do not meet the Adequate Yearly Progress (AYP) under No Child Left Behind (NCLB). This provision effectively defines the term “low performing” as not “meeting AYP.” In May of 2013 when the State of Alaska received an exemption from NCLB we invalidated our operating definition of low performing.

In 2004, Representative Mary Kapsner introduced HB 353 which created the jury duty exemption based on AYP. While jury duty is a privilege and duty of citizenship, a higher duty is to the welfare of children. A teacher chosen for jury duty on a long term trial might be gone from a classroom for several months. The idea of HB 353 was to provide stability to underperforming classrooms.

Currently, the state rates schools using the 5 star Alaska School Performance Index. The measurement tool takes in consideration such factors as school achievement, progress, attendance, graduation rate. While the Department could use this 5 star system, we believe it makes sense to allow them flexibility for determining the performance measure and to not have to seek a statute change for the jury duty issue any time a performance metric is changed.

I would appreciate your support in this clean-up legislation.