

CS FOR SENATE BILL NO. 86(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/11/01

Referred: Finance

Sponsor(s): SENATORS KELLY, Donley, Taylor, Wilken, Leman

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to employment of teachers who have subject-matter expertise; and**
2 **providing for an effective date."**

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

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

6 PURPOSE AND LEGISLATIVE INTENT. (a) It is the purpose of this Act to
7 increase

8 (1) the options available to local school districts to improve the quality of
9 instruction offered to their students; and

10 (2) the flexibility of local school districts in the way they provide instruction
11 in subject areas that the local school district finds to be a local priority or a special need.

12 (b) It is the specific intent of this Act to place authority for regulating subject-matter
13 expert teachers with local school boards and regional educational attendance areas and to limit
14 the authority of the state Board of Education and Early Development with respect to subject-

1 matter expert teachers only to the duties specifically given to the board in this Act.

2 * **Sec. 2.** AS 14.20.010 is amended to read:

3 **Sec. 14.20.010. Teacher certificate required.** Except as provided in
 4 AS 14.20.015, a [A] person may not be employed as a teacher in the public schools of
 5 the state unless that person possesses a valid teacher certificate. However, [EXCEPT
 6 THAT] a person who has made application to the department for a teacher certificate
 7 or renewal of a teacher certificate that has not been acted upon by the department may
 8 be employed as a teacher in the public schools of the state until the department has
 9 taken action on the application, but in no case may employment without a certificate
 10 last longer than three months.

11 * **Sec. 3.** AS 14.20 is amended by adding a new section to read:

12 **Sec. 14.20.015. Exception from certification requirement for subject-**
 13 **matter expert teachers.** (a) A school district or regional educational attendance area
 14 in the state may employ a person as a subject-matter expert teacher if the person

15 (1) has received at least a baccalaureate degree from an institution of
 16 higher education accredited by a recognized regional or national accrediting
 17 association or approved by the commissioner and

18 (A) majored or minored in the subject that the person will be
 19 teaching; or

20 (B) has at least five years' experience in the subject matter that
 21 the person will be teaching;

22 (2) has submitted fingerprints to the department to be used for a
 23 criminal history background check and has been found by the department to be
 24 suitable for employment as a teacher under AS 14.20.020(f); and

25 (3) pays the fee required by the department under AS 14.20.020(c) to
 26 defray the cost of the criminal history background check; the amount may not exceed
 27 the fee required for application for an initial regular certificate.

28 (b) Before a school district or regional educational attendance area determines
 29 whether to hire a person as a subject-matter expert teacher under this section, the
 30 school district or regional educational attendance area shall administer a competency
 31 examination.

1 (c) A person who is employed as a subject-matter expert teacher under this
 2 section may only be employed to teach subjects in which the person has satisfied the
 3 education or experience requirements set out in (a)(1) of this section. A teacher
 4 employed under this section is subject to nonretention for the following school year
 5 even if the teacher has tenure if the school district or regional educational attendance
 6 area removes from its curriculum the subject that the subject-matter expert teacher is
 7 employed to teach or significantly reduces the number of classes offered in the
 8 subject.

9 (d) A school district or regional educational attendance area that employs a
 10 subject-matter expert teacher shall provide a mentor who is an experienced teacher for
 11 the subject-matter expert teacher for at least the first year of the subject-matter expert
 12 teacher's employment in the school district or regional educational attendance area.

13 (e) A person who is employed by a school district or regional educational
 14 attendance area under this section is considered to be a certificated teacher or a
 15 certificated employee for all purposes.

16 (f) In this section, a "subject-matter expert teacher" is a teacher qualified to
 17 teach under (a) of this section.

18 * **Sec. 4.** AS 14.20.030(b) is amended to read:

19 (b) The commissioner or the Professional Teaching Practices Commission
 20 shall revoke for life the certificate of a person who has been convicted of a crime, or
 21 an attempt, solicitation, or conspiracy to commit a crime, involving a minor under
 22 AS 11.41.410 - 11.41.460 or a law or ordinance in another jurisdiction with elements
 23 similar to an offense described in this subsection. **In the case of a subject-matter**
 24 **expert teacher who has been so convicted, the commissioner shall revoke for life**
 25 **the finding under AS 14.20.015(a)(2) that the person is suitable for employment**
 26 **as a teacher under AS 14.20.020(f).**

27 * **Sec. 5.** AS 14.20.177(d) is amended to read:

28 (d) For purposes of this section, a tenured teacher is considered qualified for a
 29 position if [THE POSITION IS IN]

30 (1) **the position is in** grades K - 8 and the teacher has an elementary
 31 endorsement;

1 (2) **the position is in** an established middle school and the teacher has

2 (A) an elementary endorsement;

3 (B) a middle school endorsement; or

4 (C) a secondary certificate with a subject area endorsement in
5 the area of assignment in which the teacher filling the position will spend at
6 least 40 percent of the teacher's time or the teacher has, within the five years
7 immediately preceding the last date on which the teacher performed teaching
8 services in the district before being laid off, received an evaluation stating that
9 the teacher's performance in the subject or subjects meets the district
10 performance standards; [OR]

11 (3) **the position is in** grades 9 - 12 and the teacher has an endorsement
12 for each subject area in which the teacher filling the position will spend at least 40
13 percent of the teacher's time or the teacher has, within the five years immediately
14 preceding the last date on which the teacher performed teaching services in the district
15 before being laid off, received an evaluation stating that the teacher's performance in
16 the subject or subjects meets the district performance standards; **or**

17 (4) **the teacher is a subject-matter expert teacher employed under**
18 **AS 14.20.015 and is employed to teach in a position in which the teacher has**
19 **subject-matter expertise.**

20 * **Sec. 6.** This Act takes effect July 1, 2001.