

HOUSE BILL NO. 364

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/13/06

Referred: House Special Committee on Education, Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a public school performance incentive program; and providing for**
2 **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 INTENT. It is the intent of the legislature that the state establish the public school
7 performance incentive program described in sec. 2 of this Act to serve as an incentive for
8 public school personnel to create a learning environment in which the students at that school
9 demonstrate improved academic achievement more rapidly than would usually be expected,
10 or, if already at an advanced level of achievement, continue to perform at an advanced level.
11 It is intended that payments under the program described in sec. 2 of this Act be available to
12 all employees at such a school, including all teachers, administrators, and noncertificated
13 personnel such as paraprofessionals and other support staff, so that all personnel collaborate
14 to promote overall student achievement. A payment under the program described in sec. 2 of

1 this Act is not intended to supplant or otherwise affect public school employee salaries or to
2 have any effect on evaluation, promotion, discipline, or retirement of public school
3 employees. The program described in sec. 2 of this Act is not intended to replace or affect any
4 current state, local, or federal financing of public education or any necessary future increases
5 in that state, local, or federal financing.

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

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

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

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

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

30 (c) A school district may not consider school performance incentive payments
31 when determining salaries for school personnel. Neither a school district nor the

1 Professional Teaching Practices Commission may consider the receipt or nonreceipt of
2 a school performance incentive payment by a school employee when evaluating,
3 promoting, or disciplining the employee.

4 (d) In this section,

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

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

9 * **Sec. 3.** This Act takes effect July 1, 2006.