

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

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

10 (e) In this section,

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

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

15 * **Sec. 3.** AS 14.03.126, as added by sec. 2 of this Act, is repealed June 30, 2009.

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

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

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