

**HOUSE BILL NO. 315**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES MILLER, Tuck**

**Introduced: 2/8/12**

**Referred: State Affairs, Labor and Commerce, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act allowing certain teachers, public employees, and private sector employees to**  
2 **take leave without pay for parent-teacher conferences."**

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

4 **\* Section 1.** AS 14.20.348 is amended by adding a new section to read:

5 **Sec. 14.20.348. Leave without pay for parent-teacher conferences.** (a)  
6 Notwithstanding AS 14.20.345(a), a teacher who is a parent may take leave without  
7 pay one or two times each calendar year, not to exceed a combined total of four hours  
8 each calendar year, to attend a parent-teacher conference for a child of that teacher.

9 (b) A teacher shall request leave under (a) of this section a reasonable amount  
10 of time in advance and may not take the leave without approval by the employer. An  
11 employer may deny the request only if the timing of the leave would unreasonably  
12 interfere with the employer by

13 (1) creating or increasing a risk to human safety; or

14 (2) increasing the employer's costs by more than a nominal amount.

1 (c) The right to leave under (a) of this section is in addition to any other legal  
2 or contractual right to leave that the employee may have.

3 (d) In this section,

4 (1) "child" means a minor, four years of age or older, who is not  
5 emancipated;

6 (2) "domestic partner" means a person who is cohabiting with another  
7 person in a relationship that is like a marriage but that is not a legal marriage;

8 (3) "parent" means

9 (A) a person who is the child's biological or adoptive parent,  
10 whose parental rights have not been terminated, or a spouse or domestic  
11 partner of that person who is residing in the same household;

12 (B) a person, including a guardian, who is appointed by the  
13 court to act on behalf of the child in matters that include the child's education;

14 (C) for a child not living with the child's biological or adoptive  
15 parent, the child's grandparent, aunt, uncle, sister, or brother who has reached  
16 the age of majority and with whom the child lives; or

17 (D) the child's surrogate parent who has been appointed under  
18 AS 14.30.325;

19 (4) "parent-teacher conference" means a meeting that the parent of a  
20 child and a teacher or caregiver of a child agree to have for the purpose of discussing  
21 the child's progress and development in preschool or school;

22 (5) "teacher or caregiver" means an individual, other than a child's  
23 parent, who has primary responsibility to plan, instruct, and evaluate the education of  
24 the child in a public or private preschool, elementary, junior high, or secondary school  
25 classroom or similar setting.

26 \* **Sec. 2.** AS 23.10.105 is amended to read:

27 **Sec. 23.10.105. Posting summary required.** An employer subject to  
28 AS 23.10.050 - 23.10.150 or 23.10.435 shall keep a summary or abstract of **the**  
29 **applicable** [THESE] sections, approved by the commissioner, posted in a conspicuous  
30 location at the place where a person subject to them is employed. An employer shall  
31 be furnished copies of a summary by the state on request without charge.

1 \* **Sec. 3.** AS 23.10 is amended by adding a new section to article 7 to read:

2 **Sec. 23.10.435. Leave without pay for parent-teacher conferences.** (a) This  
3 section applies to every person, other than the federal or state government or the  
4 government of a political subdivision of the state, that employs full-time, part-time, or  
5 temporary employees who are compensated under an express or implied contract of  
6 hire that is oral or written.

7 (b) An employee of an employer under (a) of this section may take, and the  
8 employee's employer shall grant, leave without pay one or two times each calendar  
9 year, not to exceed a combined total of four hours each calendar year, to attend a  
10 parent-teacher conference for the employee's child.

11 (c) An employee shall request leave under (b) of this section a reasonable  
12 amount of time in advance and may not take the leave without approval by the  
13 employer. An employer may deny the request only if the timing of the leave would  
14 unreasonably interfere with the employer by

15 (1) creating or increasing a risk to human safety; or

16 (2) increasing the employer's costs by more than a nominal amount.

17 (d) The right to leave under (b) of this section is in addition to any other legal  
18 or contractual right to leave that the employee may have.

19 (e) In this section,

20 (1) "child" means a minor, four years of age or older, who is not  
21 emancipated;

22 (2) "domestic partner" means a person who is cohabiting with another  
23 person in a relationship that is like a marriage but that is not a legal marriage;

24 (3) "parent" means

25 (A) a person who is the child's biological or adoptive parent,  
26 whose parental rights have not been terminated, or a spouse or domestic  
27 partner of that person who is residing in the same household;

28 (B) a person, including a guardian, who is appointed by the  
29 court to act on behalf of the child in matters that include the child's education;

30 (C) for a child not living with the child's biological or adoptive  
31 parent, the child's grandparent, aunt, uncle, sister, or brother who has reached

1 the age of majority and with whom the child lives; or

2 (D) the child's surrogate parent who has been appointed under  
3 AS 14.30.325;

4 (4) "parent-teacher conference" means a meeting that the parent of a  
5 child and a teacher or caregiver of a child agree to have for the purpose of discussing  
6 the child's progress and development in preschool or school;

7 (5) "teacher or caregiver" means an individual, other than a child's  
8 parent, who has primary responsibility to plan, instruct, and evaluate the education of  
9 the child in a public or private preschool, elementary, junior high, or secondary school  
10 classroom or similar setting.

11 \* **Sec. 4.** AS 39.20 is amended by adding a new section to read:

12 **Sec. 39.20.285. Leave without pay for parent-teacher conferences.** (a) This  
13 section applies to every paid employee of

14 (1) the executive, judicial, or legislative branch of state government, a  
15 state public corporation or council established by law, or the University of Alaska,  
16 regardless of whether the employee is a permanent, nonpermanent, or temporary  
17 employee, but does not apply to an employee of the Alaska Railroad Corporation;

18 (2) a political subdivision of the state.

19 (b) An employee of an employer under (a) of this section may take, and the  
20 employee's employer shall grant, leave without pay one or two times each calendar  
21 year, not to exceed a combined total of four hours each calendar year, to attend a  
22 parent-teacher conference for the employee's child.

23 (c) An employee shall request leave under (b) of this section a reasonable  
24 amount of time in advance and may not take the leave without approval by the  
25 employer. An employer may deny the request only if the timing of the leave would  
26 unreasonably interfere with the employer by

27 (1) creating or increasing a risk to human safety; or

28 (2) increasing the employer's costs by more than a nominal amount.

29 (d) The right to leave under (b) of this section is in addition to any other legal  
30 or contractual right to leave that the employee may have.

31 (e) The director of personnel in the Department of Administration shall adopt

1 regulations to implement this section as it applies to employees described in (a)(1) of  
2 this section.

3 (f) In this section,

4 (1) "child" means a minor, four years of age or older, who is not  
5 emancipated;

6 (2) "domestic partner" means a person who is cohabiting with another  
7 person in a relationship that is like a marriage but that is not a legal marriage;

8 (3) "parent" means

9 (A) a person who is the child's biological or adoptive parent,  
10 whose parental rights have not been terminated, or a spouse or domestic  
11 partner of that person who is residing in the same household;

12 (B) a person, including a guardian, who is appointed by the  
13 court to act on behalf of the child in matters that include the child's education;

14 (C) for a child not living with the child's biological or adoptive  
15 parent, the child's grandparent, aunt, uncle, sister, or brother who has reached  
16 the age of majority and with whom the child lives; or

17 (D) the child's surrogate parent who has been appointed under  
18 AS 14.30.325;

19 (4) "parent-teacher conference" means a meeting that the parent of a  
20 child and a teacher or caregiver of a child agree to have for the purpose of discussing  
21 the child's progress and development in preschool or school;

22 (5) "teacher or caregiver" means an individual, other than a child's  
23 parent, who has primary responsibility to plan, instruct, and evaluate the education of  
24 the child in a public or private preschool, elementary, junior high, or secondary school  
25 classroom or similar setting.

26 \* **Sec. 5.** AS 39.20.310 is amended to read:

27 **Sec. 39.20.310. Exceptions.** Except as provided in AS 39.20.275 **and**  
28 **39.20.285**, AS 39.20.200 - 39.20.330 do not apply to

29 (1) members of the state legislature, the governor, the lieutenant  
30 governor, and justices and judges of the supreme and superior courts and of the court  
31 of appeals, but nothing in AS 39.20.200 - 39.20.330 may be construed to diminish the

1 salaries fixed by law for these officers by reason of absence from duty on account of  
2 illness or otherwise;

3 (2) magistrates serving the state on less than a full-time basis;

4 (3) officers, members of the teaching staff, and employees of the  
5 University of Alaska;

6 (4) persons employed in a professional capacity to make a temporary  
7 and special inquiry, study, or examination as authorized by the governor, the  
8 legislature, or a legislative committee;

9 (5) members of boards, commissions, and authorities who are not  
10 otherwise employed by the state;

11 (6) temporary employees hired for periods of less than 12 consecutive  
12 months;

13 (7) persons employed by the division of marine transportation as  
14 masters and members of the crews operating the state ferry system who are covered by  
15 collective bargaining agreements as provided in AS 23.40.040, except as expressly  
16 provided by law;

17 (8) persons employed by the state who are covered by collective  
18 bargaining agreements as provided in AS 23.40.210, except as expressly provided by  
19 law.