

CS FOR HOUSE BILL NO. 162(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered: 3/28/13

Referred: Rules

Sponsor(s): REPRESENTATIVES TAMMIE WILSON, Feige, Gattis

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to tenure of public school teachers; and providing for an effective**
2 **date."**

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

4 *** Section 1.** AS 14.20.147(b) is amended to read:

5 (b) When a school operated by a federal agency is transferred to or absorbed
6 into a new or existing school district, the teachers shall also be transferred if mutually
7 agreed by the teacher or teachers and the school board of the new or existing district.
8 A teacher transferred from a federal agency school that does not have an official salary
9 schedule or teacher tenure in the same manner as a public school district in the state
10 shall be placed on a position on the salary schedule of the absorbing district; the salary
11 may not be less than the teacher would have received in the federal agency school. If
12 the teacher taught **five** [THREE] or more years in the federal agency school and, at the
13 time of transfer, had a valid Alaska teaching certificate, that teacher shall be placed on
14 tenure in the absorbing district.

1 * **Sec. 2.** AS 14.20.150(a) is amended to read:

2 (a) Except as provided in (c) or (d) of this section, a teacher acquires tenure
3 rights in a district when the teacher

4 (1) possesses a valid teaching certificate that authorizes the teacher to
5 be employed as a certificated teacher or as an administrator under regulations adopted
6 by the department;

7 (2) has been employed as a teacher in the same district continuously
8 for **five** [THREE] full school years;

9 (3) receives, in the **fifth** [THIRD] year of any **five-year** [THREE-
10 YEAR] period of continuous employment with the district, an evaluation under the
11 district's evaluation system stating that the teacher's performance meets the district
12 performance standards; and

13 (4) on or before October 15 of the school year,

14 (A) accepts a contract for employment as a teacher in the
15 district for a **sixth** [FOURTH] consecutive school year; and

16 (B) performs a day of teaching services in the district during
17 that school year.

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

19 **Sec. 14.20.152. Tenure subject to review.** After a teacher acquires tenure
20 under AS 14.20.147 or 14.20.150 or reacquires tenure under AS 14.20.150, the tenure
21 shall be reviewed by the school employing the teacher at the end of each subsequent
22 five-year period of continuous employment. The school district may terminate the
23 tenure if, upon conclusion of the review, the school district finds that during the five-
24 year review period

25 (1) the teacher did not meet the school district's goals for student
26 academic achievement for two of the five years;

27 (2) the teacher's work performance did not improve as required in a
28 plan of improvement provided under AS 14.20.149; or

29 (3) the teacher did not adequately assist the school district with the
30 implementation of a school-wide change made by the school district to the
31 instructional model that is used by a school where the teacher is employed.

1 * **Sec. 4.** AS 14.20.160 is amended to read:

2 **Sec. 14.20.160. Loss of tenure rights.** Tenure rights are lost when the
3 teacher's employment in the district is interrupted or terminated **or when tenure is**
4 **terminated under AS 14.20.152.** However, a teacher on layoff status does not lose
5 tenure rights during the period of layoff except as provided under AS 14.20.177.

6 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 **APPLICABILITY.** Sections 1 - 4 of this Act apply to a contract or collective
9 bargaining agreement that becomes legally binding on or after the effective date of secs. 1 - 4
10 of this Act.

11 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).