

Introduced: 4/7/69
Referred: Health,
Welfare and Education

1 IN THE SENATE

BY BEGICH

2 SENATE BILL NO. 320

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Interstate Agreement on
7 Qualification of Educational Personnel."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.20 is amended by adding new sections to read:

10 ARTICLE 6. INTERSTATE AGREEMENT

11 ON QUALIFICATION OF EDUCATIONAL PERSONNEL.

12 Sec. 14.20.520. ENTRY INTO AGREEMENT. The Interstate Agreement
13 on Qualification of Educational Personnel is enacted into law and
14 entered into in behalf of the State of Alaska with all other states and
15 jurisdictions legally joining in it in a form substantially as contained
16 in sec. 530 of this chapter.

17 Sec. 14.20.530. TERMS AND PROVISIONS OF AGREEMENT. The terms and
18 provisions of the agreement referred to in sec. 520 of this chapter are
19 as follows:

20 INTERSTATE AGREEMENT ON

21 QUALIFICATION OF EDUCATIONAL PERSONNEL

22 ARTICLE I. PURPOSE, FINDINGS, AND POLICY

23 1. The States party to this Agreement, desiring by common action
24 to improve their respective school systems by utilizing the teacher or
25 other professional educational person wherever educated, declare that it
26 is the policy of each of them, on the basis of cooperation with one
27 another, to take advantage of the preparation and experience of such
28 persons wherever gained, thereby serving the best interests of society,
29 of education, and of the teaching profession. It is the purpose of this

1 Agreement to provide for the development and execution of such programs
2 of cooperation as will facilitate the movement of teachers and other
3 professional educational personnel among the States party to it, and to
4 authorize specific interstate educational personnel contracts to achieve
5 that end.

6 2. The party States find that included in the large movement of
7 population among all sections of the nation are many qualified educa-
8 tional personnel who move for family and other personal reasons but who
9 are hindered in using their professional skill and experience in their
10 new locations. Variations from State to State in requirements for
11 qualifying educational personnel discourage such personnel from taking
12 the steps necessary to qualify in other States. As a consequence, a
13 significant number of professionally prepared and experienced educators
14 is lost to our school systems. Facilitating the employment of quali-
15 fied educational personnel, without reference to their States of origin,
16 can increase the available educational resources. Participation in
17 this Compact can increase the availability of educational manpower.

18 ARTICLE II. DEFINITIONS.

19 As used in this Agreement and contracts made pursuant to it, unless
20 the context clearly requires otherwise:

21 1. "Educational personnel" means persons who must meet requirements
22 pursuant to State law as a condition of employment in educational pro-
23 grams.

24 2. "Designated State official" means the education official of a
25 State selected by that State to negotiate and enter into, on behalf of
26 his State, contracts pursuant to this Agreement.

27 3. "Accept", or any variant thereof, means to recognize and give
28 effect to one or more determinations of another State relating to the
29 qualifications of educational personnel in lieu of making or requiring

1 a like determination that would otherwise be required by or pursuant to
2 the laws of a receiving State.

3 4. "State" means a State, territory, or possession of the United
4 States; the District of Columbia; or the Commonwealth of Puerto Rico.

5 5. "Originating State" means a State (and the subdivision thereof,
6 if any) whose determination that certain educational personnel are
7 qualified to be employed for specific duties in schools is acceptable
8 in accordance with the terms of a contract made pursuant to Article III.

9 6. "Receiving State" means a State (and the subdivisions thereof)
10 which accept educational personnel in accordance with the terms of a
11 contract made pursuant to Article III.

12 ARTICLE III. 'INTERSTATE EDUCATIONAL PERSONNEL CONTRACTS.

13 1. The designated State official of a party State may make one or
14 more contracts on behalf of his State with one or more other party
15 States providing for the acceptance of educational personnel. Any such
16 contract for the period of its duration shall be applicable to and
17 binding on the States whose designated state officials enter into it,
18 and the subdivisions of those States, with the same force and effect as
19 if incorporated in this Agreement. A designated state official may
20 enter into a contract pursuant to this Article only with States in which
21 he finds that there are programs of education, certification standards
22 or other acceptable qualifications that assure preparation or qualifica-
23 tion of educational personnel on a basis sufficiently comparable,
24 even though not identical to that prevailing in his own State.

25 2. Any such contract shall provide for:

26 (a) Its duration.

27 (b) The criteria to be applied by an originating State in
28 qualifying educational personnel for acceptance by a receiving State.

29 (c) Such waivers, substitutions, and conditional acceptances

1 as shall aid the practical effectuation of the contract without sacri-
2 fice of basic educational standards.

3 (d) Any other necessary matters.

4 3. No contract made pursuant to this Agreement shall be for a
5 term longer than five years but any such contract may be renewed for
6 like or lesser periods.

7 4. Any contract dealing with acceptance of educational personnel
8 on the basis of their having completed an educational program shall
9 specify the earliest date or dates on which originating state approval
10 of the program or programs involved can have occurred. No contract
11 made pursuant to this Agreement shall require acceptance by a receiving
12 State of any persons qualified because of successful completion of a
13 program prior to January 1, 1954.

14 5. The certification or other acceptance of a person who has been
15 accepted pursuant to the terms of a contract shall not be revoked or
16 otherwise impaired because the contract has expired or been terminated.
17 However, any certificate or other qualifying document may be revoked
18 or suspended on any ground which would be sufficient for revocation or
19 suspension of a certificate or other qualifying document initially
20 granted or approved in the receiving State.

21 6. A contract committee composed of the designated state officials
22 of the contracting States or their representatives shall keep the
23 contract under continuous review, study means of improving its adminis-
24 tration, and report no less frequently than once a year to the heads
25 of the appropriate education agencies of the contracting States.

26 ARTICLE IV. APPROVED AND ACCEPTED PROGRAMS.

27 1. Nothing in this Agreement shall be construed to repeal or
28 otherwise modify any law or regulation of a party State relating to the
29 approval of programs of educational preparation having effect solely on

1 the qualification of educational personnel within that State.

2 2. To the extent that contracts made pursuant to this Agreement
3 deal with the educational requirements for the proper qualification of
4 educational personnel, acceptance of a program of educational prepara-
5 tion shall be in accordance with such procedures and requirements as
6 may be provided in the applicable contract.

7 ARTICLE V. INTERSTATE COOPERATION.

8 The party States agree that:

9 1. They will, so far as practicable, prefer the making of multi-
10 lateral contracts pursuant to Article III of this Agreement.

11 2. They will facilitate and strengthen cooperation in interstate
12 certification and other elements of educational personnel qualification
13 and for this purpose shall cooperate with agencies, organizations, and
14 associations interested in certification and other elements of educa-
15 tional personnel qualification.

16 ARTICLE VI. AGREEMENT EVALUATION.

17 The designated state officials of any party States may meet from
18 time to time as a group to evaluate progress under the Agreement, and
19 to formulate recommendations for changes.

20 ARTICLE VII. OTHER ARRANGEMENTS.

21 Nothing in this Agreement shall be construed to prevent or inhibit
22 other arrangements or practices of any party State or States to facili-
23 tate the interchange of educational personnel.

24 ARTICLE VIII. EFFECT AND WITHDRAWAL.

25 1. This Agreement shall become effective when enacted into law
26 by two States. Thereafter it shall become effective as to any State
27 upon its enactment of this Agreement.

28 2. Any party State may withdraw from this Agreement by enacting a
29 statute repealing the same, but no such withdrawal shall take effect

1 until one year after the Governor of the withdrawing State has given
2 notice in writing of the withdrawal to the Governors of all other
3 party States.

4 3. No withdrawal shall relieve the withdrawing State of any
5 obligation imposed upon it by a contract to which it is a party. The
6 duration of contracts and the methods and conditions of withdrawal
7 therefrom shall be those specified in their terms.

8 ARTICLE IX. CONSTRUCTION AND SEVERABILITY.

9 This Agreement shall be liberally construed so as to effectuate
10 the purposes thereof. The provisions of this Agreement shall be
11 severable and if any phrase, clause, sentence, or provision of this
12 Agreement is declared to be contrary to the constitution of any State
13 or of the United States, or the application thereof to any Government,
14 agency, person, or circumstance is held invalid, the validity of the
15 remainder of this Agreement and the applicability thereof to any
16 Government, agency, person, or circumstance shall not be affected
17 thereby. If this Agreement shall be held contrary to the constitution
18 of any State participating therein, the Agreement shall remain in full
19 force and effect as to the State affected as to all severable matters.

20 Sec. 14.20.540. DESIGNATED STATE OFFICIAL TO MAKE CONTRACTS.

21 The designated state official to make contracts on behalf of the state
22 according to Article III of the agreement shall be the commissioner of
23 education.

24 Sec. 14.20.550. FILING AND PUBLISHING OF CONTRACTS. True
25 copies of all contracts made on behalf of this state according to the
26 Agreement shall be kept on file in the office of the commissioner of
27 education and in the office of the secretary of state. The Department
28 of Education shall publish all the contracts in convenient form.
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