

Introduced: 4/16/71
Referred: Health, Welfare
& Education

1 IN THE SENATE

BY JOSEPHSON

2 SENATE BILL NO. 228

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to retention of nontenured teachers
7 of the University of Alaska; and providing for an
8 effective date."

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

10 * Section 1. AS 14.40 is amended by adding new sections to read:

11 Sec. 14.40.224. NONRETENTION. A teacher who has not acquired
12 tenure rights is subject to nonretention for the school year following
13 the expiration of his contract for adequate cause. However, at his
14 request, the teacher is entitled to a written statement of the cause
15 for his nonretention and is further entitled to a hearing as set out
16 under sec. 225 of this chapter.

17 Sec. 14.40.225. PROCEDURE AND HEARING UPON NOTICE OF DISMISSAL
18 OR NONRETENTION. (a) The president shall include in a notification
19 of dismissal or nonretention of a teacher who has not acquired tenure
20 rights a statement of cause and a complete bill of particulars.

21 (b) The teacher may, within 15 days immediately following
22 receipt of the notification, notify the president in writing that he
23 requests a hearing before the regular grievance committee of the
24 university. The teacher may require in the notification that

- 25 (1) the hearing be either public or private,
26 (2) the hearing be under oath or affirmation,
27 (3) he have the right of cross-examination,
28 (4) he be represented by counsel,
29 (5) he have the right and privilege to subpoena any person

1 who has made allegations which are used as a basis for the decision
2 of the president, and the right of discovery in ascertaining who these
3 persons may be.

4 (c) Upon receipt of notification requesting a hearing, the presi-
5 dent shall immediately arrange for a hearing, and shall notify the
6 teacher in writing of the date, time, and place of the hearing. A
7 written transcript, tape, or similar recording of the proceedings
8 shall be kept. Transcribed copies shall be furnished to the teacher
9 for cost upon his request. A final decision of the regular grievance
10 committee shall require a majority vote of its membership. The vote
11 shall be by roll call. The final decision shall be written and
12 contain specific findings of fact and conclusions of law. A written
13 notification of the decision shall be furnished to the teacher within
14 10 days of the date of the decision.

15 * Sec. 2. This Act takes effect on the day after its passage and
16 approval or on the day it becomes law without approval.
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