

1 IN THE HOUSE

BY ADAMS

2

HOUSE BILL NO. 199

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to acquisition of tenure rights and
7 nonretention of teachers; and providing for an effective
8 date."

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

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

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

24 * Sec. 2. AS 14.20.150 is amended to read:

25 Sec. 14.20.150. ACQUISITION OF TENURE RIGHTS. (a) A teacher
26 acquires tenure rights in a district when the teacher

27 (1) possesses a standard teaching certificate;

28 (2) has been employed as a teacher in the same district
29 continuously for five [TWO] full school years and is reemployed for

1 the school year immediately following the five [TWO] full school
2 years.

3 (b) The tenure rights acquired under (a) of this section become
4 effective on the first day the teacher performs teaching services in
5 the district during the school year immediately following the five
6 [TWO] full school years.

7 * Sec. 3. AS 14.20.175(b) is amended to read:

8 (b) A teacher who has acquired tenure rights is subject to
9 nonretention for the following school year only for the following
10 causes:

11 (1) incompetency, which is defined as the inability or the
12 unintentional or intentional failure to perform the teacher's custom-
13 ary teaching duties in a satisfactory manner;

14 (2) immorality, which is defined as the commission of an
15 act which, under the laws of the state, constitutes a crime involving
16 moral turpitude;

17 (3) substantial noncompliance with the school laws of the
18 state, the regulations or bylaws of the department, the bylaws of the
19 district, or the written rules of the superintendent; or

20 (4) a necessary reduction of staff occasioned by a decrease
21 in school attendance or by anticipated loss or reduction of funds.

22 * Sec. 4. A teacher who has acquired tenure rights before the effective
23 date of this Act retains those rights notwithstanding the amendments made
24 by this Act.

25 * Sec. 5. Nothing in this Act terminates or modifies a collective
26 bargaining agreement in effect on the effective date of this Act.

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