

COMMITTEE REPORT

5
4/16/75

SENATE

Mr. President:

Date 5/7/75

The Committee on FINANCE has had SB 128
transfer of attendance areas of federal agency schools

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR 128 AND THAT

CS FOR 128 DO PASS with attached amendments.

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Bill Kay _____
Bill Kay _____
Bill Kay _____
Bill Kay _____

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

Bill Kay Chairman

A M E N D M E N T

Offered in the SENATE

By FRANCIS FINAVAL

To: 02 SENATE BILL NO. 125

 HOUSE BILL NO.

AMENDMENT: Page 1 Line 23 - 24

REMARKS: "Nine days of sick leave for each
year shall be provided for each"

REMARKS: "The actual number of days of sick leave
shall be subject to the provisions of the law"

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 128 AM

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 Amendment #1

7 (nine days of accumulated sick leave for each year that the teacher
8 has taught) the actual number of days of accumulated sick leave that
9 the teacher has earned while teaching in Alaska.

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NOTE: The BIA can supply information to the teacher or school district as to the actual days.

DEPARTMENT OF EDUCATION

POSITION PAPER

SENATE BILL #128

S. B. #128: "relating to the transfer of attendance areas or federal agency schools; "

BACKGROUND

In the past, schools and teachers employed by the Bureau of Indian Affairs have been transferred to the State-Operated Schools System, and more recently the North Slope Borough. Since, by definition (AS 14.60.010), such schools are excluded from Title 14, the rights of such transferring personnel are not addressed in current statutes.

WHAT THE PROPOSED LEGISLATION WOULD DO

The proposed legislation would allow the transferring former BIA teacher to retain some of his accrued benefits gained during federal employment.

SPECIAL PROBLEMS

The terms of employment benefits available to teachers under federal service are considerably different than what is available to teachers subject to Title 14 (ASGSS, City or Borough teachers), therefore, some of the federal benefits would be impossible to translate into equal benefits at the State level. Examples of such federal benefits are: educational leave (30 days each year), annual leave, and turnaround time.

RECOMMENDATIONS

Because of problems identified above, it is suggested that AS 14.20.147 be amended and divided into two parts:

- 1) that the current statute become Part (a) since it sufficiently covers all public school teachers in the State; and,
- 2) that a Part (b) be added for federal teachers transferring to the public school system. Accumulated or earned benefits should be enumerated: right to employment, salary level, tenure, and sick leave. Retirement is already spoken to under Chapter 25 TEACHERS RETIREMENT.

DEPARTMENT RECOMMENDATION

The Department of Education supports the proposed legislation.

3/26/75
Date /

William R. Thomas
Name

Director, Management and Finance

SB 128
Reply

Barrow, Alaska 99723

February 19, 1975

Mr. George Hohman
Alaska State Senate
Juneau, Alaska 99801

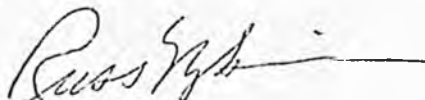
Dear Mr. Hohman:

The Barrow Education Association requests your support of Senate Bill #128, the act relating to the transfer of attendance areas or federal agency schools.

The Barrow Schools are in the process of just such a change, and the rights of the teachers involved must be protected. Through the passage of this bill these rights would be protected directly by state law, not just through an interpretation of already existing laws.

Although teacher rights are spelled out in changeover from the state or other districts to the local districts, these are not made clear in a changeover from the BIA to a local district. These rights are now being questioned here in Barrow. The BIA teachers need the protection that is already spelled out for other teachers in the State. The passage of Senate Bill #128 would give this protection.

Respectfully yours,



Barrow Education Association
Russ Nykreim, President

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/14/75
Referred: Rules

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 128

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the transfer of federal agency
7 schools; and providing for an effective date."

8

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

9

* Section 1. AS 14.20.147 is amended by adding a new subsection to read:

10

(b) When a school operated by a federal agency is transferred to

11

or absorbed into a new or existing school district the teachers shall

12

also be transferred if mutually agreed by the teacher or teachers and

13

the school board of the new or existing district. A teacher transferred

14

from a federal agency school, which does not have an official salary

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schedule or teacher tenure in the same manner as a public school district

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in the state, shall be placed on a position on the salary schedule of

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the absorbing district; the salary may not be less than the teacher

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two or more years in the federal agency school and, at the time of

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transfer, had a valid Alaska teaching certificate, that teacher shall be

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placed on tenure in the absorbing district.

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(c) On the first day of service in the absorbing school district,

23

a teacher transferred from a federal agency school shall be allowed ~~nine~~

24

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days of accumulated sick leave for each year that the teacher has taught
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in Alaska. Consistent with the established district policy the absorbing
TEACHING IN ALASKA.

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district may allow credit for any other type of leave. Credit for

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retirement shall be allowed in accordance with AS 14.25.060.

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* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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Social Services Committee

Offered: 4/14/75
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11 or absorbed into a new or existing school district the teachers shall
12 also be transferred if mutually agreed by the teacher or teachers and
13 the school board of the new or existing district. A teacher transferred
14 from a federal agency school, which does not have an official salary
15 schedule or teacher tenure in the same manner as a public school district
16 in the state, shall be placed on a position on the salary schedule of
17 the absorbing district; the salary may not be less than the teacher
18 would have received in the federal agency school. If the teacher taught
19 two or more years in the federal agency school and, at the time of
20 transfer, had a valid Alaska teaching certificate, that teacher shall be
21 placed on tenure in the absorbing district.

22 (c) On the first day of service in the absorbing school district,
23 a teacher transferred from a federal agency school shall be allowed nine
24 days of accumulated sick leave for each year that the teacher has taught
25 in Alaska. Consistent with the established district policy the absorbing
26 district may allow credit for any other type of leave. Credit for
27 retirement shall be allowed in accordance with AS 14.25.060.

28 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).

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Introduced: 2/11/75
Referred: Health, Education
and Social Services

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 128

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the transfer of attendance areas
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8 effective date."

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

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

11 Sec. 14.20.147. ATTENDANCE AREA TRANSFER, ABSORPTION. When an
12 attendance area or school operated by a federal agency is transferred
13 from a currently operating district or from federal agency control or
14 supervision to, or absorbed into, a new or existing school district
15 or regional school attendance area, the teachers for the attendance area
16 or federal agency school also shall be transferred unless otherwise
17 mutually agreed by the teacher or teachers and the chief school admin-
18 istrator of the new or existing district or area. Accumulated or earned
19 benefits, including but not limited to, seniority, salary level, tenure,
20 leave, and retirement, accompany the teacher who is transferred.

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22 070(c).

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