

HB

84

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSHB 84 (HES)

Revision Date: February 14, 1994

Department Affected: Education

Title: An Act relating to grants for the improvement of school performance and to teacher tenure rights

BRU: School Finance

Sponsor: Governor Hickel

Component: Data Management

Requester: House HESS Committee

COMPONENT SERIAL NO. 1241

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	4.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	4.0					

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	4.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	4.0					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.) The State Board of Education will need to develop, notice and promulgate regulations for the grants for the improvement of school performance and teacher tenure rights.

Prepared by: Sheila Peterson
Division: _____

Phone: 465-2803
Date: February 14, 1994

Approved by Commissioner: _____
Agency: Education

Jerry Covey
Date: February 14, 1994

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HOUSE COMMITTEE REPORT

(9)

Date Referred: January 22, 1993

FURTHER REFERRALS: Judiciary
Finance

Date of Committee Action: 2/11/94

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: HB 84

HOUSE BILL NO. 84 IMPLEMENT ALASKA 2000 RECOMMENDATIONS

"An Act implementing certain recommendations of Alaska 2000 to improve the state's education system; and providing for an effective date."

RECOMMENDATIONS: CS HB 84 (HESS) | | the same title
be replaced with _____ [X] a new title

[] have attached amendments(s)

[] do pass

[] do not pass

[] no recommendations

[X] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

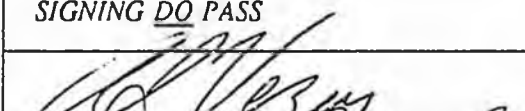


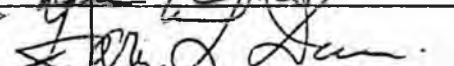

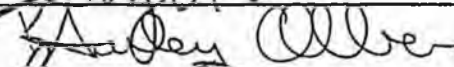

APPROVES PREVIOUS: (Dept/Date)

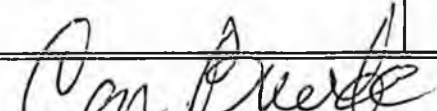
[X] fiscal impact DOE

[] fiscal note(s) _____

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
	X			✓	
	✓			✓	
	✓			✓	
			X		


CHAIRMAN'S SIGNATURE



Alaska State Legislature

House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

SUBJECT OF MEETING:
 HB 84 : IMPLEMENTING AK 2000 RECOMMENDATIONS
 *HB 409: AFDC DEMO PROJECT AND DECREASE
 (* INDICATES FIRST PUBLIC HEARING)

DATE: 2/11/94

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Vernon Marshall						<input checked="" type="radio"/>	N	HB 84
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

LN1100-R01
02/17/94

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 01
10:34:41

TCN: 40298 DATE & TIME: 02/11/94 15:00 TO 17:00 STATUS:6 ADJOURNED

**** ORDER SUMMARY ****

SPONSOR: HRES HOUSE HEALTH, EDUCATION AND SOCIAL SERVI CHAIRS: TOOHEY
PURPOSE: PUB PUBLIC HEARING LEGISLATIVE BUNDE
CONTACT: LYNNE SMITH TEL#: (907)465-6825
CHAIRING SITE: JUNEAU CAPITOL CAP106

SPONSOR REMARKS(PUB): TESTIMONY:Y ALLOWED 4 MINUTE LIMIT
TCN REQUESTED ON 02/11/94 AND HAS 2 UPDATES

**** AGENDA ****

1 HB 409 AFDC DEMO PROJECT AND DECREASE

**** PARTICIPATING LIDS ****

ANC ANCHORAGE	716 W 4TH, #200	LOCATION STAFF
FBX FAIRBANKS	119 N CUSHMAN ST	LOCATION STAFF
* JNU JUNEAU	CAPITOL CAP106	LOCATION STAFF
SOL KEN/SOL	34824 KALIFONSKY	LOCATION STAFF

PARTICIPANTS IN: ANCHORAGE ANC

1	PUDGE	KLEINKAUF	TSFY, HB 409
	4201 MACINNES	ANCHORAGE	AK 99508 (907)561-7113

PARTICIPANTS IN: FAIRBANKS FBX

1 MS.	RONNIE ROSENBERG	GREEN PARTY\AK O OBSV, HB 409
	P.O. BOX 82633	FAIRBANKS AK 99708 (907)452-6478
2 MS.	CADY LISTER	OBSV, HB 409
	1290 JONES RD.	FAIRBANKS AK 99709 (907)455-4485
3 MS.	JONI WHITMORE	WOMEN'S SERVICES OBSV, HB 409
	3776 LAKE ST., SUITE 100 HOMER	AK 99603 (907)235-7712

PARTICIPANTS IN: JUNEAU JNU

1	TO	OBSERVE	OBSV, ALL ITEMS
2	TO	OBSERVE	OBSV, ALL ITEMS
3	TO	OBSERVE	OBSV, ALL ITEMS
4	TO	OBSERVE	OBSV, ALL ITEMS
5	TO	OBSERVE	OBSV, ALL ITEMS
6	TO	OBSERVE	OBSV, ALL ITEMS
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16	TO	OBSERVE	OBSV, ALL ITEMS
17	TO	OBSERVE	OBSV, ALL ITEMS
18	TO	TESTIFY	TSFY, ALL ITEMS
19	TO	TESTIFY	TSFY, ALL ITEMS
20	TO	TESTIFY	TSFY, ALL ITEMS
21	TO	TESTIFY	TSFY, ALL ITEMS
22	TO	TESTIFY	TSFY, ALL ITEMS
23	TO	TESTIFY	TSFY, ALL ITEMS

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF EDUCATION

GOLDBELT PLACE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894

OFFICE OF THE COMMISSIONER

January 24, 1994

The Honorable Con Bunde
Alaska State Legislature
Co-Chair, Health, Education and Social Services Committee
State Capitol, Room 112
Juneau, AK 99801-1182

Dear Representative Bunde:

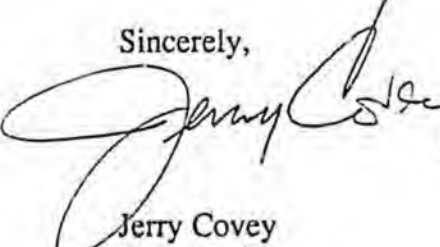
Thank you very much for scheduling HB84, "An Act implementing certain recommendations of Alaska 2000 to improve the state's education system," for a public hearing before the House HESS Committee, Wednesday, January 26, 1994.

Sections 4-7 of HB84 amend the statutes relating to the *Fund for the Improvement of School Performance*, AS 14.03.125. The 1993 grant year marked the first year grants were awarded under this program and the response was overwhelming. A total of 112 applications were received from 31 school districts requesting over \$2,500,000. The six largest school districts submitted multiple proposals, ranging from 4 - 25 proposals. Over \$500,000 was awarded to 25 recipients from 16 school districts.

Based on the department's experience in implementing the *Fund for the Improvement of School Performance*, I submit for the HESS Committee's consideration an amendment which will allow greater flexibility in awarding these grants. Enclosed you will find the proposed amendment and a brief synopsis of the grants awarded in 1993.

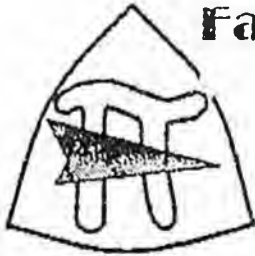
Thank you for your assistance in this matter.

Sincerely,



Jerry Covey
Commissioner

Enclosures



Fairbanks Education Association

2118 S CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

Friday, February 11, 1994


Dear Representative Cynthia Toohey,

I want to talk about two bills today and had planned on coming to this afternoon's teleconference, however, I have a severe sore throat and talking is becoming more difficult as the minutes pass. The importance of these two bills require me to comment regardless of how I feel physically.

First, CSHB 84, with regards to tenure. My biggest concern is that this idea of lengthening tenure is not for the purpose intended, which is to guarantee quality employees, but rather to increase the time that districts have to lay off non-tenured teachers for financial purposes. We have had in this state more than one district that did not handle their finances in a fiscally sound manner. With a two-year tenure process, districts have to pay close attention to their evaluation process to ensure they have quality teachers. Proper evaluation is one of the keys to quality teachers. Districts have complete control over evaluation.

Second, is HB 361, which appropriates sufficient funding for a \$61,000 instructional unit and fully funds transportation. I urge you to support this bill to allow districts to maintain funding as new students arrive. Teaching is a tougher job than most think. Federal, state, and local mandates continue to add to the already long list, more responsibilities to teachers without giving them adequate time to plan. When funding decreases and student population increases, student class sizes increase. With increase in class size, each individual student gets less individual help. If all students came in equally cared for maybe that wouldn't be a problem. Unfortunately, that's not the case. Students coming in to our classrooms are bringing with them an increasing number of problems. When funding decreases, solving those problems becomes more of a process of determining priorities. All students deserve equal attention and supporting this bill will begin to help alleviate the load.

I appreciate your attention to this matter and taking the time to read this letter.

Sincerely,

Alexander McFarlane



Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: 2/8/94

PLACE: Capitol Room 106

SUBJECT OF MEETING:
 HB 241: AK 2000 RECOMMENDATIONS
 * HB 269 CONSTRUCT/UPGRADE DOBARE SCHOOLS
 * HB 477 FUNDS TO UPGRADE MILITARY BASE SCHOOLS
 * HB 391 - POSTPONED BY SPONSOR

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Capt. DENNIS R PORTER	AK Command U.S. AIR FORCE	1700 7th St W. + B ELMENDORF AFB AK	99506	753 9476	552-3210	(Y) N	359
DUNE GUILLEY	DOE				5-8679	(Y) N	HJR4, HB359
Claudia Douglas	NEA-AK	124 Alond, Kenai	99801		586-3090	(Y) N	CS4884
Paul Cole	GAASB				586-1053	(Y) N	CS4884
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

4 AAC 19.040

EDUCATION

4 AAC 19.050

(c) The evaluation may include information other than specific observations of the evaluator. Districts may adopt procedures whereby input such as students' evaluation of teachers, principals' evaluation of administrators, peer and self-evaluation are utilized. The evaluation must clearly indicate that this kind of information has been used and clearly identify the source of the information.

(d) The evaluation must be approved by a person who possesses an administrative certificate issued under 4 AAC 12.030. (Eff. 8/30/75, Register 55; am 1/12/83, Register 85)

Authority: AS 14.07.020
AS 14.07.060

4 AAC 19.040. USE OF THE EVALUATION. (a) Neither the formal evaluation document, nor any notes, comments, or other information used in its preparation is a matter of public record.

(b) The evaluation may be reviewed upon demand at reasonable times by the person evaluated or some other person designated in writing by the person evaluated.

(c) Each school district shall establish procedures as to which supervisory personnel may have access to the evaluation documents.

(d) Unless mutually agreed otherwise by both the person evaluated and the school board (or its designee), no portion of an evaluation may be made public, except as evidence in a proceeding relative to an evaluated person's certification or employment, or as otherwise allowed or required by a court of law. (Eff. 8/30/75, Register 55)

Authority: AS 14.07.020
AS 14.07.060

4 AAC 19.050. DEVELOPMENT OF LOCAL EVALUATION PROCEDURES. (a) Responsibility for evaluation of the performance of professional employees rests with the individual school district. To this end, each school board shall develop and adopt procedures for evaluation of its professional employees. These procedures must be consistent with the standards and guidelines set out in this chapter, as well as other relevant provisions of federal or state law and regulations.

(b) Prior to final adoption, the local procedures must be submitted to the department for review.

(c) Each school district in the state, whether or not it has previously adopted evaluation procedures, shall submit current procedures to the department for review no later than July 1, 1976.

(d) Each school district is encouraged to invite, obtain, and consider community input, including that of students, parents, teachers, and administrators, in the design of the procedure and content for evaluation. (Eff. 8/30/75, Register 55)

Authority: AS 14.07.020
AS 14.07.060

4 AAC 19.060. EVALUATION TRAINING. Each school district shall provide in-service training in evaluative techniques for all certificated staff. (Eff. 8/30/75, Register 55)

Authority: AS 14.07.020
AS 14.07.060

CHAPTER 21. PUPIL AND PROPERTY ACCOUNTING

Repealed 5/10/78

CHAPTER 24. OPERATION OF STATE SCHOOLS

Repealed 12/30/77

CHAPTER 27. TRANSPORTATION OF PUPILS

Section	Section
5. Approval of transportation routes	80. (Repealed)
10. Establishment of regular routes	85. Competitive pupil transportation proposals
20. Establishment of special education routes	90. (Repealed)
25. Establishment of other conveyance routes	100. Contractor's duties
30. (Repealed)	110. Supplementary publications pertaining to pupil transportation
31. In-lieu-of agreements	200. Approved school bus driver training courses
35. Hazardous routes	210. Certification of instructors
40. Modification and termination of approved routes	220. Minimum standards for school bus driver training courses
45. General provisions for regular and other conveyance routes, route extensions and in-lieu-of agreements	225. Issuance of school bus driver certificates under 4 AAC 27.200(a) and (b)
50. (Repealed)	230. Issuance of school bus driver certificates under 4 AAC 27.200(c)
55. Required transportation reports and documents	235. Revocation of school bus driver training course approval
60. Reimbursement to districts	240. Revocation of instructor certificate
70. (Repealed)	990. Definitions
75. Reimbursement for district-owned transportation vehicles	

4 AAC 27.005. APPROVAL OF TRANSPORTATION ROUTES. (a) In order to qualify for state reimbursement for pupil transportation, routes established by school districts must be approved by the commissioner.

(b) The commissioner may, in his discretion, determine the attendance center a pupil must attend if there are alternative attendance

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different sociological pressures of an observer role (Peterson & Kauchak, 1982). As a result of these problems, expensive peer observers may not be much more accepted by teachers than are supervisor observers.

A number of writers have explored the dynamics of how peer observations fail to provide reliable data for teacher evaluation. Scriven (1981) said that judgments are dominated by the social and political interactions of teachers. Lortie (1975) pointed out that teachers are under considerable pressure to get along with each other; consequently, their necessary working relationships are threatened by evaluative judgments. The standing of individual teachers in educational systems is affected by how similar teachers fare in evaluation. In addition, current teacher culture often means that it is not good to go public with exemplary practice, yet effective teacher evaluation leads to such information. Lewis (1982) described one school district in which peer evaluation results were not respected by teachers, and interpersonal tensions were heightened. Many social and political factors constrain the actual practice of peer evaluation.

A more limited use of peers in evaluation has colleagues review teacher materials rather than to observe classroom performance (McGreal, 1983; Peterson & Kauchak, 1982). Teacher materials yield factual and objective data for peers to judge. These materials provide an overview of the curriculum taught, information about teaching strategies, and details about assignments given. Materials can indicate types of communication with students, parents, and peers, the kind of management system used, and resources provided to students. Peer review of materials gives teachers the opportunity to demonstrate excellence through the content and activities of the classroom, and to reflect teacher individuality. Finally, there is a plausible logical connection between quality materials and quality classroom performance for many, but not all, teachers.

Even when peer evaluation does not involve classroom visits, but is restricted to a review of materials, there are significant reservations. Not all teachers are effective through their materials; some excellent teachers work with spartan provisions. The time cost of materials assembly may not be justified by the increase in information provided. Some teachers seriously object to peer review, while the connection between peer review and teacher quality is not always direct. Peer review is intermediate in expense relative to other data sources; student surveys, for example, cost less money and time. Mere collections of good materials have little direct relation to quality implementation, interactions with students, and creativity in presentation.

The literature of peer review for evaluation of public school teachers suggests controversy and clear limitations. However, the needs are compelling to improve teacher education and to explore a process commonly used by postsecondary teaching public school teachers.

The study

The main purposes of this study were (1) to explore the use of peer review by teachers

8-GH1033X
Cramer
2/10/94

CS FOR HOUSE BILL NO. 84(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to grants for the improvement of school performance and to
2 teacher tenure rights; and providing for an effective date."

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

4 * Section 1. AS 14.03.125(a) is amended to read:

5 (a) The fund for the improvement of school performance is created as an
6 account in the general fund. The fund shall be used by the commissioner to make
7 grants [TO A DISTRICT LOCATED IN THE STATE] for the purpose of improving
8 public school performance in a district in the state. The fund consists of money
9 appropriated by the legislature, including money appropriated from the earnings of
10 the public school trust fund under AS 37.14.110. The commissioner shall include
11 an [ANNUALLY DETERMINE THE] amount [REQUESTED] for grants under this
12 section [AND SHALL INCLUDE THE AMOUNT] in the department's annual budget
13 request.

14 * Sec. 2. AS 14.03.125(b) is amended to read:

1 (b) A person, governing body, or district advisory board [, OR NONPROFIT
2 ORGANIZATION] located in the state [, OR A TEACHER OR PRINCIPAL
3 EMPLOYED BY A PUBLIC SCHOOL IN THE STATE,] may apply for a grant of
4 up to \$50,000 to improve public school performance by submitting an application to
5 the commissioner. An application must be signed by the chief school administrator
6 of the district that will receive the grant or, if the application is from a person,
7 the chief school administrator of a district that has agreed to receive, administer,
8 and account for the grant.

9 * Sec. 3. AS 14.03.125(c) is amended to read:

10 (c) The department may award a [A] grant [MAY BE AWARDED] to the
11 same applicant [GRANTEE] in consecutive fiscal years, but may not award a grant
12 [BE AWARDED] to the same applicant [GRANTEE] for more than three [TWO]
13 fiscal years within a five-year period. This subsection does not apply to a district
14 if the district is administering the grant and the district governing body is not the
15 grantee.

16 * Sec. 4. AS 14.03.125(e) is amended to read:

17 (e) In this section,

18 (1) "applicant" means a person applying for a grant under this
19 section;

20 (2) "district" has the meaning given in AS 14.17.250.

21 * Sec. 5. AS 14.03.125 is amended by adding a new subsection to read:

22 (f) The board shall adopt regulations concerning grants and grant award
23 procedures under this section.

24 * Sec. 6. AS 14.20.150 is repealed and reenacted to read:

25 Sec. 14.20.150. ACQUISITION OF TENURE RIGHTS. (a) Except as
26 provided in (c) of this section, a teacher acquires tenure rights in a district when the
27 teacher

28 (1) has applied for tenure under AS 14.20.151;

29 (2) has been employed as a teacher in the state for four full school
30 years, and has been employed as a teacher by the district for the last three full school
31 years, under a standard or provisional teaching certificate and is reemployed in that

1 district for the school year immediately following the three full school years;

2 (3) has been considered for tenure by the local tenure review committee
3 under AS 14.20.153; and

4 (4) has been approved for tenure by the school board.

5 (b) The tenure rights acquired under (a) of this section take effect on the first
6 day the teacher performs teaching services in the district described in (a) of this section
7 after all of the requirements of (a) of this section have been met.

8 (c) A teacher who was hired by a district before July 1, 1994, who had not yet
9 acquired tenure rights on June 30, 1994, and who was continuously employed by that
10 district from the date of hire acquires tenure rights in that district under this section
11 as it existed on June 30, 1994.

12 (d) Notwithstanding AS 14.20.150 - 14.20.172, a school board may request the
13 commissioner to permit the school board to establish a system of performance review
14 of tenured and nontenured teachers that does not include local tenure review
15 committees when there are insufficient tenured teachers at a school to provide for
16 impartial membership on the committee. The school board shall set out the procedures
17 it proposes to follow in evaluating teacher performance. The commissioner may
18 approve the request without modification or may require modifications before
19 approving the substitute procedures.

20 * Sec. 7. AS 14.20 is amended by adding new sections to read:

21 Sec. 14.20.151. APPLICATION FOR TENURE. (a) A teacher may apply for
22 tenure when the teacher has been offered a fourth consecutive full-year contract with
23 the same school district and will have completed employment as a teacher in the state
24 for four full school years by the time tenure is awarded.

25 (b) A teacher applies for tenure by submitting to the superintendent of the
26 district a written request for tenure, along with copies of all written evaluations for
27 each year that the teacher has taught in that district, recommendations regarding tenure
28 by the teacher's supervisor, and other material the teacher considers informative
29 regarding the teacher's qualifications for tenure. The superintendent shall forward to
30 the school board and the local tenure review committee copies of the teacher's request
31 and all material submitted with the request.

1 (c) Failure of a teacher to acquire tenure does not affect an existing contract
2 between the teacher and the school district.

3 (d) A teacher for whom tenure is disapproved by the school board may submit
4 another request for tenure no earlier than 120 days after the date of the school board's
5 disapproval under AS 14.20.154.

6 (e) Notwithstanding AS 09.25.110 - 09.25.125, a teacher's evaluations
7 submitted under this section are not public records unless authorized for release by the
8 teacher.

9 Sec. 14.20.152. LOCAL TENURE REVIEW COMMITTEE. (a) A school
10 board shall establish one or more local tenure review committees composed of at least
11 three, but no more than five, members.

12 (b) The membership of a local tenure review committee shall include a simple
13 majority of tenured teachers currently employed in the district. The teachers in the
14 school or schools subject to a committee's jurisdiction shall elect the teacher members
15 of the committee. The remaining members shall be appointed by the school board and
16 shall be building administrators from the school or schools within the jurisdiction of
17 the committee. Each member of a committee serves for a term of three years unless
18 the member is removed for just cause by the school board or no longer meets the
19 qualification requirement under which the person was appointed. The initial terms of
20 the members of a committee shall be staggered.

21 (c) The school board may not serve as a local tenure review committee.

22 (d) A majority of the members appointed to a local tenure review committee
23 constitutes a quorum.

24 Sec. 14.20.153. DUTIES OF A LOCAL TENURE REVIEW COMMITTEE.

25 (a) A local tenure review committee shall elect a chair from among its members.

26 (b) The committee shall meet at least once every six months and at the call
27 of the chair or on petition of a majority of its members.

28 (c) The committee's deliberations and decisions concerning an application for
29 tenure are confidential and are not open to the public under AS 44.62.310. Materials
30 prepared for or presented to the committee during a confidential meeting are not public
31 records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

1 The committee shall determine whether it is in the best interests of the students in the
2 district to recommend approval or to recommend disapproval of tenure for a teacher.

3 (d) The committee shall furnish written notification of its recommendation to
4 the teacher, the school district superintendent, and the school board within 10 working
5 days after the date of the vote on the recommendation. A recommendation to
6 disapprove tenure must include the reasons for the recommendation. The committee's
7 recommendation is not binding on the school board.

8 (e) In addition to its duties concerning teachers who have applied for tenure,
9 the committee shall annually review the performance of each nontenured teacher in the
10 schools for which it has jurisdiction. After reviewing the performance of a teacher,
11 the committee shall prepare a written evaluation concerning the teacher, noting
12 strengths and deficiencies. The committee shall provide a copy of the evaluation to
13 the teacher. The evaluation and the teacher's response to it, if any, become part of the
14 teacher's personnel file. Committee deliberations concerning an evaluation are
15 confidential and are not open to the public under AS 44.62.310. Materials prepared
16 for or presented to the committee during the evaluation are not public records under
17 AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

18 Sec. 14.20.154. BOARD REVIEW OF RECOMMENDATIONS. After
19 consideration of a teacher's request for tenure and material submitted with the request,
20 and consideration of the recommendation of the local tenure review committee under
21 AS 14.20.153, the school board shall approve or disapprove tenure for a teacher who
22 applies under AS 14.20.151. The board's deliberations and decisions concerning an
23 application for tenure are confidential and are not open to the public under
24 AS 44.62.310. Materials prepared for or presented to the board during a confidential
25 meeting are not public records under AS 09.25.110 - 09.25.125 unless authorized for
26 release by the teacher. If the school board disapproves tenure for a teacher, the school
27 board shall set out in writing the reasons for the disapproval.

28 * Sec. 8. AS 14.20.155(a) is amended to read:

29 (a) A teacher who has acquired tenure rights has the right to employment
30 within the district during continuous service and so long as the teacher's
31 performance is not unsatisfactory as set out in AS 14.20.172.

1 * Sec. 9. AS 14.20 is amended by adding a new section to read:

2 Sec. 14.20.172. TERMINATION OF TENURE FOR UNSATISFACTORY
3 PERFORMANCE. (a) A school board shall establish performance review procedures
4 for the district. The procedures must provide for the annual review of each tenured
5 teacher. After the review, the reviewer shall prepare a written evaluation. If the
6 reviewer finds that the tenured teacher's performance is unsatisfactory, the reviewer
7 shall advise the teacher of the unsatisfactory performance and suggest ways to
8 improve. The reviewer shall provide a copy of the evaluation to the teacher. The
9 evaluation and the teacher's response to it, if any, become part of the teacher's
10 personnel file. A copy of each evaluation that finds that a tenured teacher's
11 performance is unsatisfactory shall be provided to the school board.

12 (b) A tenured teacher who has received notice of unsatisfactory performance
13 has two years to improve the teacher's performance. If, after two years, the reviewer
14 finds that the teacher's performance has not improved sufficiently, the reviewer shall
15 notify the school board for referral to the local tenure review committee.

16 (c) When a school board receives notice from a reviewer that a tenured teacher
17 has received notice of unsatisfactory performance for two years in succession, the
18 school board shall immediately refer the matter to a local tenure review committee.
19 The committee shall review the performance of the tenured teacher and shall make a
20 written evaluation of the teacher's performance. The evaluation becomes part of the
21 teacher's personnel file. If the committee finds that the teacher's performance is
22 unsatisfactory, it shall refer the evaluation to the school board for its consideration.

23 (d) A school board may terminate the tenure of a teacher whose
24 evaluation was referred to the board by a local tenure review committee if the board
25 finds that the teacher's performance has remained unsatisfactory for the two-year
26 period. After termination of tenure, the teacher shall have the rights of a newly-hired
27 nontenured teacher.

28 (e) Deliberations of the local tenure review committee and of the school board
29 concerning an evaluation under this section are confidential and are not open to the
30 public under AS 44.62.310. Materials prepared for or presented to the reviewer, the
31 committee, or the board during the evaluation and meetings to consider termination of

1 tenure are not public records under AS 09.25.110 -09.25.125 unless authorized for
2 release by the teacher. This subsection shall be liberally construed to protect the
3 privacy rights of teachers.

4 * Sec. 10. AS 14.20.215 is amended by adding new paragraphs to read:

5 (8) "committee" means the local tenure review committee;

6 (9) "school board" means the borough or city school board or a
7 regional school board.

8 * Sec. 11. TRANSITION. Notwithstanding sec. 13 of this Act, the state Board of
9 Education may proceed to adopt regulations necessary to implement this Act. The regulations
10 take effect under AS 44.62 (Administrative Procedure Act), but not before the respective
11 effective date of the relevant section or sections of this Act.

12 * Sec. 12. Section 11 of this Act takes effect immediately under AS 01.10.070(c).

13 * Sec. 13. Sections 1 - 10 of this Act take effect July 1, 1994.



NEA-ALASKA

Affiliated with the National Education Association

HB 84 Position Paper

Some have come to believe that tenure is synonymous with lifetime employment. Nothing could be further from the truth. Competent and effective administrators with leadership and motivational skills have utilized tenure as an ally to develop innovative and challenging teaching staffs.

How? Tenure protects the freedom the academic community needs to impart knowledge and critical thinking skills to children. Tenure protects schools from becoming systems where the spoils of a bureaucracy are placed and practiced.

Over 20 years ago Alaska joined the mainstream of America by extending tenure to its teachers. Today tenure continues to accomplish its purpose by encouraging effective teaching in the various political climates existing in any school district during a person's career. But, at the same time teachers have been dismissed and non-renewed for incompetence, immorality, and failure to comply with the rules and regulations of school systems.

Administrators are necessary to the success of the process because they are trained to evaluate and develop teachers to accomplish the educational goals and plans of a school district. Administration is a demanding job. Those who enter educational management understand that many variables will attack their time. Good administration understands the need to develop the skills of the staff as the profession changes. They have the authority to coordinate resources such as money, other teachers and the instructional day to develop staff.

Although administrators are critical to the staff development/evaluation process, we continue to hear of career teachers who have never been evaluated. We hear of the first year teacher who on his/her first day is given a set of keys to his/her classroom, attends a staff meeting, but never sees a principal in his/her classroom for the rest of the year. We hear of teachers who ask for help from administrators who unfortunately give them no time and no attention. In cases like these, weakening tenure will not help administrators do better jobs. Also creating tenure review committees cannot do this because of lack of money, authority, time and staff needed to insure a successful staff development and evaluation program.

School are burdened with too many mandates from the local, state and federal levels. Both teachers and administrators are expected to do more but are allocated nothing to accomplish the expectations. Instead of working with school districts to help them restructure the time and job assignment of administrators to allow them to become instructional leaders, develop staff and implement evaluation programs the HESS Committee has before it another proposal to create a new bureaucracy to complicate the evaluation process and the system for achieving tenure. NEA-Alaska is concerned that making the evaluation process more cumbersome by creating tenure review committees will simply dilute time and personnel already critically stretched. Removing teachers from already overcrowded classrooms to serve on tenure review committees will be expensive and will simply add to overcrowding. The allocation of time to tenure review will be costly. Will school districts be expected to fund the cost associated with release time, staff development programs demanded by the tenure review committee, meetings, inservice-training etc.? A two tier tenure system will be confusing and divisive since teachers will be divided into one system or the other. Litigation can be expected. Will premiums to insure districts in the event of litigation by teachers against districts go up?

The problem is not tenure. Furthermore, the public doesn't believe tenure is a problem either if we believe results gathered last year by the Department of Education. The public's concern for tenure falls far below their concern for early childhood education, class size reduction and providing opportunities for at-risk children.

Professionally and publicly, we emphasize, tenure is not the problem. If we are to restructure school systems to empower teachers to prepare all children for the demands of an ever changing economy, three areas must be addressed. First, the system used to prepare teachers for the classroom must be improved; second, the process used to select teachers for employment should be reviewed, and third, the process and procedure used to evaluate and develop teachers must happen and must become a vehicle to empower teachers for the challenging opportunities that are before us. Failure to address these critical areas will simply miss the mark of providing substantive change designed to insure that the children of Alaska are taught by the best.

NEA-Alaska opposes CSHB 84 because it simply will create two tenure systems and does nothing to insure that administrators are provided the time to do the demanding jobs they are hired to do -- be instructional leaders Alaska will need to meet the demands of the new century.

February 8, 1994

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE G.DAVIS

TO: CSHB 84(HES)

Page 4, line 16:

Delete "five, but no more than nine"

Insert "three, but no more than five"

Page 4, line 17, after "The":

Insert "regular"

Page 4, line 26, after "(c)":

Insert "The principal of a school and one tenured teacher from the school shall serve as additional members to the local tenure review committee when the committee is considering a tenure request or reviewing the performance of a teacher employed at that school. The superintendent of the school district shall select the tenured teacher from a list of three names provided by the tenured teachers employed at the school. A teacher who provides services at more than one school is considered to be employed at the school at which the teacher spends a majority of the teacher's time. If there is no school at which the teacher spends a majority of the teacher's time, the superintendent shall designate the school at which the teacher is considered to be employed for purposes of this subsection.

(d)"

Page 4, lines 27 - 28:

Delete all material and insert:

"(e) A quorum consists of a majority of the members of the committee and, when the committee is considering the performance or tenure application of a teacher, must include at least one of the additional committee members from that school."

A M E N D M E N T

OFFERED IN THE HOUSE
TO: CSHB 84(HES)

BY REPRESENTATIVE G.DAVIS

Page 5, line 1, after "." through line 17:

Delete all material and insert:

"(c) The committee's deliberations and decisions concerning an application for tenure are confidential and are not open to the public under AS 44.62.310. Materials prepared for or presented to the committee during a confidential meeting are not public records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher. The committee shall determine whether it is in the best interests of the students in the district to recommend approval or to recommend disapproval of tenure for a teacher."

Reletter the following subsections accordingly.

Page 6, line 6, after "AS 14.20.151.":

Insert "The board's deliberations and decisions concerning an application for tenure are confidential and are not open to the public under AS 44.62.310. Materials prepared for or presented to the board during a confidential meeting are not public records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher."

A M E N D M E N T

OFFERED IN THE HOUSE
TO: CSHB 84(HES)

BY REPRESENTATIVE G.DAVIS

Page 6, lines 14 - 15:

Delete "The tenure review committee for a school shall review the performance of each tenured teacher every five years."

Insert "A school board shall establish performance review procedures for the school district. The procedures must provide for the annual review of each tenured teacher."

Page 6, line 15:

Delete "committee"

Insert "reviewer"

Page 6, line 16:

Delete "committee"

Insert "reviewer"

Page 6, line 17:

Delete "committee"

Insert "reviewer"

Page 6, line 18:

Delete "committee"

Insert "reviewer"

Page 6, line 24:

Delete "committee"

Insert "reviewer"

Page 6, line 25:

Delete "committee"

Insert "reviewer"

Page 6, line 26:

Delete "committee"

Insert "reviewer"

Memo

To: Representatives Brice, Bunde,
B. Davis, G. Davis, Kott, Nicholia,
Olberg, Toohy, Vezev
Fr: Kimberly Homme

I support the majority of the recommendations of the Alaska 2000 project. However, the idea of tenure review boards holding a political procession of the public is an unworkable way to increase desired student performance outcomes.

This type of process should be reserved for elected officials, who are accountable to the general public. Please

Slash this provision from CSHB84:

Teachers have a review process currently that is frequent and effective which may involve parents, other teachers and administrators.

Sincerely,

Kimberly Homme
Kimberly Homme
2903 W. 29th Ave
Anch., AK 99517



ALASKA PUBLIC EMPLOYEES ASSOCIATION/AFT(AFL-CIO)

State Headquarters/Juneau Field Office
211 Fourth Street, Suite 306, Juneau, Alaska 99801
Telephone (907) 586-2334, (800) 478-9991, Fax 463-4980

February 8, 1994

The Honorable Cynthia Toohey and
The Honorable Con Bunde
Co-Chair, Health and Social Services Committee
Alaska State House of Representatives
Room 112, State Capitol
Juneau, AK 99801-1182

Re: Opposition to CSHB 84

Dear Co-Chair Toohey and Bunde; members of the committee:

APEA/AFT represents public school teachers. We oppose CSHB 84 for the following reasons:

The system of tenure "on application" by peer panels has kept women and minorities out of university employment for decades. That same tendency could work to keep young teachers with new ideas out of the public school system;

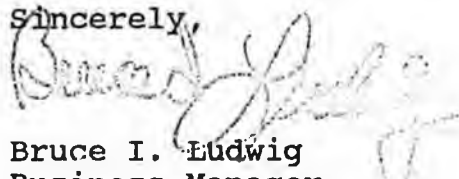
University style tenure determination systems are intended to protect academic freedom, but can frequently result in highly political, penalizing, character attacks upon new teachers.

The tenure recommendations from peer review committees are not binding upon school boards.

Please vote against passage of CSHB 84.

Thank you for your time and consideration of our concerns.

Sincerely,


Bruce I. Ludwig
Business Manager

Anchorage Field Office
1689 C Street, Suite 204, Anchorage, Alaska 99501
Telephone (907) 274-1688, (800) 478-9992, Fax 277-4588

Fairbanks Field Office
825 College Road, Fairbanks, Alaska 99701
Telephone (907) 456-5412, (800) 478-9993, Fax 456-7478



ANCHORAGE
SCHOOL DISTRICT
4600 DeBarr Road
P.O. Box 196614
Anchorage, Alaska 99519-6614
(907)333-9561

February 3, 1994

Representative Bettye Davis
Alaska State Legislature
Juneau, Alaska

Dear Bettye,

Larry Wiget asked that I go over HB 84 and address, in particular, the sections which focus on teacher tenure.

I understand amendments to the committee substitute have already been adopted and that the general advisory boards have been eliminated. The Tenure Committee is still in the draft; its members will be appointed by the School Board but committee members shall be subject to removal only for just cause. Just cause is a term of art, usually applied in employment relations, not to voluntary committee positions. It would be difficult for the Board to even develop reasonable procedures for removing a committee member who behaved badly. Such procedures would need to be in place before the process began.

The responsibility of the Tenure Committee would be awesome: it would not only conduct a performance review for every tenured teacher, every five years, but of every non-tenured teacher, every year. The current teacher work force is about 2830. Even though the law will apply only to those hired after July 1, 1994, eventually the numbers of teachers involved in this new program will grow large. Assuming performance review would include actual observation, rather than a simple review of evaluation documents produced at the school level, the financial and operational impact of releasing three to five teacher committee members to conduct such observations would be considerable. Further, the task of actually pulling together one or more committees to review all paperwork generated by all these observations and to discuss development of recommendations to the School Board, would be truly daunting.

We are trying to negotiate a more significant role for teachers in the evaluation of colleagues. Since teacher associations have a duty under law to

fairly represent the interests of those in their bargaining units, when testimony regarding teacher performance deficiencies is provided by other teachers, the traditional distinction between supervisor and supervisee will become difficult to define. That may not be a bad thing but the ramifications are serious and there is little evidence in the proposed bill to indicate that those ramifications have been explored. Under the terms of the current agreement between the District and the Association, teachers cannot evaluate other teachers. Clearly, law would supersede contract, if there was a clear mandate defined, but principals and teachers would require considerable time to discuss how a system of colleague review might actually work.

All in all, if the purpose of the changes the bill supports is improvement in the evaluation process, that purpose is unlikely to be met and we oppose its adoption, for the following reasons:

- At a minimum, the bill would create a bureaucratic monster which would produce mountains of paper which School Boards would be obligated to review before they could fulfill their statutory obligation to judge whether a teacher should retain employment.
- If the concern reflected in the bill is that there are too many incompetent teachers in the system and something ought to be done to send them on their way or help them to become better, there needs to be careful examination of the issues which contribute to that problem, if it is real.

The recommendation of the Anchorage School District, submitted as testimony before the Commissioner of Education during hearings in support of the Alaska 2000 initiative, was to reduce the burden which Districts must meet in terminating tenured teachers. A simple just cause standard, with appeal only to an outside arbitrator through a normal grievance process, would put teachers on the same footing as other public employees in the state. The current teacher termination process is incredibly cumbersome; it is designed to be little used and, in that sense, works as it was designed to work. The method of attack on that poor and cumbersome system, contained in HB 84, would make an already bad situation worse, under the guise of increasing accountability.

If the Legislature wants a cleaner, more efficient and effective system of teacher evaluation, we suggest they propose a clean, efficient, and effective method of addressing that want. Specifically:

1. Extend the time needed to secure tenure, from two to three full years or more;

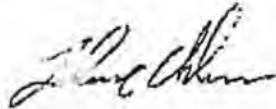
2. eliminate AS 14.20.170-180, in its entirety. Replace it with an addendum to AS 23.40 that says that collective bargaining agreements must contain grievance procedures which end in binding arbitration and apply to termination of teachers for just cause, without access to School Board review or trial *de novo*.

If this proposed modification to the present system does not produce the desired results in three to five years, we'll go back and try again. Let's begin with what we know and move forward, rather than create what we know nothing about and run a substantial risk of falling on our collective faces. Right now, we don't know what problem the bill hopes to fix or what evidence was developed that suggests this proposed solution will be any less onerous than the problem.

Please understand that these recommendations reflect administrative discussions only, they do not constitute a public position of the Anchorage School Board. If such a position is needed, we will take steps to calendar for necessary discussion but it would not likely occur before late March or early April, at the soonest.

If I can be of further assistance, please let me know.

Sincerely,



Lee Wilson
Executive Director/Labor Relations

cc: Bob Christal
Carol Comeau

8-GH1033\U
Ford/Cramer
2/1/94

CS FOR HOUSE BILL NO. 84(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to grants for the improvement of school performance and to
2 teacher tenure rights; and providing for an effective date."

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

4 * Section 1. PURPOSE. The purpose of this Act is to

5 (1) implement certain recommendations of Alaska 2000, a comprehensive
6 statewide effort of Alaskans to improve the state's education system for the future;

7 (2) build a state education system with the flexibility to be more responsive
8 to the needs of students and society;

9 (3) set high expectations and tailor educational standards to meet the diverse
10 needs of Alaska's children;

11 (4) change the state education system so that Alaska educators can do their
12 very best and so that the best educators are teaching in our schools;

13 (5) provide increased opportunity for our children to achieve higher educational
14 performance; and

1 (6) structure our education system to facilitate accomplishment of national,
2 state, and local goals for the education of Alaska's children.

3 * Sec. 2. AS 14.03.125(a) is amended to read:

4 (a) The fund for the improvement of school performance is created as an
5 account in the general fund. The fund shall be used by the commissioner to make
6 grants [TO A DISTRICT LOCATED IN THE STATE] for the purpose of improving
7 public school performance in a district in the state. The fund consists of money
8 appropriated by the legislature, including money appropriated from the earnings of
9 the public school trust fund under AS 37.14.110. The commissioner shall include
10 an [ANNUALLY DETERMINE THE] amount [REQUESTED] for grants under this
11 section [AND SHALL INCLUDE THE AMOUNT] in the department's annual budget
12 request.

13 * Sec. 3. AS 14.03.125(b) is amended to read:

14 (b) A person, governing body, or district advisory board [, OR NONPROFIT
15 ORGANIZATION] located in the state [, OR A TEACHER OR PRINCIPAL
16 EMPLOYED BY A PUBLIC SCHOOL IN THE STATE,] may apply for a grant of
17 up to \$50,000 to improve public school performance by submitting an application to
18 the commissioner. An application must be signed by the chief school administrator
19 of the district that will receive the grant or, if the application is from a person,
20 a chief school administrator of a district that has agreed to receive, administer,
21 and account for the grant.

22 * Sec. 4. AS 14.03.125(c) is amended to read:

23 (c) The department may award a [A] grant [MAY BE AWARDED] to the
24 same applicant [GRANTEE] in consecutive fiscal years, but may not award a grant
25 [BE AWARDED] to the same applicant [GRANTEE] for more than three [TWO]
26 fiscal years within a five-year period. This subsection does not apply to a district
27 if the district is administering the grant and the district governing body is not the
28 grantee.

29 * Sec. 5. AS 14.03.125(e) is amended to read:

30 (e) In this section,

31 (1) "applicant" means a person applying for a grant under this

1 section;

2 (2) "district" has the meaning given in AS 14.17.250.

3 * Sec. 6. AS 14.03.125 is amended by adding a new subsection to read:

4 (f) The board shall adopt regulations concerning grants and grant award
5 procedures under this section.

6 * Sec. 7. AS 14.20.150 is repealed and reenacted to read:

7 Sec. 14.20.150. ACQUISITION OF TENURE RIGHTS. (a) Except as
8 provided in (c) of this section, a teacher acquires tenure rights in a district when the
9 teacher

10 (1) has applied for tenure under AS 14.20.151;

11 (2) has been employed as a teacher in the state for five full school
12 years, and has been employed as a teacher by the district for the last two full school
13 years, under a standard or provisional teaching certificate and is reemployed in that
14 district for the school year immediately following the two full school years;

15 (3) has been considered for tenure by the local tenure review committee
16 under AS 14.20.153; and

17 (4) has been approved for tenure by the local school board.

18 (b) The tenure rights acquired under (a) of this section take effect on the first
19 day the teacher performs teaching services in the district described in (a) of this section
20 after all of the requirements of (a) of this section have been met.

21 (c) A teacher who was hired by a district before July 1, 1994, who had not yet
22 acquired tenure rights on June 30, 1994, and who was continuously employed by that
23 district from the date of hire acquires tenure rights in that district under AS 14.20.150
24 as it existed on June 30, 1994.

25 * Sec. 8. AS 14.20 is amended by adding new sections to read:

26 Sec. 14.20.151. APPLICATION FOR TENURE. (a) A teacher may apply for
27 tenure when the teacher has been offered a third consecutive full-year contract with the
28 same local school district and will have completed employment as a teacher in the
29 state for five full school years by the time tenure is awarded.

30 (b) A teacher applies for tenure by submitting to the superintendent of the
31 district a written request for tenure, along with copies of all written evaluations for

1 each year that the teacher has taught in that district, recommendations regarding tenure
2 by the teacher's supervisor, and other material the teacher considers informative
3 regarding the teacher's qualifications for tenure. The superintendent shall forward to
4 the local school board and the local tenure review committee copies of the teacher's
5 request and all material submitted with the request.

6 (c) Failure of a teacher to acquire tenure does not affect an existing contract
7 between the teacher and the school district.

8 (d) A teacher for whom tenure is disapproved by the local school board may
9 submit another request for tenure no earlier than 120 days after the date of the local
10 school board's disapproval under AS 14.20.154.

11 (e) Notwithstanding AS 09.25.110 - 09.25.125, a teacher's evaluations
12 submitted under this section are not public records unless authorized for release by the
13 teacher.

14 Sec. 14.20.152. LOCAL TENURE REVIEW COMMITTEE. (a) A local
15 school board shall establish one or more local tenure review committees composed of
16 at least five, but no more than nine, members.

17 (b) The membership of a local tenure review committee shall include a simple
18 majority of tenured teachers currently employed in the district. The teachers in the
19 schools subject to a local review committee's jurisdiction shall elect the teacher
20 members of the committee. The remaining members shall be appointed by the local
21 school board and shall be representatives of the school administration and the local
22 school board. Each member of a committee serves for a term of three years unless the
23 member is removed for just cause by the local school board or no longer meets the
24 qualification requirement under which the person was appointed. The initial terms of
25 the members of a committee shall be staggered.

26 (c) The local school board may not serve as a local tenure review committee.

27 (d) A majority of the members appointed to a local tenure review committee
28 constitutes a quorum.

29 Sec. 14.20.153. DUTIES OF A LOCAL TENURE REVIEW COMMITTEE.

30 (a) A local tenure review committee shall elect a chair from among its members.

31 (b) The committee shall meet at least once every six months and at the call

1 of the chair or on petition of a majority of its members. The committee shall meet at
2 a time and place that will encourage public participation.

3 (c) The committee shall publish notice of its meetings in the manner that
4 notice is provided for regularly scheduled local school board meetings in the district.
5 The notice must contain a list of the names of teachers who have requested tenure and
6 must state that comments may be provided to the committee before the meeting.
7 Comments regarding a teacher that are received by the committee shall be provided
8 to the teacher.

9 (d) Notwithstanding AS 44.62.310, after allowing public comment at the public
10 meeting on tenure requests, the committee shall deliberate on each request in executive
11 session unless a teacher requests a public discussion on that teacher's request. A
12 teacher may choose to be present during an executive session in which the committee
13 considers that teacher's tenure request.

14 (e) By vote in a public meeting, the committee shall determine whether it is
15 in the best interests of the students in the district to recommend approval or to
16 recommend disapproval of tenure for a teacher. The vote shall be by roll call of the
17 members present.

18 (f) The committee shall furnish written notification of its recommendation to
19 the teacher, the school district superintendent, and the local school board within 10
20 working days after the date of the vote on the recommendation. A recommendation
21 to disapprove tenure must include the reasons for the recommendation. The
22 committee's recommendation is not binding on the local school board.

23 (g) In addition to its duties concerning teachers who have applied for tenure,
24 the committee shall annually review the performance of each nontenured teacher in the
25 schools for which it has jurisdiction. After reviewing the performance of a teacher,
26 the committee shall prepare a written evaluation concerning the teacher, noting
27 strengths and deficiencies. The committee shall provide a copy of the evaluation to
28 the teacher. The evaluation and the teacher's response to it, if any, become part of the
29 teacher's personnel file. Committee deliberations concerning an evaluation are
30 confidential and are not open to the public under AS 44.62.310. Materials prepared
31 for or presented to the committee during the evaluation are not public records under

1 AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

2 Sec. 14.20.154. BOARD REVIEW OF RECOMMENDATIONS. After
3 consideration of a teacher's request for tenure and material submitted with the request,
4 and consideration of the recommendation of the local tenure review committee under
5 AS 14.20.153, the local school board shall approve or disapprove tenure for a teacher
6 who applies under AS 14.20.151. If the local school board disapproves tenure for a
7 teacher, the local school board shall set out in writing the reasons for the disapproval.

8 * Sec. 9. AS 14.20.155(a) is amended to read:

9 (a) A teacher who has acquired tenure rights has the right to employment
10 within the district during continuous service and so long as the teacher's
11 performance is not deficient as set out in AS 14.20.172.

12 * Sec. 10. AS 14.20 is amended by adding a new section to read:

13 Sec. 14.20.172. TERMINATION OF TENURE FOR DEFICIENT
14 PERFORMANCE. (a) The tenure review committee for a school shall review the
15 performance of each tenured teacher every five years. After the review, the committee
16 shall prepare a written evaluation. If the committee finds that the tenured teacher's
17 performance is deficient in some regard, the committee shall advise the teacher of the
18 deficiencies and of how to correct them. The committee shall provide a copy of the
19 evaluation to the teacher. The evaluation and the teacher's response to it, if any,
20 become part of the teacher's personnel file. A copy of each evaluation that finds that
21 a tenured teacher's performance is deficient shall be provided to the local school
22 board.

23 (b) A tenured teacher who has received notice of a deficiency in a performance
24 evaluation has two years to improve the teacher's performance. The committee shall
25 review the teacher's performance annually. If, after two years, the committee finds
26 that the teacher's performance has not improved sufficiently, the committee shall notify
27 the local school board.

28 (c) A local school board may terminate, for just cause, the tenure of a teacher
29 who has received a notice of deficiency as part of a performance evaluation if the
30 board finds that the teacher's performance has remained deficient for the two-year
31 period. After termination of tenure, the teacher shall have the rights of a newly-hired

1 nontenured teacher.

2 (d) Committee deliberations and local school board deliberations concerning
3 an evaluation under this section are confidential and are not open to the public under
4 AS 44.62.310. Materials prepared for or presented to the committee or to the board
5 during the evaluation and meetings to consider termination of tenure are not public
6 records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

7 This subsection shall be liberally construed to protect the privacy rights of teachers.

8 * Sec. 11. AS 14.20.215 is amended by adding new paragraphs to read:

9 (8) "committee" means the local tenure review committee;

10 (9) "local school board" means the local borough or city school board
11 or a regional school board.

12 * Sec. 12. TRANSITION. Notwithstanding secs. 13 and 14 of this Act, the state Board
13 of Education may proceed to adopt regulations necessary to implement this Act. The
14 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
15 respective effective date of the relevant section or sections of this Act.

16 * Sec. 13. Section 12 of this Act takes effect immediately under AS 01.10.070(c).

17 * Sec. 14. Sections 1 - 11 of this Act take effect July 1, 1994.

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 1, 1994

SUBJECT: CSHB 84 (HES) (Teacher tenure rights)
TO: Representative Con Bunde
FROM: Teresa B. Cramer *TC*
Legislative Counsel

You have asked that I explain my concerns about the amendment to Sec. 14.20.172(c) adopted by the HESS committee. The sentence, before amendment, read:

A local school board may terminate the tenure of a teacher who has received a notice of deficiency as part of a performance evaluation if the board finds that the teacher's performance has remained deficient for the two-year period.

The amendment, which has been included in the draft HESS CS, adds "for just cause" after "terminate" in the first line of the sentence. The last clause of the sentence ("if the board finds that the teacher's performance has remained deficient for the two-year period") sets out the basis for the board's action. This is the "cause" that the previous draft contemplated as justification for the board's action. Adding the general phrase "just cause" makes it unclear whether a two-year period of deficiency is a sufficient basis for ending tenure and also whether there may be other reasons that tenure could be terminated. Given the ambiguity in the relationship of the "just cause" to the "two-year deficiency," I would recommend that the sentence be redrafted or that the "just cause" language be omitted, depending on the committee's intent. If the committee is concerned that the teacher may have been found deficient over a two-year period for essentially insignificant deficiencies, I would suggest addressing that directly, perhaps by adding a requirement that the board find that the teacher's performance has remained substantially deficient or significantly deficient for the two-year period.

Please let me know if you have question about this memo or if you would like the CS redrafted.

TC:pl:gc
94-087.plm
Enclosure

8-GH1033R
Ford
1/28/94

CS FOR HOUSE BILL NO. 84()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to grants for the improvement of school performance, to school
2 advisory boards, and to teacher tenure rights; and providing for an effective
3 date."

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

5 * Section 1. PURPOSE. The purpose of this Act is to

6 (1) implement certain recommendations of Alaska 2000, a comprehensive
7 statewide effort of Alaskans to improve the state's education system for the future;

8 (2) build a state education system with the flexibility to be more responsive
9 to the needs of students and society;

10 (3) set high expectations and tailor educational standards to meet the diverse
11 needs of Alaska's children;

12 (4) change the state education system so that Alaska educators can do their
13 very best and so that the best educators are teaching in our schools;

14 (5) provide increased opportunity for our children to achieve higher educational

1 performance; and

2 (6) structure our education system to facilitate accomplishment of national,
3 state, and local goals for the education of Alaska's children.

4 * Sec. 2. AS 14.03.125(a) is amended to read:

5 (a) The fund for the improvement of school performance is created as an
6 account in the general fund. The fund shall be used by the commissioner to make
7 grants [TO A DISTRICT LOCATED IN THE STATE] for the purpose of improving
8 public school performance in a district in the state. The fund consists of money
9 appropriated by the legislature, including money appropriated from the earnings of
10 the public school trust fund under AS 37.14.110. The commissioner shall include
11 an [ANNUALLY DETERMINE THE] amount [REQUESTED] for grants under this
12 section [AND SHALL INCLUDE THE AMOUNT] in the department's annual budget
13 request.

14 * Sec. 3. AS 14.03.125(b) is amended to read:

15 (b) A person, governing body, or district advisory board [, OR NONPROFIT
16 ORGANIZATION] located in the state [, OR A TEACHER OR PRINCIPAL
17 EMPLOYED BY A PUBLIC SCHOOL IN THE STATE,] may apply for a grant OF
18 UP TO \$50,000 to improve public school performance by submitting an application
19 to the commissioner. An application must be signed by the chief school
20 administrator of the district that will receive the grant or, if the application is
21 from a person, a chief school administrator of a district that has agreed to
22 receive, administer, and account for the grant.

23 * Sec. 4. AS 14.03.125(c) is amended to read:

24 (c) The department may award a [A] grant [MAY BE AWARDED] to the
25 same applicant [GRANTEE] in consecutive fiscal years, but may not award a grant
26 [BE AWARDED] to the same applicant [GRANTEE] for more than three [TWO]
27 fiscal years within a five-year period. This subsection does not apply to a district
28 if the district is administering the grant and the district governing body is not the
29 grantee.

30 * Sec. 5. AS 14.03.125(e) is amended to read:

31 (e) In this section,

1 (1) "applicant" means a person applying for a grant under this
2 section;

3 (2) "district" has the meaning given in AS 14.17.250.

4 * Sec. 6. AS 14.03.125 is amended by adding a new subsection to read:

5 (f) The board shall adopt regulations concerning grants and grant award
6 procedures under this section.

7 * Sec. 7. AS 14.12.035 is repealed and reenacted to read:

8 Sec. 14.12.035. ADVISORY BOARDS IN SCHOOL DISTRICTS. (a) Except
9 as provided in (d) of this section, a city or borough school district board shall establish
10 an advisory board at each school in each community within the district if the
11 community has more than 50 permanent residents. The school district board shall set
12 standards for the manner of selection and organization of the advisory boards and, in
13 a manner consistent with (b) of this section, shall prescribe advisory board powers and
14 duties. A member of an advisory board serves without compensation. A school
15 district that has only one school and has a school board is exempt from the
16 requirements of this section.

17 (b) An advisory board shall advise the school district board on any matter
18 concerning schools in the district in which the advisory board is established.

19 (c) The commissioner may allow an advisory board to serve more than one
20 school upon request by a school district board.

21 (d) In a school that has a parent-teacher association and at which the school
22 district is required to establish an advisory board under (a) of this section, the school
23 district shall treat the parent-teacher association as if the parent-teacher association
24 were the advisory board required under this section. If a parent-teacher association is
25 formed after the district establishes an advisory board under (a) of this section, the
26 district shall transfer the powers and duties of the advisory board to the parent-teacher
27 association.

28 * Sec. 8. AS 14.20.150 is repealed and reenacted to read:

29 Sec. 14.20.150. ACQUISITION OF TENURE RIGHTS. (a) Except as
30 provided in (c) of this section, a teacher acquires tenure rights in a district when the
31 teacher

- 1 (1) has applied for tenure under AS 14.20.151;
- 2 (2) has been employed as a teacher in the state for five full school
- 3 years, and has been employed as a teacher by the district for the last two full school
- 4 years, under a standard or provisional teaching certificate and is reemployed in that
- 5 district for the school year immediately following the two full school years;
- 6 (3) has been considered for tenure by the local tenure review committee
- 7 under AS 14.20.153; and
- 8 (4) has been approved for tenure by the local school board.

9 (b) The tenure rights acquired under (a) of this section take effect on the first

10 day the teacher performs teaching services in the district described in (a) of this section

11 after all of the requirements of (a) of this section have been met.

12 (c) A teacher who was hired by a district before July 1, 1994, who had not yet

13 acquired tenure rights on June 30, 1994, and who was continuously employed by that

14 district from the date of hire acquires tenure rights in that district under AS 14.20.150

15 as it existed on June 30, 1994.

16 * Sec. 9. AS 14.20 is amended by adding new sections to read:

17 Sec. 14.20.151. APPLICATION FOR TENURE. (a) A teacher may apply for

18 tenure when the teacher has been offered a third consecutive full-year contract with the

19 same local school district and will have completed employment as a teacher in the

20 state for five full school years by the time tenure is awarded.

21 (b) A teacher applies for tenure by submitting to the superintendent of the

22 district a written request for tenure, along with copies of all written evaluations for

23 each year that the teacher has taught in that district, recommendations regarding tenure

24 by the teacher's supervisor, and other material the teacher considers informative

25 regarding the teacher's qualifications for tenure. The superintendent shall forward to

26 the local school board and the local tenure review committee copies of the teacher's

27 request and all material submitted with the request.

28 (c) Failure of a teacher to acquire tenure does not affect an existing contract

29 between the teacher and the school district.

30 (d) A teacher for whom tenure is disapproved by the local school board may

31 submit another request for tenure no earlier than 120 days after the date of the local

1 school board's disapproval under AS 14.20.154.

2 (e) Notwithstanding AS 09.25.110 - 09.25.125, a teacher's evaluations
3 submitted under this section are not public records unless authorized for release by the
4 teacher.

5 Sec. 14.20.152. LOCAL TENURE REVIEW COMMITTEE. (a) A local
6 school board shall establish one or more local tenure review committees composed of
7 at least five, but no more than nine, members. A tenure committee serves at the
8 pleasure of the local school board.

9 (b) The membership of a local tenure review committee shall include a simple
10 majority of tenured teachers currently employed in the district. The teachers in the
11 schools subject to a local review committee's jurisdiction shall elect the teacher
12 members of the committee. The remaining members shall be appointed by the local
13 school board and shall be representatives of school administration or the local school
14 board or both. Each member of a committee serves for a term of three years unless
15 the member is removed by the local school board or no longer meets the qualification
16 requirement under which the person was appointed. The initial terms of the members
17 of a committee shall be staggered.

18 (c) The local school board may not serve as a local tenure review committee.

19 (d) A majority of the members appointed to a local tenure review committee
20 constitutes a quorum.

21 Sec. 14.20.153. DUTIES OF A LOCAL TENURE REVIEW COMMITTEE.

22 (a) A local tenure review committee shall elect a chair from among its members.

23 (b) The committee shall meet at least once every six months and at the call
24 of the chair or on petition of a majority of its members. The committee shall meet at
25 a time and place that will encourage public participation.

26 (c) The committee shall publish notice of its meetings in the manner that
27 notice is provided for regularly scheduled local school board meetings in the district.
28 The notice must contain a list of the names of teachers who have requested tenure and
29 must state that comments may be provided to the committee before the meeting.
30 Comments regarding a teacher that are received by the committee shall be provided
31 to the teacher.

1 (d) Notwithstanding AS 44.62.310, after allowing public comment at the public
2 meeting on tenure requests, the committee shall deliberate on each request in executive
3 session unless a teacher requests a public discussion on that teacher's request. A
4 teacher may choose to be present during an executive session in which the committee
5 considers that teacher's tenure request.

6 (e) By vote in a public meeting, the committee shall determine whether it is
7 in the best interests of the students in the district to recommend approval or to
8 recommend disapproval of tenure for a teacher. The vote shall be by roll call of the
9 members present.

10 (f) The committee shall furnish written notification of its recommendation to
11 the teacher, the school district superintendent, and the local school board within 10
12 working days after the date of the vote on the recommendation. A recommendation
13 to disapprove tenure must include the reasons for the recommendation. The
14 committee's recommendation is not binding on the local school board.

15 (g) In addition to its duties concerning teachers who have applied for tenure,
16 the committee shall annually review the performance of each nontenured teacher in the
17 schools for which it has jurisdiction. After reviewing the performance of a teacher,
18 the committee shall prepare a written evaluation concerning the teacher, noting
19 strengths and deficiencies. The committee shall provide a copy of the evaluation to
20 the teacher. The evaluation and the teacher's response to it, if any, become part of the
21 teacher's personnel file. Committee deliberations concerning an evaluation are
22 confidential and are not open to the public under AS 44.62.310. Materials prepared
23 for or presented to the committee during the evaluation are not public records under
24 AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

25 Sec. 14.20.154. BOARD REVIEW OF RECOMMENDATIONS. After
26 consideration of a teacher's request for tenure and material submitted with the request,
27 and consideration of the recommendation of the local tenure review committee under
28 AS 14.20.153, the local school board shall approve or disapprove tenure for a teacher
29 who applies under AS 14.20.151. If the local school board disapproves tenure for a
30 teacher, the local school board shall set out in writing the reasons for the disapproval.

31 * Sec. 10. AS 14.20.155(a) is amended to read:

1 (a) A teacher who has acquired tenure rights has the right to employment
2 within the district during continuous service and so long as the teacher's
3 performance is not deficient as set out in AS 14.20.172.

4 * Sec. 11. AS 14.20 is amended by adding a new section to read:

5 Sec. 14.20.172. TERMINATION OF TENURE FOR DEFICIENT
6 PERFORMANCE. (a) The tenure review committee for a school shall review the
7 performance of each tenured teacher every five years. After the review, the committee
8 shall prepare a written evaluation. If the committee finds that the tenured teacher's
9 performance is deficient in some regard, the committee shall advise the teacher of the
10 deficiencies and of how to correct them. The committee shall provide a copy of the
11 evaluation to the teacher. The evaluation and the teacher's response to it, if any,
12 become part of the teacher's personnel file. A copy of each evaluation that finds that
13 a tenured teacher's performance is deficient shall be provided to the local school
14 board.

15 (b) A tenured teacher who has received notice of a deficiency in a performance
16 evaluation has two years to improve the teacher's performance. The committee shall
17 review the teacher's performance annually. If, after two years, the committee finds
18 that the teacher's performance has not improved sufficiently, the committee shall notify
19 the local school board.

20 (c) A local school board may terminate the tenure of a teacher who has
21 received a notice of deficiency as part of a performance evaluation if the board finds
22 that the teacher's performance has remained deficient for the two-year period. After
23 termination of tenure, the teacher shall have the rights of a newly-hired nontenured
24 teacher.

25 (d) Committee deliberations and local school board deliberations concerning
26 an evaluation under this section are confidential and are not open to the public under
27 AS 44.62.310. Materials prepared for or presented to the committee or to the board
28 during the evaluation and meetings to consider termination of tenure are not public
29 records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

30 This subsection shall be liberally construed to protect the privacy rights of teachers.

31 * Sec. 12. AS 14.20.215 is amended by adding new paragraphs to read:

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(8) "committee" means the local tenure review committee;

(9) "local school board" means the local borough or city school board
or a regional school board.

* Sec. 13. TRANSITION. Notwithstanding secs. 14 and 15 of this Act, the state Board of Education may proceed to adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the respective effective date of the relevant section or sections of this Act.

* Sec. 14. Section 13 of this Act takes effect immediately under AS 01.10.070(c).

* Sec. 15. Sections 1 - 12 of this Act take effect July 1, 1994.

MEETING
1/30/94

ATTACHMENT 1

AMENDMENTS

CS HB 84 (8-GH1033/R) 1/28/94

Page 3

Delete Section 7 and renumber.

Page 5 Line 7-8

Delete "A tenure committee serves at the pleasure of the local school board."

Page 5 Line 13

Delete "or"

Insert "and".

Page 5 Line 14

Delete "or both".

(The sentence will now read:

The remaining members shall be appointed by the local school board and shall be representatives of school administration and the local school board.)

Page 5 Line 15

After "removed", insert "for just cause".

Page 7 Line 20

After "terminate", insert "for just cause".

DATE: 1/29/94

MEETING 1/30/94
ATTACHMENT
2

To members of the HESS Committee: Brice, Knott, Bunde, Nicholia, B Davis, Olberg, Vezey, Toohey

Please oppose CS HB 84 (Alaska 2000)

Rationale: Tenure only guarantees Just Cause in termination procedures. This protection is needed to insure high quality teachers. Teachers who must be concerned with being fired without cause may lesson requirements and be less inventive in planning.

Michael C. McVee	<i>Michael C. McVee</i>	Anchorage
PRINT NAME	SIGNATURE	CITY

DATE: January 29, 1993

To members of the HESS Committee: Brice, Knott, Bunde, Nicholia, B Davis, Olberg, Vezey, Toohey

Please oppose CS HB 84 (Alaska 2000)

Rationale: Teachers are paid to teach students... not evaluate teachers. That's the job of the principal! There are more students coming in to Bowdoin Elementary every week. Class size is going up! When we opened we had 1050 students... Now we're at 823. We need

Kathi McCord	<i>Kathryn McCord</i>	Anchorage
PRINT NAME	SIGNATURE	CITY

more teachers in the classroom!

I'm a constituent of Rep. Toohey.

Let us do the job we're trained for!

Anchorage
Education
Association



MEETING 1/30/94

ATTACHMENT 3

355

Affiliated with The National Education Association
1411 West 33rd Avenue, Anchorage, Alaska 99503 (907) 274-0536

January 31, 1994

Health, Education and Social Services Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Dear HESS Committee,

I am strongly opposed to the changes in tenure suggested in HB 84. The changes are wrong for several reasons:

- 1) The changes would not accomplish the stated intent. If districts are interested in removing teachers who are not adequate in performing their professional duties, they need to adequately evaluate their performance.
- 2) The creation of tenure review boards would not make districts more accountable. Consider the implications upon a district such as Anchorage. Each school (84) would have tenure review boards, or one large board to cover 84 schools. This would be cumbersome and highly inefficient. Additionally the thought that teachers would have to face this group every five years is very punitive in nature. You would be creating a "monster" for large districts.
- 3) Another bad part of tenure review is the fact that it makes tenure really nothing. It is once again a negative way of addressing "supposed" educational failings. If you want to address "bad" teaching, do so. Tenure never has protected a bad teacher. This so called review committee will really end up being a method for small schools to get rid of teachers for reasons other than their teaching abilities. I am very suspicious of the intent of this bill. For too long the media has played up the negative side of education in this state and country. Many of us would like to build upon the positive side of the picture, but why should a teacher want to put forth effort at reforming education when much of what is proposed is negative in nature. It is a little like judging the Alaska Legislature by what the press reported on the Senator Jacko case last year and this. Would you therefore suggest that all legislators should only serve two terms because it is evident that they are less than ethical? I certainly do not believe so. There is a process to deal with poor legislators and those that are unethical, just as there is a process to deal with poor teachers.

It is time for the legislators to deal with the real problems of Alaska's educational system. These are mainly 1) increasing educational funding to levels that take into account actual increased costs of operating districts, 2) providing adequate housing for Alaska's school children, 3) providing laws that allow school staff and police to communicate about known violent students entering and within

our schools, and 4) making certain that all of our children learn in small classes (20 in elementary, 25 in secondary) so they can be successful in school and ready to lead us in the 21st Century.

If you addressed these issues with as much vigor as some in the legislature address the negative education bills, we would be much further down the road to educating our children.

Respectfully,



Rob Pfisterer
President, Anchorage Education Association

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615

January 26, 1994

Re HB 84

Dear Legislators,

I would like to voice my support of the establishment of charter schools. Although charter schools may not be feasible for the smallest school districts, most students in Alaska would benefit from having this option. Every profession has a bureaucracy and teaching is no exception. An inherent characteristic of any bureaucracy is that it is resistant to change and innovation. If we are to develop world class schools and scholars, teachers and parents need to be unburdened from administrative constraints that, however well intentioned, interfere with developing approaches to education that meet the needs of Alaska's youth. As an analogy, consider the fate of companies such as IBM who have lost their competitive edge because smaller companies were more able to make better use of developing technology. We need to unleash the innovative spirit of our teachers and parents.

Charter schools would also engender an increased sense of ownership on the part of parents, students, and teachers. Comparison of various teaching methods among schools would give insight as to what works and what doesn't, allowing non charter schools to learn from the work of others.

Sincerely,



Kermit D. Reppond

RECEIVED 1/26/94
4:45

Jan. 29, 1994
 P.O. Box 112822
 Anchorage, AK 99511

Dear NEA Committee members:

Rep. Bettye Davis; Harley Olberg; Tom Breen; Cynthia
 Torbey; Con Bunde; Pete Koett; Al Vezzy; Irene
 Nicholas;

Re: AS Sec. 14.20.15

The proposed terms of the bill would create an unwieldy system of teacher evaluation for the purpose of determining teacher tenure. Under the present regulations controlling teacher tenure, any tenured teacher who is not functioning in an appropriate manner could be removed from the profession if the school principal evaluator performed evaluations carefully while maintaining proper documentation.

Re: AS Sec. 14.20.152.(b). Who will pay the local tenure review committee? Anchorage has approximately 3000 teachers. Have the number of hours been calculated that would be required to evaluate their tenure applications? How about their reevaluations. Who would be paid to keep track of the enormous pile of paperwork? In my opinion the taxpayers money would have more direct educational benefit if it were spent to hire more teachers to reduce class size so as to permit ^{more} individual instruction at all grade levels.

Sec. 14.20.153. Duties of a Local Tenure Review Committee. This section has provisions vis., (d), (e), (f) that violate the Open Meeting Act and many individual district contracts regarding the privacy of personnel files. These sections leave so many loopholes for violation of teacher's privacy that they could easily lead to McCarthy-esque witch-hunts and personality conflicts leading to dismissal of creative, resourceful teachers.

School Boards already have so much to attend to if they properly care for the needs of their districts that they must logically delegate duties. The Quehova School District has over 3,000 teachers. The Tenure Review Committee would necessarily meet almost constantly & the School Board would be reduced to rubber-stamping the T.R.C.'s recommendations as it does now regarding the building principal-evaluator's recommendation. These recommendations are made by professional educators who are more attuned to the needs of the students. Sec. 14.20.172(a)(b)

The present tenure regulations, properly construed, protect the student and the teacher. Please do not pass C.S. for H.B. #84 from your committee.

Thank you,
Mary H. Bonard
(Mary H. Bonard)

DATE: 1/29/94

To members of the HESS Committee: Brice, Knott, Bunde, Nicholia, B Davis, Olberg, Vezey, Toohey

Please oppose CS HB 84 (Alaska 2000)

Rationale: Tenure only guarantees Just Cause in termination procedures. This protection is needed to insure high quality teachers. Teachers who must be concerned with being fired without cause may lesson requirements and be less inventive in planning.

Michael C. McVee	<i>Michael C. McVee</i>	Anchorage
PRINT NAME	SIGNATURE	CITY

DATE: January 29, 1993

To members of the HESS Committee: Brice, Knott, Bunde, Nicholia, B Davis, Olberg, Vezey, Toohey

Please oppose CS HB 84 (Alaska 2000)

Rationale: Teachers are paid to teach students not evaluate teachers. That's the job of the principal! There are more students coming in to Bowman Elementary every week. Class size is going up! When we opened we had 650 students... Now we're at 800. We need more teachers in the classroom!

Kathi McCord	<i>Kathi McCord</i>	Anchorage
PRINT NAME	SIGNATURE	CITY

I'm a constituent of Rep. Farley.

Let us do the job we're trained for!

8-GH10330
Ford\Cramer
1/20/94

CS FOR HOUSE BILL NO. 84()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

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6 (1) implement certain recommendations of Alaska 2000, a comprehensive
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8 (2) build a state education system with the flexibility to be more responsive
9 to the needs of students and society;

10 (3) set high expectations and tailor educational standards to meet the diverse
11 needs of Alaska's children;

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13 very best and so that the best educators are teaching in our schools;

14 (5) provide increased opportunity for our children to achieve higher educational

1 performance; and

2 (6) structure our education system to facilitate accomplishment of national,
3 state, and local goals for the education of Alaska's children.

4 * Sec. 2. AS 14.03.125(b) is amended to read:

5 (b) A governing body, district advisory board, or nonprofit organization located
6 in the state, or a teacher or principal employed by a public school in the state, may
7 apply for a grant [OF UP TO \$50,000] to improve school performance by submitting
8 an application to the commissioner.

9 * Sec. 3. AS 14.03.125(c) is amended to read:

10 (c) A grant may be awarded to the same grantee in consecutive fiscal years,
11 but may not be awarded to the same grantee for more than three [TWO] fiscal years
12 within a five-year period.

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14 (f) The board shall adopt regulations concerning grants and grant award
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18 as provided in (d) of this section, a city or borough school district board shall establish
19 an advisory board at each school in each community within the district if the
20 community has more than 50 permanent residents. The school district board shall set
21 standards for the manner of selection and organization of the advisory boards and, in
22 a manner consistent with (b) of this section, shall prescribe advisory board powers and
23 duties. A member of an advisory board serves without compensation. A school
24 district that has only one school and has a school board is exempt from the
25 requirements of this section.

26 (b) An advisory board shall advise the school district board on any matter
27 concerning schools in the district in which the advisory board is established.

28 (c) The commissioner may allow an advisory board to serve more than one
29 school upon request by a school district board.

30 (d) In a school that has a parent-teacher association and at which the school
31 district is required to establish an advisory board under (a) of this section, the school

1 district shall treat the parent-teacher association as if the parent-teacher association
2 were the advisory board required under this section. If a parent-teacher association is
3 formed after the district establishes an advisory board under (a) of this section, the
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9 teacher

10 (1) has applied for tenure under AS 14.20.151;

11 (2) has been employed as a teacher in the state for five full school
12 years, and has been employed as a teacher by the district for the last two full school
13 years, under a standard or provisional teaching certificate and is reemployed in that
14 district for the school year immediately following the two full school years;

15 (3) has been considered for tenure by the local tenure review committee
16 under AS 14.20.153; and

17 (4) has been approved for tenure by the local school board.

18 (b) The tenure rights acquired under (a) of this section take effect on the first
19 day the teacher performs teaching services in the district described in (a) of this section
20 after all of the requirements of (a) of this section have been met.

21 (c) A teacher who was hired by a district before July 1, 1994, who had not yet
22 acquired tenure rights on June 30, 1994, and who was continuously employed by that
23 district from the date of hire acquires tenure rights in that district under AS 14.20.150
24 as it existed on June 30, 1994.

25 * Sec. 7. AS 14.20 is amended by adding new sections to read:

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29 state for five full school years by the time tenure is awarded.

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31 district a written request for tenure, along with copies of all written evaluations for

1 each year that the teacher has taught in that district, recommendations regarding tenure
2 by the teacher's supervisor, and other material the teacher considers informative
3 regarding the teacher's qualifications for tenure. The superintendent shall forward to
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8 (d) A teacher for whom tenure is disapproved by the local school board may
9 submit another request for tenure no earlier than 120 days after the date of the local
10 school board's disapproval under AS 14.20.154.

11 (e) Notwithstanding AS 09.25.110 - 09.25.125, a teacher's evaluations
12 submitted under this section are not public records unless authorized for release by the
13 teacher.

14 Sec. 14.20.152. LOCAL TENURE REVIEW COMMITTEE. (a) A local
15 school board shall establish one or more local tenure review committees composed of
16 at least five, but no more than nine, members. A tenure committee serves at the
17 pleasure of the local school board.

18 (b) The membership of a local tenure review committee shall include a simple
19 majority of tenured teachers currently employed in the district. The teachers in the
20 schools subject to a local review committee's jurisdiction shall elect the teacher
21 members of the committee. The remaining members shall be appointed by the local
22 school board and shall be representatives of school administration or the local school
23 board or both. Each member of a committee serves for a term of three years unless
24 the member is removed by the local school board or no longer meets the qualification
25 requirement under which the person was appointed. The initial terms of the members
26 of a committee shall be staggered.

27 (c) The local school board may not serve as a local tenure review committee.

28 (d) A majority of the members appointed to a local tenure review committee
29 constitutes a quorum.

30 Sec. 14.20.153. DUTIES OF A LOCAL TENURE REVIEW COMMITTEE.

31 (a) A local tenure review committee shall elect a chair from among its members.

1 (b) The committee shall meet at least once every six months and at the call
2 of the chair or on petition of a majority of its members. The committee shall meet at
3 a time and place that will encourage public participation.

4 (c) The committee shall publish notice of its meetings in the manner that
5 notice is provided for regularly scheduled local school board meetings in the district.
6 The notice must contain a list of the names of teachers who have requested tenure and
7 must state that comments may be provided to the committee before the meeting.
8 Comments regarding a teacher that are received by the committee shall be provided
9 to the teacher.

10 (d) Notwithstanding AS 44.62.310, after allowing public comment at the public
11 meeting on tenure requests, the committee shall deliberate on each request in executive
12 session unless a teacher requests a public discussion on that teacher's request. A
13 teacher may choose to be present during an executive session in which the committee
14 considers that teacher's tenure request.

15 (e) By vote in a public meeting, the committee shall determine whether it is
16 in the best interests of the students in the district to recommend approval or to
17 recommend disapproval of tenure for a teacher. The vote shall be by roll call of the
18 members present.

19 (f) The committee shall furnish written notification of its recommendation to
20 the teacher, the school district superintendent, and the local school board within 10
21 working days after the date of the vote on the recommendation. A recommendation
22 to disapprove tenure must include the reasons for the recommendation. The
23 committee's recommendation is not binding on the local school board.

24 (g) In addition to its duties concerning teachers who have applied for tenure,
25 the committee shall annually review the performance of each nontenured teacher in the
26 schools for which it has jurisdiction. After reviewing the performance of a teacher,
27 the committee shall prepare a written evaluation concerning the teacher, noting
28 strengths and deficiencies. The committee shall provide a copy of the evaluation to
29 the teacher. The evaluation and the teacher's response to it, if any, become part of the
30 teacher's personnel file. Committee deliberations concerning an evaluation are
31 confidential and are not open to the public under AS 44.62.310. Materials prepared

1 for or presented to the committee during the evaluation are not public records under
2 AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

3 Sec. 14.20.154. BOARD REVIEW OF RECOMMENDATIONS. After
4 consideration of a teacher's request for tenure and material submitted with the request,
5 and consideration of the recommendation of the local tenure review committee under
6 AS 14.20.153, the local school board shall approve or disapprove tenure for a teacher
7 who applies under AS 14.20.151. If the local school board disapproves tenure for a
8 teacher, the local school board shall set out in writing the reasons for the disapproval.

9 * Sec. 8. AS 14.20.155(a) is amended to read:

10 (a) A teacher who has acquired tenure rights has the right to employment
11 within the district during continuous service and so long as the teacher's
12 performance is not deficient as set out in AS 14.20.172.

13 * Sec. 9. AS 14.20 is amended by adding a new section to read:

14 Sec. 14.20.172. TERMINATION OF TENURE FOR DEFICIENT
15 PERFORMANCE. (a) The tenure review committee for a school shall review the
16 performance of each tenured teacher every five years. After the review, the committee
17 shall prepare a written evaluation. If the committee finds that the tenured teacher's
18 performance is deficient in some regard, the committee shall advise the teacher of the
19 deficiencies and of how to correct them. The committee shall provide a copy of the
20 evaluation to the teacher. The evaluation and the teacher's response to it, if any,
21 become part of the teacher's personnel file. A copy of each evaluation that finds that
22 a tenured teacher's performance is deficient shall be provided to the local school
23 board.

24 (b) A tenured teacher who has received notice of a deficiency in a performance
25 evaluation has two years to improve the teacher's performance. The committee shall
26 review the teacher's performance annually. If, after two years, the committee finds
27 that the teacher's performance has not improved sufficiently, the committee shall notify
28 the local school board.

29 (c) A local school board may terminate the tenure of a teacher who has
30 received a notice of deficiency as part of a performance evaluation if the board finds
31 that the teacher's performance has remained deficient for the two-year period. After

1 termination of tenure, the teacher shall have the rights of a newly-hired nontenured
2 teacher.

3 (d) Committee deliberations and local school board deliberations concerning
4 an evaluation under this section are confidential and are not open to the public under
5 AS 44.62.310. Materials prepared for or presented to the committee or to the board
6 during the evaluation and meetings to consider termination of tenure are not public
7 records under AS 09.25.110 - 09.25.125 unless authorized for release by the teacher.

8 This subsection shall be liberally construed to protect the privacy rights of teachers.

9 * Sec. 10. AS 14.20.215 is amended by adding new paragraphs to read:

10 (8) "committee" means the local tenure review committee;

11 (9) "local school board" means the local borough or city school board
12 or a regional school board.

13 * Sec. 11. TRANSITION. Notwithstanding secs. 12 and 13 of this Act, the state Board
14 of Education may proceed to adopt regulations necessary to implement this Act. The
15 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
16 respective effective date of the relevant section or sections of this Act.

17 * Sec. 12. Section 11 of this Act takes effect immediately under AS 01.10.070(c).

18 * Sec. 13. Sections 1 - 10 of this Act take effect July 1, 1994.

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 20, 1994

SUBJECT: Sectional Summary of CSHB 84() - (Work Order No. 8-GH1033\K)

TO: Representative Cynthia Toqhey

FROM: Michael F. Ford *M.F.*
Legislative Counsel

Teresa B. Cramer *T.B.C.*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Purpose section.

Section 2. Repeals a \$50,000 limit on grants to improve school performance.

Section 3. Allows a grant to be awarded to the same grantee for three consecutive fiscal years.

Section 4. Requires the state board of education to adopt regulations regarding grants and grant award procedures.

Section 5. Requires city or borough school districts to establish advisory boards in schools in a community that has 50 or more permanent residents. Provides that if a parent-teacher association exists, that organization shall be treated as the advisory board. If a PTA is formed after an advisory board is formed, the powers and duties of the advisory board shall be transferred to the PTA.

Section 6. Changes the requirements for earning tenure rights. Requires teachers to have been employed as teachers in the state for five years (not necessarily continuous) and for the last two years, continuously, in the district under a standard or provisional teaching certificate. Also requires teachers to be reviewed by a local tenure review committee and approved for tenure by the local school board. Current law does not require review by committee or approval by the school board. Subsection (c) retains the current system for teachers hired before the effective date of the bill.

Section 7. Enacts new sections setting out requirements for teacher tenure.

Sec. 14.20.151 requires teachers to submit certain information when applying for tenure. States that failure to acquire tenure does not affect an existing employment contract.

Sec. 14.20.152 directs local school boards to establish local tenure review committees composed of tenured teachers and representatives of the school administration and the local school board.

Sec. 14.20.153 requires the local tenure review committee to review requests for tenure. Deliberations on a request are held in executive session. The committee determines whether it is in the best interests of the students in the district to recommend approval or disapproval of tenure for the requesting teacher. The recommendations are filed with the local school board, the teacher, and the school superintendent. The committee also reviews the performance of nontenured teachers and prepares a written evaluation, which becomes part of the teacher's personnel file.

Sec. 14.20.154 requires the local school board, after considering a teacher's request and the recommendation of the local tenure review committee, to approve or disapprove tenure for teachers who have filed applications for tenure.

Section 8. Limits a tenured teacher's right to reemployment within the district to last only so long as the teacher's performance is not deficient as set out in a new statutory section enacted by sec. 9 of the bill.

Section 9. Enacts a new section permitting the termination of tenure for deficient performance. The local tenure review committee reviews the performance of each tenured teacher every five years. If the committee finds a deficiency, the teacher has two years to improve. If the teacher fails to improve in two years, the local school board may terminate the tenure of the teacher.

Section 10. Defines "committee" and "local school board."

Section 11. Permits the state Board of Education to adopt regulations to implement the Act immediately, the regulations may but not take effect before the effective date of the relevant sections of the Act.

Section 12. Gives sec. 11 an immediate effective date.

Representative Cynthia Toohey
January 20, 1994
Page 3

Section 13. Makes the rest of the Act effective July 1, 1994.

MFF:TBC:gc
94-045.glc



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

DATE: 1-26-94

Please accept the enclosed original(s) of written testimony for the House H.E.S.S. #40174 teleconference hearing that was scheduled on January 26, 1994, Weds..

A copy of this testimony was transmitted to your committee via fax on January 26, 1994.

Thank you,

Lorna Steelman / Kodiak LIO



Alaska State Legislature

Please enter into the record my testimony to the House H.E.S.S.
committee name
committee on HB 84 - Ak 2000 Recomm., dated 1-26-94
bill/subject

(PLEASE SEE ATTACHED SHEET) - OVER -

RECEIVED: 2/8/94

Signed: Kermit D. Reppond
Testifier
self
Representing (Optional)
1616 Selief Lane - Kodiak, AK 99615
Address
486-6593
Phone No.

- OVER -

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615

January 26, 1994

Re HB 84

Dear Legislators,

I would like to voice my support of the establishment of charter schools. Although charter schools may not be feasible for the smallest school districts, most students in Alaska would benefit from having this option. Every profession has a bureaucracy and teaching is no exception. An inherent characteristics of any bureaucracy is that it is resistant to change and innovation. If we are to develop world class schools and scholars, teachers and parents need to be unburdened from administrative constraints that, however well intentioned, interfere with developing approaches to education that meet the needs of Alaska's youth. As an analogy, consider the fate of companies such as IBM who have lost their competitive edge because smaller companies were more able to make better use of developing technology. We need to unleash the innovative spirit of our teachers and parents.

Charter schools would also engender an increased sense of ownership on the part of parents, students, and teachers. Comparison of various teaching methods among schools would give insight as to what works and what doesn't, allowing non charter schools to learn from the work of others.

Sincerely,



Kermit D. Reppond

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615.

January 26, 1994

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Sincerely,



Kermit D. Reppond



Alaska State Legislature

Please enter into the record my testimony to the House H.E.S.S.
 committee name
 committee on HB 84 - Ak 2000 Recomm., dated 1-26-94
 bill/subject

(PLEASE SEE ATTACHED SHEET) - OVER -

RECEIVED: 2/8/94

Signed: Kermit D. Reppond
 Testifier
self
 Representing (Optional)
1616 Selief Lane - Kodiak, AK 99615
 Address
486-6593
 Phone No.

- OVER -

FAIRBANKS NORTH STAR BOROUGH BOARD OF EDUCATION

Resolution 93-13

Teacher Tenure

WHEREAS, the quality of teaching is important in the development of strong educational programs in the state, and


WHEREAS, two years is often insufficient time for a teacher new to a school district to develop professionally and successfully, and

WHEREAS, two years is often not long enough to adequately evaluate the capability of a teacher prior to granting tenure, and

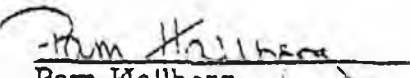
WHEREAS, the two year tenure restricts school boards' abilities to manage for quality education,

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks North Star Borough Board of Education supports the Association of Alaska School Boards' resolution #93-24 recommending that A.S. 14.20.150 (a) and (b) be amended to require five years of probation to obtain tenure in the school systems of the State of Alaska.

PASSED AND APPROVED OCTOBER 5, 1993.


Gene Redden, President
Board of Education

ATTEST:


Pam Hallberg
Secretary to the Board



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:
 HB 30: HUMAN SERVICES MATCHING GRANTS
 HB 66: MUNICIPAL PROPERTY TAX EXEMPTIONS
 HB 67: ELIGIBILITY FOR PUBLIC ASSISTANCE

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ Nelson J. Carroll	Self	P.O. Box 240293 Reno, NV 89824 →		364-2210	School 586-5718	(Y) N	
✓ Sam Whitcomb	"	2155 Feltz Lane Rd.		789-1384	304-3114	(Y) N	
James K. Harris	Self	3412 Foster Ave #2	99501		586-3651	Y (N)	
in Part low		320 W Willoughby	801		6-1432	Y (N)	
✓ Kim McCullough	"	PO 707 Petersburg	99833	772- 9238	772 4751	(Y) N	
Bob Bennett	self	130 Seward St - 99501		586-2066		Y N	HB 66
						Y N	
						Y N	
						Y N	
						Y N	



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

HB 30
HB 66
HB 67

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ BISHOP MICHAEL KENNY	DIOCESE OF JUNEAU CATHOLIC COMMUNITY SERVICE	419 SIXTH ST. JUNEAU	99801	586-1269	586-2227	(Y) N	HB 67
✓ Caren Robinson	League of Women Voters	P.O. Box 33702	99803	586-1107	→	(Y) N	HB 67
Cindy Smith	Network on Domestic Violence	419 6th St #116	99801	636-50	→	(Y) N	HB 67
SHERIE GOUL	Alaska Womens Lobby/KIDPAC	P.O. Box 23156 JUNEAU	99803		463-6744	(Y) N	HB 67 - would give up my time to visitors of people at the LEO'S
						Y N	
✓ DARRYL GUTHRIE						Y N	
401 5th ST #207						Y N	
JUNEAU						Y N	
HB 67						Y N	
						Y N	



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

HB 30: HUMAN SERVICES MATCHING GRANTS
HB 66: MUNICIPAL PROPERTY TAX EXEMPTIONS
HB 67: ELIGIBILITY FOR PUBLIC ASSISTANCE

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Rupe Andrews	AARP		99801	789-7422		(Y) N	HB66
William Messer	AARP		99801	586-2175		Y (N)	
Bob Berryhill	AARP		99801	586-7126		Y (N)	
CHARLES H. Wharton		P.O. Box 21662 Juneau	99807	586-2794		(Y) N	on AFDC cuts
SHORTY OLIVER	AMERICAN LEGION	9414 LONG RUN DR	99801	789-1974		(Y) N	H.B. 66
Marie Parlin	NARFE	Box 2-1283 Juneau 99802		7-3637		(Y) N	HB66
Teresa Bell	Other Myself & other Welfare Recipients	Box 022471 Juneau Ak. 99802				(Y) N	HB NO. 67
Jackie Damon	DFYS	HSS		5-2817		Y N	HB 30 (available)
Patrick Cunningham	AK Chapter Nat'l Assn of Social Workers	Dept of Social Work Univ. of AK Anchorage Anchorage AK 99508	99508	786-1725		(Y) N	HB No 67
James F Fisher	SELF	633 Harris Terrace	99801	6-9601		(Y) N	HB 67
Bruce Gevaghty	DCRA	Juneau		4700		(Y) N	HB 66



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 18, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

- HB 84: IMPLEMENT ALASKA 2000 RECOMMENDATIONS
- HB 85: PUBLIC SCHOOL FOUNDATION PROGRAM

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Carl Rose	ASSEC of AK School Bds	316 W 11th St Juneau AK 99801			586-1083	<input checked="" type="checkbox"/> Y	N AB 84/HB 85
Claudia Douglas	NEA-ALASKA	114 Secwo Juneau, AK 99801			586-3090	<input checked="" type="checkbox"/> Y	N HR 84
Ken Sweet	Chvathbale PAC	Po Box 0 Chvathbale AK 99557				<input checked="" type="checkbox"/> Y	N
Don Harmon	Rep. Dev. PAC	PO Box 39 Rep. Dev. AK 99656				<input checked="" type="checkbox"/> Y	N

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Kathy Lyday	parent	910 Johnson Ranch	99575	345-1097		<input checked="" type="checkbox"/> Y	N
Mary Rubadear	Kenai S.O.	12 1/2 N Binkley Soldotna AK	99669	262-4992	262-9846	<input checked="" type="checkbox"/> Y	N Both
Linda Maxwell	Gov Council	P.O. Box 911 Bethel AK 99559		503-2063	503-2087	<input type="checkbox"/> Y	N
						<input type="checkbox"/> Y	N
						<input type="checkbox"/> Y	N
						<input type="checkbox"/> Y	N
						<input type="checkbox"/> Y	N

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PAGE 01
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TCN: 30215 DATE & TIME: 02/18/93 15:00 TO 17:00 STATUS:7 STATS. IN

2/18/93

**** ORDER SUMMARY ****

SPONSOR: HRES HOUSE HEALTH, EDUCATION AND SOCIAL SERVI CHAIRS: TOOHEY
PURPOSE: PUB PUBLIC HEARING BUNDE
CONTACT: LYNN SMITH TEL#: (907)465-6825
CHAIRING SITE: JUNEAU CAPITOL CAP106

SPONSOR REMARKS(PUB): TESTIMONY:Y ALLOWED 10 MINUTE LIMIT
TCN REQUESTED ON 02/18/93 AND HAS 9 UPDATES

**** AGENDA ****

- 1 HR 84 IMPLEMENT ALASKA 2000 RECOMMENDATIONS
- 2 HR 85 PUBLIC SCHOOL FOUNDATION PROGRAM

**** PARTICIPATING LIOS ****

ANC ANCHORAGE	3111 C STREET	LOCATION STAFF
BAR BARROW	COURTHOUSE #305	LOCATION STAFF
FBX FAIRBANKS	119 N CUSHMAN ST	LOCATION STAFF
GLN GLENNALLEN	COMMUNITY LIB.	LOCATION STAFF
* JNU JUNEAU	CAPITOL CAP106	LOCATION STAFF
KTN KETCHIKAN	352 FRONT STREET	LOCATION STAFF
MAT MATSU	165 E PARKS HWY.	LOCATION STAFF
NOM NOME	FRONT STREET	LOCATION STAFF
SIT SITKA	210 LAKE STREET	LOCATION STAFF
SOL KEN/SOL	34824 KALIFONSKY	LOCATION STAFF
TOK TOK LIO	MP 1314 AK. HWY	LOCATION STAFF
VAL VALDEZ	STATE BLDG. #13	LOCATION STAFF

PARTICIPANTS IN ANCHORAGE ANC

1	LARRY WIGET	ANCH SCHOOL DIST TSEY. HB 84
	4600 DEBARR RD.	ANCHORAGE AK 99519 (907)000-0000

PARTICIPANTS IN BARROW BAR

1	STEVE YATES	NSB SCHOOL DIST. OBSV. HB 85
	BOX 169	BARROW AK 99723 (907)852-5311
2	PATSY AAMODT	NSB SCH. DIST. TSEY. HB 84
	BOX 169	BARROW AK 99723 (907)852-5311

PARTICIPANTS IN FAIRBANKS FBX

1 MS.	REVA SHIRCEL	TCC TSEY. HB 84
	122 1ST AVENUE	FAIRBANKS AK 99701 (907)452-8251
2 MS.	PAM DARNALL	SELF TSEY. HB 84
	P.O. BOX 55257	FAIRBANKS AK 99705 (907)488-9703
3 MS.	CAROL EVANS	SELF TSEY. HB 84
	1242 FARMERS LOOP	FAIRBANKS AK 99709 (907)479-5407
4 MS.	DENNIS VAN ROCKE	SELF
	145 W. KROUZE	FAIRBANKS

PARTICIPANTS IN: GLENNALLEN GLN

1 MS.	KIM BERGEY	GAKONA	OBSV. HB 84
	P.O. BOX 218		AK 99586 (907)822-3879
2 MR.	GORDON TOPE	C.R.S.D. SUPER.	OBSV. HB 84
	P.O. BOX 108	GLENNALLEN	AK 99588 (907)822-3234
3 MR.	ANDY ZAJAC	TEACHER	TSFY. HB 84
	P.O. BOX 208	COPPER CENTER	AK 99573 (907)822-3018

LTN1100-R01

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 02

02/24/93

09:22:30

TCN: 30215 DATE & TIME: 02/18/93 15:00 TO 17:00 STATUS:7 STATS. IN

PARTICIPANTS IN: GLENNALLEN GLN

4 MS.	LINDA MARCHINI	COPPER CENTER	OBSV. HB 84
	HC 60 BOX 116		AK 99575 (907)822-3961
5 MR.	DAN CALLAWAY	K.C.A.M. RADIO	OBSV. HB 84
	P.O. BOX 557	GLENNALLEN	AK 99588 (907)822-5093
6 MS.	CHRIS TROXEL	ELEM. PRICIPAL	OBSV. HB 84
	P.O. BOX 108	GLENNALLEN	AK 99588 (907)822-3232

PARTICIPANTS IN: JUNEAU JNU

1	REP	BUNDE	TSFY. HB 84
			AK (907)000-0000
2	REP	TOOHEY	TSFY. HB 84
			AK (907)000-0000
3	REP	VEZEY	TSFY. HB 84
			AK (907)000-0000
4	REP	KOTT	TSFY. HB 84
			AK (907)000-0000
5	REP	BRICE	TSFY. HB 84
			AK (907)000-0000
6	REP	NICHOLIA	TSFY. HB 84
			AK (907)000-0000
7	REP	ULBERG	TSFY. HB 84
			AK (907)000-0000
8	STAFF	STAFF	OBSV. HB 84
			AK (907)000-0000
9	STAFF	STAFF	OBSV. HB 84
			AK (907)000-0000
10	STAFF	STAFF	OBSV. HB 84
			AK (907)000-0000
11	STAFF	STAFF	OBSV. HB 84
			AK (907)000-0000
12	STAFF	STAFF	OBSV. HB 84
			AK (907)000-0000
13	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
14	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
15	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
16	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
17	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
18	2	TESTIFY	TSFY. HB 84
			AK (907)000-0000
19	2	OBSERVE	OBSV. HB 84
			AK (907)000-0000
20	2	OBSERVE	OBSV. HB 84
			AK (907)000-0000
21	2	OBSERVE	OBSV. HB 84
			AK (907)000-0000

23

2

OBSERVE

AK

(907)000-0000

OBSV. HB 84

LTN1100-R01

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 03

02/24/93

09:22:30

TCN: 30215

DATE & TIME: 02/18/93 15:00 TO 17:00

STATUS: 7 STATS. IN

PARTICIPANTS IN: JUNEAU

JNU

24	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
25	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
26	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
27	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
28	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
29	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
30	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
31	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
32	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
33	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84
34	2	OBSERVE	AK	(907)000-0000
				OBSV. HB 84

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REVA SIRCEL
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122 FIRST AVE.
FAIRBANKS, AK 99701

TANANA CHIEFS CONFERENCE, INC.
FEBRUARY 18, 1993
STATE OF ALASKA HOUSE BILL 84

HB 84

TESTIMONY

907/452-8231 My name is Reva Wulf Shircel. I am the Director of Education for the Tanana Chiefs Conference, Inc.

The TCC has many questions and concerns about the issues outlined in HB 84.

First, is there another effort being made to write a bill that specifically recognizes social and educational conditions in Alaskan Native villages? If so, who is doing that bill?

If not, why is there no explicit recognition of the special needs and conditions of Alaska Native Education clearly outlined in HB 84? We are especially concerned about the following sections:

Section 2. School Term. The 180 to 200 day school year being proposed does not recognize or honor the traditional subsistence activities by which most Alaskan Natives in villages still get food and cash, especially fishing, hunting and trapping. We believe that the school term should be centered around those subsistence activities.

Section 8. Advisory Boards in School Districts. The Advisory Board system ignores the fact that the most important change necessary in Native education is to put the control of the public school system from K-12 in policy hiring and firing, budget, tenure, curriculum, and attendance, into Native hands. The Advisory Boards are extremely ineffective as they are and the school boards need strong and clearly defined powers in all the above areas in the villages.

Section 9. Acquisition of Tenure Rights. No one new to Alaska rural life is going to be ready for tenure as a teacher after only two years. Many of our teachers come from outside of the state of Alaska. It takes them at least two years to adjust to village life. Five years or more should be the minimum time in the teaching position before tenure would even be considered. The issue of tenure needs further discussion by our villages.

Section 12. Establishment of Charter Schools. With all due respect to Commission Covey's explanation, I am still unclear about the issue of charter schools. First, where are such schools to be located in the villages? Will they be allowed to use the existing village public school facilities? If not, then are you requiring village people to pay taxes twice for educational facilities. If so, what happens to the regular school functions? Second, there is a need for Alaskan Natives to have a public school system that they have control over and one which is designed with the realities of village life and the existing economy, clearly in mind. The creation of yet another school bureaucracy seems to be an avoidance of the state of admitting the inadequacy of public schooling in the villages. It seems to be a way for the state to put the responsibility for adequate schooling on the local people rather than realizing that it is one of the central responsibilities of the state itself. The charter school proposal seems poorly planned, unnecessary, and a direction for further Native failure and frustration in public schooling. The issue of charter schools needs further discussion by our villages.

In conclusion, Section 1, Purpose. #1 is extremely vague, as is the rest of this section. Some parts of Alaska 2000 deal with Native education, some do not. It needs to be clearly stated and seen from the beginning whether the state is committing itself in any explicit, concrete way to improving the state educational system for Natives. This section as it stands, is too vague to be acceptable as a public statement of purpose.

Thank you very much for giving me this opportunity to make some comments on HB 84.

BISHOP MICHAEL H. KENNY

R. CATHOLIC DIOCESE OF JUNEAU
CATHOLIC COMMUNITY SERVICE

... WHEN I WAS 8 YRS. OLD, MY MOTHER DIED OF T.B & MY
... SISTER, 2 1/2 YRS. YOUNGER CONTRACTED THE DISEASE, BECAUSE
... OF THIS CIRCUMSTANCE MY SISTER RECEIVED A GREAT DEAL
... MORE CARE AND ATTENTION THAN I. IN TIME I GREW
... ENVIOUS AND RESENTFUL. SENSING MY HURT, MY FATHER
... TOOK ME ASIDE AND TRIED TO EXPLAIN TO ME THAT THE
... EXTRAS HE WAS GIVING MY SISTER DID NOT MEAN THAT HE
... LOVED ME LESS BUT THAT SHE NEEDED HIM MORE.

... IT WAS A LESSON I TRIED NEVER TO FORGET.

... IN ADULTHOOD I'VE LEARNED AN ADDITIONAL AND
... CORRESPONDING LESSON, THOSE WHO HAVE LESS AND NEED
... MORE ARE OFTEN THE MOST POWERLESS IN A SOCIETY. THEY
... LACK THE EDUCATION, THE POSSESSION, THE INFLUENCE AND
... THE AFFLUENCE TO MAKE THEIR VOICES HEARD, THEY
... DON'T MAKE MAJOR CONTRIBUTIONS TO POLITICAL CAMPAIGNS,
... THEY CAN'T HIRE LOBBYISTS, MANY DON'T EVEN VOTE,
... WHO DO THEY HAVE?

... THEY HAVE MANY OF US WHO ARE HERE TODAY. I SUGGEST
... THAT YOU LOOK AT US AS WELL AS HEAR US, LOOK AT US.
... SEE WHO WE ARE.

... THE LAST TIME I BOUGHT A PAIR OF DRESS SHOES WAS
... 12 YRS. AGO. I HAVE 2 SUITS TO MY NAME - ONE GIVEN
... ME + ONE I BOUGHT FOR \$50.00, MY SALARY IS \$300 A MONTH
... BUT I'M NOT COMPLAINING. I RESIDE IN A BEAUTIFUL HOME.
... I HAVE ALL I CAN EAT. I KNOW I WILL ALWAYS BE
... TAKEN CARE OF.

... I CAN'T SEE ANY OF THESE THINGS FOR THE PEOPLE

...AFFECTED BY THIS BILL. 32,000 PEOPLE IN OUR STATE
WHO ...ALREADY LIVE NEARLY 20% BELOW THE POVERTY LEVEL.
... WILL BE FURTHER REDUCED.

... A GREAT DEAL OF ATTENTION THESE DAYS IS BEING
... GIVEN TO ETHICS, TO THE MORAL STANDARDS OF OUR
... LEGISLATURE. MORE IMPORTANT AND FAR REACHING THAN YOUR
... PRIVATE, PERSONAL BEHAVIOR IS YOUR PUBLIC ACTIONS AND
... LEGISLATIVE DECISIONS.

... THE MORAL FIBRE OF A SOCIETY IS BEST MEASURED
... BY THE WAY IN WHICH THAT SOCIETY TREATS THE LEAST
... OF ITS MEMBERS. THE BUDGET BEFORE YOU IS NOT MORAL
... I ASK YOU TO CHANGE IT.

VICKIE BEVENS
PTA; PARENTS FOR EDUCATION - KETCHIKAN
215 WHITE CLIFF ST
KETCHIKAN, AK 99901 (907) 225-0770

EDUCATION BILL TELECONFERENCE

Thursday, February 18, 3:00

HB 84

My name is Vickie Bevens and I am the Southeast Regional Vice President of State PTA as well as Ketchikan's PTA Council Representative and White Cliff grade School's PTA President. I am also a member of Parents for Education Committee here in Ketchikan. Thank you for giving us an opportunity to speak. I appreciate the fact that you are giving the public a chance to participate, that you are listening to the public and that you are giving your time.

We are concerned about Education for our State and specifically concerned that the choices made are those of the majority-all people, including Teachers, PTA's and Parents. We do not find this bill to be a representation of that ideal. The Alaska 2000 Committees were not a true representation of the majority. Surveys were sent out to many people, but the items that are in this bill were at the bottom of the list of the answers given. There were at least 50 items ahead of the items on this bill that the people of Alaska wanted and they are not acknowledged, addressed or included at all.

We believe the School Construction and Improvements are necessary and valid and we encourage this portion of the bill to be studied and considered.

We believe that extending the school year will increase the needed contact time only in number of days, but adding days is useless until we solve the more important and valid problems of class ratio, formula

value base, funding and basic education in general. We can improve the days we have with less in-service programs or by lumping those in-service days before or after the school year. They are a general interruption to the school day, many of them are pointless and children lose valuable school time with constant interruptions. We can also extend the days we have now so that children and teachers have a decent amount of time to digest their lunches, exercise and regroup so that their afternoon study time is worthwhile. Extending the year at this time will change nothing until we make constructive changes from within. It is worthless without the tools of basic and correct education in place.

We do not believe public money should be provided for anything but public schools. Charter schools are private schools and should be set up with private funds. We believe charter schools will create exclusiveness in our country and state that already has too many divisions and is beginning to look like the Caste System of India. While we appreciate and acknowledge the special intelligence and talents and interests of all people; ours is a free country where people can start private schools for their specific needs, but our government needs to spend their money on the needs of the majority of all children by improving the public education system for all equally. While this portion of the bill speaks about being fair to all, it is set up to create human nature problems of special favors and cheating - stacking the deck, etc.

We do need to work toward more family involvement, community involvement and teamwork between school

Districts, School Boards, Teachers, Communities and Families and Parents and Students. While we believe in the concept of advisors, I must say that we should not recreate the wheel and use the resources we have in place such as the organization of PTA and we should encourage policies of Parent and Family Involvement to be in every School District as PTA tries to do and advocate for all children. We should mandate where there are not mandates for these kinds of policies and make each school district be accountable for their efforts in these areas. We need policies that will instruct Districts in promoting these important concepts and we should use the resources we have so carefully established such as PTA. In several districts already, the School District has PTA, Teacher and Community Advisors on all School Board standing committees - every District should. Several Districts have PTA Councils who are representatives from each school and these people work directly with the district and board in establishing good education - every district should be doing this. We do not need to start over - we simply need to acknowledge what we have and expect districts to work this way. PTA representatives, Teachers and Community Members together with the school board and district administrators creates a more equal and evenly distributed voice in education. In our District alone, we have formed a PTA at every public school this year as well as a Council of PTAs and we are working with the School Board to develop advisors. Our board has held a town meeting to ask our opinions and our Parents are beginning to feel some ownership in the public school system as they should. Our District has a long way to go, while others have crossed some of these milestones. Putting Parent Involvement Policies into

legislation will help the cause of a better education system.

Funding grants for school improvement is not a bad thing and it is important to encourage trying new things, but do not take regular funding to do this. Our schools, teachers, buildings and children barely have enough materials and books to learn the basics. Programs that encourage kids to enjoy school are constantly being cut and social programs that should be the responsibility of Parents and Community are slipping into the education pot leaving us with less money for a good basic education.

We have not taken a position on Tenure except that we feel this area of the bill needs more consideration.

We ask the question- what problems are the parts of this bill trying to fix. We believe we have a lot to fix before we can start creating the new. We feel this bill tries to cover too many areas, too many items that most people do not want and it does not accomplish anything that will truly help education except in the area of building and improving the school buildings.

We appreciate your time. We know you have many decisions to make. We feel education is important and we are happy to see such an effort be made to improve it, but let us be cautious in how we spend and why we spend and let's make sure we remember this is the public school system and it is for all children.

Thank you, Vickie Bevins, 215 White Cliff St., KTN99901
225-0770



SOUTHEAST
ISLAND
SCHOOL
DISTRICT

1621 TUNGASS AVENUE SUITE 301
POST OFFICE BOX 8340
KETCHIKAN, ALASKA 99901
(907) 225-9658 OR 225-9659

Robert Weinstein
SUPERINTENDENT

February 17, 1993

Representative Con Bunde, Co-Chair
House Health, Education and Social Services Committee
Alaska House of Representatives
P.O. Box V
Juneau, Alaska 99811

Dear Representative Bunde:

This letter is to indicate support for the comprehensive education-related legislation which Governor Hickel has recently introduced. For your information, I am in my twelfth year as Superintendent of Southeast Island School District. This is the first time in those years that I have seen a proposal from an administration which is addressing a number of critical issues facing education in Alaska in a comprehensive manner.

My specific comments are as follows.

1. SB 60/HB 83: Construction and Major Maintenance

It should be clear from the growing backlog in school construction throughout the state of Alaska that a commitment does need to be made now to construct needed facilities. I realize that additional refinement needs to occur with respect to the amount of available funding, appropriate funding sources, and the project list itself. However, it is refreshing to see recognition of a large gap between existing and needed facilities, as well as a sensible plan to do something about it, so that critical facility needs in both urban and rural Alaska begin to be addressed.

2. SB 61/HB 84: Alaska 2000 Recommendations

A number of the recommendations which the Governor is proposing in order to implement his Alaska 2000 program have the potential for positive impacts on education in Alaska.

A. Research and Development Grants: I think it is important to education in the state of Alaska that there be a mechanism whereby the Department of Education can approve research and development grants which are directly linked to school improvement. It seems to me that this will be a very cost effective manner of introducing successful model projects for student learning, which after development can then be replicated in other school districts in the state at minimal cost.

B. Charter Schools: A charter school approved by the local school board makes sense if the result is that appropriate decision-making occurs at the local school level to the greatest extent possible. I would suggest consideration of some technical changes. For example, Section 13 (a) should be modified so that the listed exemptions are permissive, not automatic, i.e. there may

Testimony

Representative Bunde

Page 2

February 17, 1993

be a mutual desire for exemption from some, but not all, of the specified local requirements. The bottom line, however, is that, if state and/or local requirements are impeding student performance, a waiver or exemption process within the context of charter schools is most appropriate.

C. Tenure: I have some questions as to how the changes proposed in sections 9 and 10 would be efficiently implemented in a regional school district.

3. SB 62/HB 85: School Foundation Program Changes

After many years of examining available data, there is no question in my mind that the current area differentials are based upon inaccurate, if not obsolete, data, and are therefore inequitable. In order to have equitable school programs throughout the state, the Legislature must assure that the basic school foundation formula itself addresses equity. The proposed school price index is based upon recent data, including key areas of actual school costs, as opposed to arbitrary area differentials lacking support from objective data. For those reasons I strongly support the concept of the Alaska school price index as a replacement for area differentials.

In closing, I ask that you give support to the concepts embodied in these proposals, with further refinement of details as is appropriate to each piece of legislation.

Sincerely,



Robert Weinstein
Superintendent

RW:eb
cc: Commissioner of Education

STATE OF ALASKA

DEPARTMENT OF EDUCATION

WALTER J. HICKEL, GOVERNOR

GOLDBELT PLACE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

The following information is provided to the House HESS Committee:

Summary of House Bill 84	Page 1
Sectional Analysis of House Bill 84	Page 3
Governor Hickel's transmittal letter	Page 11
Fiscal Note from the Department of Education	Page 13
Information of the "Extended School Year"	Page 15
Information on "Charter Schools"	Page 16
Information on "Research & Development"	Page 17
Information on "Tenure Review Committee"	Page 18
Information on "Advisory School Boards"	Page 19

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

Increase the School Term

- For the school year beginning in 1994, the number of days in the school term is increased from 180 to 183.
- The added school days will increase by three days in 1995, 1996, and 1997, and increase by four days in 1998 and 1999.
- The cumulative effect of these changes is to increase the existing school term by 20 days by the year 2000.

Flexibility in Funding Grants for School Improvement

- If public school performance will be enhanced and improved, school districts and other entities may be eligible for a grant from the "Fund for the Improvement of School Performance".
- Earnings from the "Public School Trust Fund" (established under AS 37.14.110) may be appropriated to the "Fund for the Improvement of School Performance".

Establishment of Advisory School Boards

- Advisory school boards will be mandated in city and borough school districts as they are required for REAAs.
- An advisory school board will be under the direction of the local school board and may serve more than one school upon approval of the Commissioner.

Establishment of a Tenure Review Committee

- The local school board shall appoint a local tenure review committee composed of five to nine members to minimally include: two parents, two teachers, and one student over 16.
- The review committee will consider the teacher's request for tenure, along with the teacher's evaluations, supervisor's recommendations, and other material the teacher considers informative regarding the request for tenure.

Establishment of a Tenure Review Committee cont.

- The committee will vote on each request as to whether it is in the best interest of the district's students to recommend tenure.
- The local school board will consider the local tenure review committee's recommendation, and will make the final decision regarding the granting of tenure.

Establishment of Charter Schools

- The charter school concept is established as a pilot project for 3 years.
- A charter school, approved by the local school board and the State Board of Education, operates as a school in the local district. The school, however, is exempt from local textbook, program, curriculum and scheduling requirements.
- A charter school operates under its own annual program budget. The funding level is the same as other public schools in the district.
- A charter school may be designed to serve students within an age group, grade level, or students who will benefit from a particular teaching method/curriculum. In the event of an excess of applications, students will be accepted by random drawing.
- The State Board of Education may not approve more than 40 charter schools to operate at any one time.

Sectional Analysis

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

Section 1 sets out the purposes of the Act.

Section 2 increases the school term by three days.

- Increases the number of days in the school term from 180 to 183.
- Increases from 150 to 153 the minimum school term the Commissioner can approve for a district abating asbestos health hazards.
- Increases from 160 to 163 the minimum school term the Commissioner can approve due to necessity or to the submission of another acceptable plan.
- Changes the standard for an acceptable, alternate, shorter school term from a plan based on equivalent instructional hours to a plan under which students receive the educational equivalent of a regular 183 day term.
- This section takes effect July 1, 1994, in order to give districts time to prepare for the increases.

Section 3 provides additional, subsequent increases.

- Increase the school terms referred to in section 2 by three days in each of the school years that begin in 1995, 1996, and 1997, and increases the terms by four days in the school years that begin in 1998 and 1999.
- The cumulative effect of sections 2 and 3 is to increase the existing terms by 20 days by the year 2000.

Sections 4-7 amend AS 14.03.125 to provide flexibility in funding grants for school improvement.

Section 4

- Permits the fund for the improvement of school performance to include appropriations from the earnings of the public school trust fund. (Established under AS 37.14.110.)
- Permits grants to be awarded to entities other than school districts, if the grant will nonetheless benefit or improve school performance.

Section 5 removes the existing \$50,000 cap on grants.

Section 6 permits grants to be awarded to the same grantee for up to three fiscal years within a five-year period.

Section 7 requires the board to adopt regulations setting out grant award procedures.

Section 8 mandates that city and borough school districts establish advisory school boards under AS 14.12.035. Advisory boards are already required for REAA's.

- They are required at each school in a community within a district if the community has 50 or more permanent residents.
- A school district with only one school and a school board is exempt.
- The school district board shall set standards and prescribe the power and duties of the advisory board.
- Upon request by a school district the commissioner may allow, an advisory board to serve more than one school.

Sections 9-11 amend AS 14.20 by repealing and reenacting AS 14.20.150 and enacting new sections that require a committee evaluation and recommendation before a teacher is granted tenure.

Section 9 provides that teachers acquire tenure after

- applying for tenure;
- being employed continuously for two full school years and reemployed for a third consecutive year;
- being considered for tenure by a local tenure review committee; and
- being approved for tenure by the local school board.
- Teachers hired before July 1, 1993 and continuously employed by a district acquire tenure rights under the existing scheme.

Section 10 sets out the process for applying for tenure.

- A teacher submits a request to the superintendent along with evaluations, supervisor's recommendations, and other material the teacher considers informative regarding the request for tenure.
- The Superintendent forwards copies to the local school board and the local tenure review committee.
- Failure to acquire tenure will not affect an existing contract between the teacher and the district.
- Teachers may reapply for tenure 120 days after a school board's disapproval for tenure.

Section 10 also requires districts to appoint local tenure review committees.

- The committees are composed of five to nine members and serve at the pleasure of the school board.
- Members shall include two parents, two teachers, and one student over 16. Remaining members shall

have had involvement in the district's educational program.

- The committee shall meet at least once every six months if requests for tenure are pending.
- The committee will publish notice of meetings, including the names of teachers who have requested tenure, and state that comments may be provided to the committee before the meeting. Comments received must be provided to the teacher.
- The committee shall allow for public comment at the meeting, and deliberate on each request in an executive session at which the teacher may be present.
- A teacher's evaluations are not public records.
- The committee will vote on each request by roll call in an open meeting as to whether it is in the best interests of the district's students to recommend tenure.
- The committee will furnish written notification of its recommendation to the local board within 10 working days, including the reasons for any recommendation to disapprove tenure.

Section 10 additionally provides that the local school board will consider the local tenure review committee's recommendation, and will vote to approve or disapprove tenure for a teacher. The reasons for any disapproval shall be set out in writing.

Section 11 adds definitions of "board," "committee," and "parent" to the chapter's definition section.

Section 12 establishes charter schools.

- Charter schools may be established on application of a charter school board of directors and approval by a local board and state Board of Education.

- The state Board of Education may not approve more than 40 charter schools to operate any one time.
- Local boards will prescribe an application procedure.
- Local boards will forward to the state Board of Education applications that have been approved or denied.

Section 13 describes the organization and operation of a charter school.

- A charter school operates as a school in the local district except that it is exempt from local textbook, program, curriculum and scheduling requirements and operates under its own annual program budget. Other exemptions may be agreed to by the district and charter school.
- An initial board of directors of a charter school shall organize informally, but shall consist of five to nine members, including at least one parent of a prospective student of the school and one prospective teacher of the school. Remaining members must be a parent of a prospective student, a prospective teacher, or a prospective student of the school.
- The initial board will develop the school's program, apply to the local school board, and, on approval, negotiate a contract with the local school board.
- A permanent board of directors will be elected by the teachers, parents and students of a charter school after classes begin. The permanent board must meet the membership requirements of the initial board.
- The permanent charter board shall keep financial records, oversee operations of the school, and meet regularly with the teachers.

A charter school operates under a contract between the local board and the charter board. Contracts must contain certain provisions:

- description of educational program
- achievement levels for educational program
- admission policies and procedures
- administrative policies
- statement of program budget and costs assignable to the charter school program budget
- method of accounting
- location and description of facility
- name of teacher or teachers who will teach in the school
- teacher to student ratio
- number of students served
- term of contract, not to exceed three years
- termination clause providing that the local board may terminate the contract for failure of the school to meet education achievement goals, fiscal management standards, or other good cause
- statement that the charter school will comply with all state and federal requirements for receipt and public use of money
- other requirements or exemptions agreed to by the charter board and the local school board

Section 14 describes funding for charter schools.

- Local boards will provide a charter school with an annual program budget. This budget will be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the district, determined by applying the department approved indirect cost rate. The funding level should be the same as other public schools in the district.
- The program budget will be spent for implementing the educational program of the charter school, including purchasing textbooks, classroom materials and instructional aids.
- A charter board will provide all financial and accounting information requested by the local board, the district, or the department, and cooperate in complying with AS 14.17.190.

Section 15 describes admission to a charter school.

- A charter school may be designed to serve students within an age group or grade level, or students who will benefit from a particular teaching method or curriculum.
- A charter school shall enroll all eligible students, except in the event of an excess of applications students will be accepted by random drawing.
- A charter school may not discriminate on the basis of intelligence, achievement, aptitude, or athletic ability.

Section 16 addresses teacher transfers and evaluation.

- Teachers will not be assigned to a charter school against their will.
- After June 30, 1993, local school boards may not negotiate or renew provisions in a negotiated agreement that create a right to transfer to a

charter school based on seniority.

Charter school teachers will be evaluated in the same manner as other teachers in the district. If no administrator is assigned to the charter school, the local board with charter board agreement shall designate a district administrator to evaluate a charter school teacher.

Section 17 provides that a charter school contract may be for a term of no more than three years, and may not extend beyond July 1, 1999.

Section 18 provides that the state Board of Education may adopt regulations necessary to implement the charter school provisions.

Section 19 is a definition section related to charter schools.

Section 20 repeals sections 12-19 and is effective July 1, 1996. This implements the intent that the charter school concept is a pilot project.

Sections 21-25 provide effective dates.

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 1993

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Halford:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that makes significant changes to our public education system. This bill is an outgrowth of the work of many Alaskans to improve our public education through Alaska 2000.

Through Alaska 2000, a cross section of Alaskans met during 1992 to examine our school system and to make recommendations to the state Board of Education and the governor to improve the quality of public school education for our children. The state board has reviewed the recommendations and has chosen five as high-priority proposals to present for legislative consideration. This bill, if enacted into law, implements those proposals.

The first proposal concerns extending the existing mandatory 180-day school year to 200 days by the year 2000. This would allow our children to have 20 additional classroom days of teaching. The imposition of a 200-day school year should help achieve higher educational performance so that our children can have the tools to compete in today's complex society. See secs. 2 and 3 of the bill.

The second proposal would amend the existing statute that creates the fund for the improvement of school performance, to allow the commissioner to make grants to any appropriate organization or person to improve our schools. The existing statute limits the commissioner to granting only to school districts. Additionally, the bill would remove the \$50,000 restriction on the maximum grant amount and would increase by one the number of years in which the same grantee could receive a grant. These provisions should increase flexibility to award grants to the best qualified organization or group in an amount that can get the job done. The state Board of Education would be required to adopt regulations to ensure efficient and effective administration of the program. See secs. 4, 5, 6, and 7 of the bill.

The third proposal would mandate citizen advisory boards in virtually all school districts in the state. Presently, some school districts have opted to do so on a

The Honorable Rick Halford
January 22, 1993
Page 2

voluntary basis and have found the advisory boards extremely helpful in keeping the local school boards advised on local community needs and concerns. With some exceptions, the bill would mandate the procedure so that all local school districts can have the benefit of an advisory board. See sec. 8 of the bill.

The fourth proposal would change the procedure by which new teachers obtain tenure rights to employment after June 30, 1993. The bill would add a mechanism for increased public involvement in tenure decisions and would encourage more thorough and thoughtful evaluation of teachers by their supervisors. While I recognize that this proposal might be controversial, it serves a valuable function in that it ensures that only teachers who have shown their ability to teach earn the right to tenure in our public schools. This should play a key role in improving our educational system in the future. See secs. 9, 10, and 11 of the bill.

The fifth proposal allows for the establishment of a pilot project for the creation of up to 40 charter schools within our public school system. A charter school would be authorized by a contract between a local school board and the board of directors of the charter school, with the approval of the state Board of Education. These charter schools can focus on a unique educational philosophy or teaching curriculum to meet the needs of the students enrolled in the school. The provisions of the bill that authorize the program will "sunset" July 1, 1996, although a charter school contract could extend to July 1, 1999. The legislature will have the opportunity to scrutinize the success of the pilot program to determine whether it should be reauthorized through new legislation. See secs. 12 - 20 and sec. 25 of the bill.

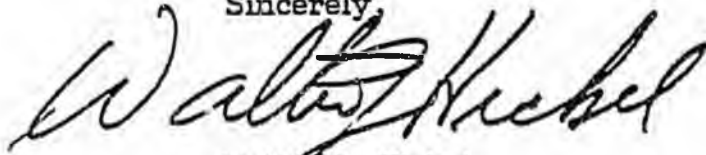
All of the above substantive changes, except for the phased-in changes in school term length in secs. 2 and 3, would take effect July 1, 1993. The phased-in changes in school term length would take effect July 1, 1994. See secs. 23 and 24.

Finally, sec. 21 would give transitional authority to allow the state Board of Education to begin the process to adopt regulations as soon as the bill is signed into law; the new regulations cannot take effect before the respective effective dates of the relevant sections of this bill. Section 22 of the bill would give this transition section an immediate effective date.

Alaska's children are Alaska's future. Providing them a quality education is an investment that we must make, and is an investment that will benefit all of us.

I urge your support of this important legislation.

Sincerely,



Walter J. Hickel
Governor

FISCAL NOTE

No. 1
 Bill Version: HB 84
 (H) Publish Date: 1/22/93

STATE OF ALASKA
 1993 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act implementing certain recommendations of
Alaska 2000 to improve the states education system.
 Sponsor: Governor
 Requestor: _____

Department Affected: Department of Education
 BRU: Education Program Support
 Component: Basic Education and Instructional
Improvement

COMPONENT SERIAL NO. 171

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	6.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	6.0					

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	6.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	6.0					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact \$ 0

ANALYSIS: (Attach a separate page if necessary.) The State Board of Education will need to develop, notice, and promulgate regulations for three sections of this bill: (1) the fund for school improvement; (2) advisory school board; (3) charter schools. Cost for each section is two thousand dollars.

Additional fiscal information: See attached.

Prepared by: MIKE MAHER Phone: 465-2800
 Division: COMMISSIONERS OFFICE Date: 1/11/93
 Approved by Commissioner: Hub Maher Sr Jerry Covey
 Agency: Education Date: 1-11-93

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For further distribution information call the Governor's Legislative Office

HB 84
No. 1. 15282

"An act implementing certain recommendations of Alaska 2000 to improve the state's education system"

Additional fiscal information:

Sections 2 and 3 will result in a cumulative increase of 20 school days by the year 2000. The existing public school foundation statutes do not fund school districts on the number of school days. Therefore, under the current law there is no impact on the state operating budget if the number of school days is increased.

Based on the current weighted average daily cost of education, the total financial impact on school districts may range from zero to over \$3,000,000 a day statewide. The actual financial impact will depend on the outcome of individual school district staff negotiations and arrangements of class schedules.

Districts do have the option of increasing daily student contact time as opposed to increasing the number of school days, provided that students receive the equivalent hours of instructional time contained in a minimum school term..



EXTENDED SCHOOL YEAR

- An AK2K committee recommended phasing in a 200-day school year as one of the ways Alaska can graduate world-class students who can compete successfully in a global economy.
- Committees of citizens and educators are now working to set standards for Alaska students in the ten core areas defined by AK2K. With the higher expectations these standards will bring, Alaska needs to provide more instructional time in which students and teachers can achieve these standards.
- The State Board of Education agreed with the committee recommendations and advanced the extended school year as part of its AK2K education reform. Governor Hickel included the recommendation in SB 61 and HB 84 in his education package to the legislature.
- The United States ranks below most industrialized nations and some Third World nations in required school days per year.

- Assessments conducted by the International Association for the Evaluation of Educational Achievement show United States students near the bottom of achievement tests in arithmetic, algebra and geometry. Researchers discovered that U.S. students also ranked near the bottom when asked whether the mathematics required to answer the test questions had ever been taught to them at any time in class.
- A 1978 study of retention conducted for the N.Y. Board of Regents reported: "Numerous research studies indicated that long extended summer vacations result in forgetting much that was learned during the regular school year.... In order to start a new year effectively, teacher in most elementary schools tend to devote four or more weeks (to) review and reteaching activities."
- Researchers generally believe that time is one of several major factors influencing student achievement, and that efforts to increase instructional time are best coupled with efforts to employ sound teaching methods and classroom techniques.

Days of Instruction per Year

Japan.....	243	Swaziland.....	191
West Germany....	226-240	Finland	190
South Korea	220	New Zealand.....	190
Israel.....	216	Nigeria	190
Luxembourg	216	British Columbia	185
Netherlands.....	200	France.....	185
Thailand.....	200	Spain	180
Scotland.....	200	Sweden	180
Hong Kong	195	United States	180
England/Wales	192	French Belgium	175
Hungary	192	Flemish Belgium	160



CHARTER SCHOOLS

- An Alaska 2000 committee recommended a three-year pilot program of charter schools as a way of providing parental choice in education and encouraging the creation of "break-the-mold" schools within the public education system of Alaska. Charter schools were also recommended by the Governor's Commission on School Choice.
- The State Board of Education agreed with the committee recommendation and advanced a charter school proposal as part of the AK2K education reform. Governor Hickel included the recommendation in SB 61 and HB 84 in his education package to the 1993 legislature.
- Many excellent alternative schools sponsored by some Alaska school districts are like charter schools in that they offer a different program than the rest of the district schools and function fairly independently. So, in effect, charter schools are not new in Alaska. What is new is that the Governor is asking the legislature to set a procedure to encourage the creation of more such schools by parents, teachers and local school boards.
- By 1994-95 school year, world-class state standards will be set for math, science and English. These standards will be especially useful for charter schools, because they are oriented toward results rather than processes.
- Charter schools will provide greater flexibility for teachers and principals. Many educators know how to create a successful school, but are hamstrung by restrictive state and local rules.
- The State Board of Education has already introduced regulations for providing waivers of regulations to implement innovative, results-oriented school programs. The charter school legislation exempts these schools from local textbook, program, curriculum and scheduling requirements.
- Charter schools will provide educational choice within the public school system. Students will not be assigned to charter schools; the schools will have to attract students.
- Charter schools can be targeted at segments of the student population whose needs are not being met within the traditional public school system.
- A program of charter schools says to parents: "You know what is best for your children. So let's move decisions out of the bureaucracy and into your hands." A board of directors composed of parents and teachers will operate charter schools.
- California and Minnesota already have approved charter school legislation. The governors of New Jersey and Michigan have endorsed charter schools and are supporting legislation to create them in their states. Seven other states are considering the charter school concept: Colorado, Connecticut, Florida, Massachusetts, Tennessee, North Carolina, and Alaska.
- Charter schools will use existing resources. They employ teachers already teaching in a school district and attract students already enrolled. They can be operated without an infusion of additional dollars.



RESEARCH & DEVELOPMENT

- Several Alaska 2000 committees recommended a variety of new ideas to improve student achievement, although committee members realized that new state dollars for such endeavors were scarce.

- However, if Alaska's public schools are going to make serious gains in student achievement, they needed an ongoing infusion of capital to research and develop new ways of educating students.

- Just like competitive businesses and industries, public schools need to develop a research and development arm to push it in new directions to meet changing conditions and times.

- In seeking a research and development mechanism, it was discovered that the Alaska legislature in 1990 created the Fund for the Improvement of School Performance. The fund was never capitalized and therefore has not been used. The fund can be used to provide money to schools and partnerships between schools and communities for research and development.

- Research and development is needed in the areas of educational technology, restructuring primary schools, early childhood, alternative school programs, summer catch up programs, meaningful parent and community involvement, and other ways to improve student achievement and prevent dropouts.

- One way Senate Bill 61 and House Bill 84 propose to capitalize the fund is by using the earnings of the Public School Trust Fund, which was created by the legislature in the 1970s in exchange for school lands.

- The Public School Trust Fund is funded with one-half of one percent of the proceeds from development on state-owned lands. The principal of the fund cannot be expended, but the earnings can be if spent for public education.

- The Public School Trust Fund now has a principal of about \$125 million and annual available earnings of \$8.5 million. The interest is currently used as a revenue source for school operations through the Public School Foundation Program and other programs.

- Alaska 2000 proposes to place one-half of the annual earnings of the Public School Trust Fund into the Fund for the Improvement of School Performance.

- The money in the Fund for the Improvement of School Performance will be used to make grants to schools and communities to improve the public school system through research and development.



TENURE REFORM

- Tenure for educators is one of the most divisive issues that surfaced during the Alaska 2000 Education Initiative (AK2K). Some people describe tenure as a haven for incompetent or burned-out educators. Others believe it is a legitimate right of educators that protects their jobs from political whim and personal vendetta and provides an umbrella for academic freedom.
- Teachers and their representatives claim that the problem of retaining poor teachers is not a result of tenure itself but of poor evaluations of teachers by management.
- An AK2K committee recommended, among other things, local tenure review boards to improve the process of teacher evaluation. This concept was approved by the State Board of Education and commended to Governor Walter J. Hickel. The governor included tenure reform in SB 61 and HB 84 of his education reform package. His proposals mirror the AK2K recommendations.
- Under the governor's proposal, teachers receive tenure by:
 - 1) applying for tenure,
 - 2) being employed continuously for two full school years and being reemployed for a third consecutive year,
 - 3) being considered for tenure by a local tenure review committee, and
 - 4) being approved for tenure by the local school board.
- Local school boards are to appoint five to nine members to the local tenure review committee. Members must include two parents, two teachers, and one student over 16.
- Failure to receive tenure would not affect an existing contract between the teacher and the district. Teachers may reapply for tenure 120 days after a school board's disapproval of tenure.
- The tenure process would require a period of public comment on the tenure request by the local review committee.
- A related AK2K recommendation addressed teacher evaluation. The State Board of Education intends to require through regulation that school administrators present information regarding teacher performance to the local tenure review committee. This is intended to make evaluations a more important administrative duty and make administrators more accountable for providing comprehensive, useful evaluations.
- The overall effect of this proposal is to add accountability at every level of the tenure process:
 - 1) accountability from management, which must evaluate its instructional staff properly
 - 2) accountability from the school board, which must listen to the views of the public, including parents and students
 - 3) accountability from teachers, who have to undergo a review that has rigor and purpose.



ADVISORY SCHOOL BOARDS

- An Alaska 2000 (AK2K) committee recommended that advisory school boards be established at each city and borough school in the state.
- In 1990, the State Legislature mandated advisory school boards for Regional Education Attendance Area (REAA) schools to increase community involvement in local schools. AK2K committee members believed this to be an important concept and recommended that it be extended to all school districts to provide a greater voice for more citizens.
- The State Board of Education agreed with the committee recommendation and advanced the advisory school board proposal as part of the AK2K education reform. Governor Hickel included the recommendation in SB 61 and HB 84 in his education package to the 1993 legislature.
- The proposal seeks to accomplish three primary goals:
 - 1) increase student performance through greater parent and community involvement,
 - 2) decrease public alienation from the school system, and
 - 3) provide a mechanism through which districts can fully participate in site-based management type of reforms.
- The proposal seeks to improve student performance by increasing parental involvement in education. Numerous

studies have shown that student performance is directly related to parental involvement.

- Advisory school boards will increase community involvement in the local school, reducing the feeling of alienation that was identified as a barrier to improvement by the AK2K committees.
- School districts that want to restructure to a site-based form of management can use the advisory school boards as a template for local school governance.
- Under the proposal, advisory school boards will be under the direction of the local school board, which will set standards and prescribe the power and duties of the advisory board. These stipulations are identical to those placed on REAA advisory boards by state law.
- Advisory boards would be required at each school in each community of 50 or more residents.
- A school district with only one school would be exempt from this requirement.
- Upon request by a school district, the commissioner can allow an advisory board to serve more than one school.
- Far from being another layer of bureaucracy, an advisory school board, properly used, will empower the local school to respond to the needs of the community.

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 West 11th Street, Juneau, Alaska 99801-1510 • Tel. (907) 586-1083 • Fax (907) 586-2995

Advocates for Alaska's Youth

February 17, 1993

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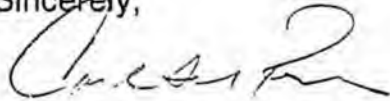
Dear Representatives Bunde and Toohey:

On February 12 and 13 the Association of Alaska School Boards convened a focus group of school board members, superintendents and school district finance officers to help us formulate comments and recommendations on the Alaska 2000 legislation that would represent a statewide perspective.

Enclosed you'll find the outcome of the work of that group. We conducted a comprehensive review of SB 61/ HB 84 and considered the various proposals it contained in the context of everyone's expectations of establishing a "world class" education system for Alaska. In addition to comments on the current elements, you'll find that we've addressed a number of additional issues we would request the HESS Committee consider in its work on this bill.

We appreciate the opportunity to discuss this with you further at the next Committee meeting on February 18.

Sincerely,



Carl F. N. Rose
Executive Director

enc

ALASKA 2000

ASSOCIATION OF ALASKA SCHOOL BOARDS RECOMMENDATIONS

The Association of Alaska School Boards and its members have been intimately involved in the Alaska 2000 initiative since its inception. We began a deliberate process of disseminating information regarding State Board-approved Alaska 2000 proposals to our members in January 1993, in order to gather comments from all school districts in anticipation of proposed legislation. Eight regional teleconferences were held with all school districts to review the four bills proposed by the Governor. A focus group consisting of school board members, superintendents and district finance officers met on February 12 and 13 to consider the original Alaska 2000 committee recommendations, the recommendations approved by the State Board, the resulting Alaska 2000 bills and the comments from the school districts.

The focus group concurred that, as stated under Section 1 of SB 61/HB 84, Alaska 2000 was intended to provide "a comprehensive statewide effort of Alaskans to improve the state's education system for the future." It was felt, however, that the bills that were presented represented a good start but fell short of being "comprehensive" in their approach. The group identified the components they believed must be addressed by the legislation in order to provide a "world class" education, which included:

- 1) Overall school environment - adequate and appropriate space, equipped with the furnishings, equipment and technology necessary to support a comprehensive educational program.
- 2) Highest caliber professional staff - both in the classroom and in each school building, with assurances to both staff and public that the highest standards of professionalism will be promoted, recognized and rewarded appropriately.
- 3) Education programs - developed to meet high standards and identified outcomes, delivered by a variety of means that meet the diverse needs of students and prepare them to be contributing and productive citizens in a rapidly changing world.
- 4) Governance of schools - to insure the democratic principles that American school governance was based on over 200 years ago will be carried out in a way that will encourage a high degree of parental involvement in each school, each classroom, and the education of each child.
- 5) Funding - at a funding level that will reflect the priority the people of Alaska place on their children's education; distributed to all school districts in an equitable manner to provide comparable basic education

regardless of location or size of community; distributed in a timely way that will allow for the most effective planning and use of each educational dollar.

- 6) Collaboration - because of societal issues outside of the realm of professional education that impact the ability of children to learn, both schools and state agencies must identify the resources available from other agencies, both state and private, that may be made available within the school environment to students, parents and teachers - in order to provide the most direct, appropriate and effective service.
- 7) Accountability - for every element that is brought forth through Alaska 2000 legislation, there should be an accountability requirement for establishing expected outcomes, benchmarks, monitoring, evaluating and reporting to the Legislature and the public so that there is assurance that the changes that are being made in our educational system at all levels are actually contributing to the "world class" education that is our ultimate goal.

The seven components listed above were those the group felt could be addressed through legislation. There are two other components, however, that are critical to educational success and without them none of the above will make any difference. They are 1) *the responsibility accepted by parents for taking an active role in their children's education*, and 2) *the personal responsibility that must be accepted by each student for putting in the effort and interest required to take full advantage of the opportunities provided for them by dedicated professionals and a caring society*. Somehow this message must be reinforced loudly and publicly.

With that preface, AASB respectfully submits the following recommendations, based on the concerns of all fifty-four school districts and shaped by the focus group to reflect statewide recommendations in response to the bills that have been submitted.

SB 61/HB 84 "Implementing Certain Recommendations of Alaska 2000"

Increase the School Term

We see this section as addressing the need to improve the delivery of educational programs. While agreeing with the identified need we would like to offer some alternative recommendations that may enhance that delivery even more.

While there is general agreement that the established 180 day year does not provide the amount of desired contact time with students, especially considering direct instruction time lost to in-service days and absences for extra-curricular activities, we would recommend that before legislating a longer school term the State Board and Department of Education *first develop clear educational*

standards, along with expected outcomes and means of assessment, so the legislature and the public will have a firm idea of what may be expected by additional days in a school term.

The cost of additional days has been estimated to be approximately \$3 million per day. Since research has provided evidence of the value of having children coming to the K-12 program ready to learn, we would recommend that the Legislature consider the overall value of providing funding to allow the *implementation of Early Childhood Education programs within the schools, available to all children regardless of income level, that will enhance the ultimate success of all our students.* A comparable amount of funding would go far for providing the required classroom space, qualified teachers and necessary curriculum and materials. The net effect would be more time in school, albeit in a different context.

Flexibility in Funding Grants for School Improvement

We generally support the changes to provide greater flexibility in grants for improvement of school performance, seeing this as a means for improving not only educational programs and school environment, but also the professionalism of our teaching staff.

To that end, we would recommend the addition of language to Section 1 that would *designate that a minimum of 50% of the available funds will be granted to teachers for research and development of classroom programs, with a provision that such grant applications would require the sign-off of their employing school district.*

Because Alaska is such a large state and many effective, transferable classroom practices are carried out in relative isolation, we would recommend that a grant requirement be added that would cause *the results of such grant projects to be routinely shared with other teachers statewide.*

Establishment of Advisory School Boards

Although obviously intended to provide for greater parental involvement in the schools, this section has raised some concerns about the possibility of inadvertently diminishing the enthusiasm and effectiveness of emerging volunteer parent groups such as PTA by mandating advisory boards that may be seen as a rigidly structured replacement. There is also concern expressed that the term "boards" may cause confusion regarding the respective governance responsibilities of local school boards and the advisory groups.

In response to these concerns, we would recommend a change to the proposed language in Section 8 that would allow greater flexibility in individual districts, while still recognizing the value of the involvement of parent groups. A suggested change might be to *change "advisory board" to "parent advisory committee"* throughout the section. Also to *change "A city or borough school*

district board shall [establish an advisory board] recognize or provide for a parent advisory committee at each school...."

Establishment of a Tenure Review Committee

While this section of the bill is intended to contribute to a higher standard of professionalism in the teaching profession, we feel the proposed review committee approach does not fulfill that intention. We agree with teachers that the importance of their responsibilities should be held on par with those even in the medical profession, and we believe that equal attention should be paid to requirements for professional preparation, supervision, evaluation and licensure. The current language in the bill does not adequately address any of those aspects.

We believe the proposal outlined below will establish a more rigorous standard for licensing of teaching professionals by providing the opportunity for professional growth, appropriate supervision and evaluation desired by both teachers and school boards, and sufficient time to demonstrate proficiency. We recognize that the establishment of this model will require more training in the supervision process and more time given to meaningful evaluation. This emphasis will have a corresponding cost to school districts in terms of staff time and to the state in terms of licensing procedures, but we believe that the ultimate assurance to the public that districts will employ the highest caliber professionals and that school improvement will occur will be worth the dollar cost.

Recommendation:

- *Current teacher certification requirements in Alaska will qualify applicants for a renewable two-year provisional certificate.*
- *School districts will be required to provide inservice training to provisionally certificated school employees as prescribed by law.*
- *School districts will provide a mentoring program designed to enhance the effectiveness of provisional certificated employees in the classroom and instructional settings.*
- *The Alaska Staff Development Academy, Department of Education and University of Alaska system will develop a licensure assessment and corresponding curriculum designed to evaluate the competence of provisional certificated employees.*
- *Provisional certificated employees will be required to pass the above mentioned licensure exam during the 2 year provisional period. Upon successful passage of licensure, the employee will receive a Type A certificate and would be eligible for tenure after two additional years of employment by a school district.*

- *Teachers who have received tenure under the current tenure laws will be "grandfathered" into the tenure system.*

Charter Schools

We believe the intent of the charter schools proposal is to encourage innovation in educational delivery and to address the diverse needs of the students in our schools. The larger urban districts are currently attempting to provide innovation and meet diverse needs through alternative schools or specially designed programs within their current curriculum. Smaller school districts have difficulty seeing how charter schools might be accomplished when there are limited physical facilities and resources available.

Nonetheless, we believe it is in the best interest of children to work with parents and teaching professionals who may bring forward ideas that lie beyond the traditional school structure and see the charter school proposal as a means of accommodating that.

In reviewing SB 61/HB 64 in its totality, and referring to the seven components of providing a world class education mentioned at the beginning of this paper, the focus group identified four other sections they wished to recommend for inclusion in this bill.

Master Teacher Certification

Our school districts employ professionals who will not only meet the standards set for their profession, but exceed them. To that end we would *recommend a designation for a Master Teacher Certification*. Requirements for this designation should be developed with the cooperation of teaching professionals; application for this certification could come from self-application or nomination by colleagues or supervising professionals. School districts employing teachers with this certification would be encouraged to provide additional rewards in the form of additional salary or bonuses, or incentive grants or paid sabbatical leaves for research and development purposes. We see the possibility of utilizing master teachers in each district, with their consent, to provide assistance for mentoring programs for new teachers working toward permanent licensure and tenure.

Additionally we would hope that such talent, dedication and mastery would be recognized by University teacher preparation programs and the Alaska Staff Development Academy by utilizing teachers with this designation as a talent bank for a training cadre or adjunct staff.

Technology

There is one overarching concern that affects the elements of school environment, professionalism of staff, and improvement of the educational programs that is missing from the Alaska 2000 legislation. If we expect our

educational system to produce students prepared to function in a world that runs on technology, then we need to directly address that issue in any meaningful effort directed at school reform. Technology impacts teacher preparation for the classroom, the way we design and deliver our curriculum, and the way we design and equip our classrooms.

To that end, we would recommend that a section of this bill include language that addresses the following:

- 1) *Standards shall be developed and updated regularly that identify the basic technology skills required for all students to be able to function in a world that depends on the use of technology.*
- 2) *Teacher certification and licensing will include an element of technology training, and district staff development will routinely include training relating to the use of technology for management and instructional delivery.*
- 3) *Basic technology equipment shall be identified for classrooms, and a fund shall be established to insure that all Alaska classrooms are equitably equipped.*
- 4) *The state shall establish a plan and fund for the use of an effective technology network to enhance learning in all classrooms in the state.*

Agency Collaboration

In a state that is looking at diminishing resources, it makes little sense to have multiple agencies engaged in running programs aimed at the same client, with little or no interfacing or collaboration. This type of effort results in duplication of services or sometimes in blocking of service delivery because of conflicting communication or regulations. Since societal ills impact children adversely and affect their ability to learn, it only makes sense that many of the social services provided by state and private agencies that are directed toward children and their parents be integrated with the efforts of teachers and their schools.

We recognize that considerable work and study has already been done in this regard through the Governors Interim Commission on Children and Youth (GICHY) and Children's Commission. We would *recommend that the Legislature, under the heading of Alaska 2000, re-establish a task force to review their findings and to establish concrete ways to promote closer collaboration between schools and social and medical agencies.* The findings and recommendations of this task force could be the basis for some real reform that would alter and improve the way we provide education and other services to children, and include their parents in the process.

Accountability

Here we would simply reiterate our *recommendation that for every reform measure that is passed by the Legislature under the heading of Alaska 2000, an element of accountability be included in the language.* The recommendations represent a departure from the traditional way our education system has operated in the past. We recognize that these changes often entail additional costs in terms of money, both to the state, to communities and to individuals. They entail shifts in thinking and additional man-hours from paid staff and volunteers. It's critical that adequate planning occur for every reform, to include expected outcomes, measurement criteria, monitoring, evaluation and reporting, so that the citizens of Alaska have the assurance that their resources are being used most effectively to educate their children.

SB 62/HB 85 "Relating to the Public School Foundation Program"

Alaska School Price Index

We believe the development of the Alaska School Price Index has done much to level the playing field for almost all of Alaska's school districts. With a few minor adjustments that can be made within the Department of Education, it will provide the equity in funding that has been the goal of previous foundation programs. *We would recommend that the Alaska School Price Index be recognized statute, not into regulation, as a means of protecting the total integrity of the formula. Additionally, to alleviate the need for continued requests for adjustments to address the effect of inflation on school district budgets, we would recommend that the legislation include language directing the Department of Education to submit annually its recommended unit value adjustment.*

The history of inequity with the single site school districts continues to be a concern, one which we hope can be mitigated and addressed within the new formula. *We would recommend consideration be given to district size, its non-dispersed nature and current enrollment figures, and that adjustments be made to mitigate the inadequate unit base for small single site school districts.*

We anticipate serious program and staffing problems that might occur for the districts that are being held harmless, if there is a sudden drop in funding at the end of the three year hold harmless period. *We would recommend that language be developed that will make it clear to the hold harmless districts that they must develop a plan to realign their programs, staffing and budgets to recognize the decrease in funding that will occur at the end of the 3 year hold harmless period.*



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 18, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

*HB 84:: IMPLEMENT ALASKA 2000 RECOMMENDATIONS

*HB 85: PUBLIC SCHOOL FOUNDATION PROGRAM

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Kathy Lyday	Parent	910 Johnson Anch	99575	345-4097		<input checked="" type="checkbox"/>	N	
Mary Rubadeau	Kenai S.D.	123 W B. Kelly Soldotna AK	99669	262-4992	262-5346	<input checked="" type="checkbox"/>	N	Both
Linda Maxwell	Gov Council	P.O. Box 961 Bethel AK 99559		543-2462	543-4871	Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	



Alaska State Legislature

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NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
CARL ROSE Carl Rose	ASOC of AK School Bds	316 W 11th ST Juneau AK 99801			586-1083	<input checked="" type="radio"/>	N	AB 84/HB 85
CLAUDIA DOUGLAS Claudia Douglas	NEA-ALASKA	114 Second Juneau, AK 99801			586-3090	<input checked="" type="radio"/>	N	HB 84
Ken Swell	Chwathbald PAC	Pc Box 0 Chwathbald AK 99557				<input checked="" type="radio"/>	N	
Dan Hanger	Real Deal PAC	P.O. Box 37 Real Deal AK 99656				<input checked="" type="radio"/>	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

HB 84

P.O.Box 82330
Fairbanks, Alaska 99708
February 21, 1993

State Capitol
Juneau, Alaska 99801-1182

Re: House Bill 84 and Senate Bill 61

Dear Representative Toohy,

We are taking the time to write this letter because a POM cannot address the many faults and shortcomings of these bills.

1) Sec. 2, AS 14.03.030 and Sec 3, AS 14.03.030

Lengthening the school year from the current 180 day term to 200 school days per year over a five year period is a questionable proposal. In an era of declining oil revenues, where and how will the State obtain additional revenues to cover the additional expenses for a longer school year? Will teachers, school office staff and school custodians receive appropriate pay increases each year for working additional days? Adding 20 days to the current 180 day school year is an increase of 11.11% in total hours worked by teachers, school office staff and school custodians. Is the State going to guarantee additional pay for these additional work days? Also, where and how will funds for increased heating, electrical, phone transportation (school buses), etc. be obtained? Will the State pay 100% of these costs?

Unless the State is willing to pay 100% of all costs associated with increasing the school year for each and every school district in Alaska, we are opposed to increasing the school year. The taxpayers in the Fairbanks area can not afford to pay more taxes to support our local school system.

2) Sec 4 AS 14.03.125(a); Sec 5 AS 14.03.125(b); Sec 6 AS 14.03.125(c) and Sec 7 AS 14.03.125

Almost every teacher in Alaska is committed to providing the best educational experience possible for their students. We can improve school performance without resorting to using a grant program. Instead of setting up this grant program and wasting time and money on administration to write regulations, review grants, audit awarded grants and evaluate completed grants, spend this money and all grant funds on improving education for all students.

One simple approach would be to reduce the number of students in elementary classroom to 15 students per classroom for grades K-3 and 18-21 per classroom for grades 4-6. There are hundreds of studies and reports containing many recommendations on how to improve schools and teaching. Common to these studies and reports is the conclusion that smaller class size is the best method to improving education. Let's use existing studies to improve education and stop wasting money on trying to reinvent effective classrooms.

We are against this grant program. The only ones who will benefit will be the grant recipients. It is not the most effective use of educational funds nor the most effective use of teacher time.

3) Sec 8 AS 14.12.035

Our schools do not need another layer of administrative oversight and review with a prescribed set of operating rules and regulations. Schools funds are tight and to waste money on additional and recundant administrative levels is foolish.

4) Sec 9 AS 14.20.150; Sec 10 AS 14.20.151 and 14.20.152 and 14.20.153 and 14.20.154

First, NO 16 or 17 year old student is qualified to set on a review committee that can grant or deny tenure for an adult. Second, the parents, teachers, and principal of the school in which a non-tenured teacher works are the best qualified to determine the granting of tenure. Currently, their recommendations can be given directly to the local school board.

It is unfortunate that the designers of Alaska 2000 chose to recommend another layer of administrative oversight and review as a means to improve teaching skills and student achievement. Spend these funds on improvements in the classroom (class size, materials, computers) not on questionable administrative costs.

We recommend that the current tenure laws remain as is.

5) Sec 12 Establishment of Charter Schools and Sec 13,14,15,16,17,and 18

Will we improve education for all students by establishing charter schools? The answer is a resounding NO!

Improvements in educating our children, student learning and student social interaction can be achieved by implementing the recommendations of numerous studies on education: smaller classes; up-to-date textbooks with supportive hands-on material for every student; parent

Involvement; after school activities and clubs; breakfast and lunch programs for all students who want to participate; programs that challenge gifted students; programs for slower learning students, etc.

We must look at those who want charter schools and why they want this program. Backers of charter schools are strong supporters of the voucher system and the right of parents to send their children to public or private schools. Please remember private schools are private. They can and do screen the students that they will accept and continue to enroll in following years. It is not appropriate to use public funds for private schools!

We feel that public education can be greatly improved by implementing the recommendations of existing studies on ways to improve public education. Please, don't waste money on trying to reinvent the classroom. Instead, work to improve our existing public school system.

In closing, we cannot support these bills and strongly recommend that you vote against them. Thank you for taking the time to read this letter. Should you have questions, please call (907-455-6211) or write.

Sincerely,



Robert Ault



Lynda Ault

TESTIMONY TO HESS ON HB 84

Carole C. Evans
1212 Farmers Loop Road
Fairbanks, Alaska 99709
February 18, 1993

I am speaking in opposition to the recommendations that are before you in this bill. I am pleased that Alaska 2000 has helped the public understand and address the need for change and reform in education. As a teacher, I have long felt frustrated with the lack of support and unwillingness of our leaders to focus on the needs of students in this nation. At least we have started talking the talk that is necessary to get us moving toward true reform.

Real reform is imperative, and it is exciting! I have spent most of this week with a group of teachers from Lathrop High School who have been charged with creating a vision and a plan that will revolutionize the way we deliver education to our students in the future. We are excited, energized, and optimistic as we are breaking old paradigms and looking at new and better ways to reach our students. It is grant money, not educational funding, that is providing us release time in order to tackle this challenge. We are professionals who really understand where we are currently and who have a dream for what we can do in order to create students who have a passion for learning and who are committed to excellence; students who are risk-takers, able to tackle whatever their future holds because they have learned critical thinking, cooperative learning and problem solving skills. It is so exciting to look at how we can make changes that will truly revitalize our school and allow us to meet the challenges of the future.

The changes that are necessary will not happen by adding state regulations and more hoops for educators to jump through. The changes that are necessary in public education will not happen by increasing the length of the school year. They will come by increasing the ability of the professionals to make substantive changes and by increasing our staff development. To add another month to the year is not the answer. It is absurd to say there is no fiscal note attached to this Alaska 2000 recommendation. It will cost. Spend that money on release time for teachers or funding for technology or improving facilities. To merely add days with no plan or purpose is not productive.

Adding a layer to the tenure process is not an answer to educational reform. We want teachers who have a passion for teaching, not who have to feel paranoid and persecuted by the threat of offending someone who might terminate their employment. Teachers would never be able to address a controversial topic or take a hard line with a student. This would cripple a teacher's academic freedom, and I believe it would be an enormous cloud that would discourage and demoralize good teachers.

Lastly, charter schools that would take funding from public education would be totally unacceptable. It is your duty to make sure we provide the best public education possible for every student. We can not give educational funding to special schools to the detriment of public schools. Educators know that we must reach and teach every student, offering the means to a productive future. You must put every possible dollar into public education. Give us the time, the facilities and the funding, and you will see educational reform that will make a real difference in quality education.

The suggestions you are dealing with in this bill will not change education as we know it. Empower and employ practitioners to create a vision and a plan, and you will see real, dramatic, meaningful change. Give us adequate funding...not more layers, more frustration, and more obstacles!



NEA-ALASKA

Affiliated with the National Education Association

HB 84 Position Paper

Some have come to believe that tenure is synonymous with lifetime employment. Nothing could be further from the truth. Competent and effective administrators with leadership and motivational skills have utilized tenure as an ally to develop innovative and challenging teaching staffs.

How? Tenure protects the freedom the academic community needs to impart knowledge and critical thinking skills to children. Tenure protects schools from becoming systems where the spoils of a bureaucracy are placed and practiced.

Over 20 years ago Alaska joined the mainstream of America by extending tenure to its teachers. Today tenure continues to accomplish its purpose by encouraging effective teaching in the various political climates existing in any school district during a person's career. But, at the same time teachers have been dismissed and non-renewed for incompetence, immorality, and failure to comply with the rules and regulations of school systems.

Administrators are necessary to the success of the process because they are trained to evaluate and develop teachers to accomplish the educational goals and plans of a school district. Administration is a demanding job. Those who enter educational management understand that many variables will attack their time. Good administration understands the need to develop the skills of the staff as the profession changes. They have the authority to coordinate resources such as money, other teachers and the instructional day to develop staff.

Although administrators are critical to the staff development/evaluation process, we continue to hear of career teachers who have never been evaluated. We hear of the first year teacher who on his/her first day is given a set of keys to his/her classroom, attends a staff meeting, but never sees a principal in his/her classroom for the rest of the year. We hear of teachers who ask for help from administrators who unfortunately give them no time and no attention. In cases like these, weakening tenure will not help administrators do better jobs. Also creating tenure review committees cannot do this because of lack of money, authority, time and staff needed to insure a successful staff development and evaluation program.

School are burdened with too many mandates from the local, state and federal levels. Both teachers and administrators are expected to do more but are allocated nothing to accomplish the expectations. Instead of working with school districts to help them restructure the time and job assignment of administrators to allow them to become instructional leaders, develop staff and implement evaluation programs the HESS Committee has before it another proposal to create a new bureaucracy to complicate the evaluation process and the system for achieving tenure. NEA-Alaska is concerned that making the evaluation process more cumbersome by creating tenure review committees will simply dilute time and personnel already critically stretched. Removing teachers from already overcrowded classrooms to serve on tenure review committees will be expensive and will simply add to overcrowding. The allocation of time to tenure review will be costly. Will school districts be expected to fund the cost associated with release time, staff development programs demanded by the tenure review committee, meetings, inservice-training etc.? A two tier tenure system will be confusing and divisive since teachers will be divided into one system or the other. Litigation can be expected. Will premiums to insure districts in the event of litigation by teachers against districts go up?

The problem is not tenure. Furthermore, the public doesn't believe tenure is a problem either if we believe results gathered last year by the Department of Education. The public's concern for tenure falls far below their concern for early childhood education, class size reduction and providing opportunities for at-risk children.

Professionally and publicly, we emphasize, tenure is not the problem. If we are to restructure school systems to empower teachers to prepare all children for the demands of an ever changing economy, three areas must be addressed. First, the system used to prepare teachers for the classroom must be improved; second, the process used to select teachers for employment should be reviewed, and third, the process and procedure used to evaluate and develop teachers must happen and must become a vehicle to empower teachers for the challenging opportunities that are before us. Failure to address these critical areas will simply miss the mark of providing substantive change designed to insure that the children of Alaska are taught by the best.

NEA-Alaska opposes CSHB 84 because it simply will create two tenure systems and does nothing to insure that administrators are provided the time to do the demanding jobs they are hired to do -- be instructional leaders Alaska will need to meet the demands of the new century.

February 8, 1994

Estimated Cost of Attendance

Full Time Resident Undergraduate
Academic Year 1993/94 - Fall and Spring Semesters
On Campus/Off Campus

1993/94	UAA		UAF		UAS	
	on campus	off campus	on campus	off campus	on campus	off campus
Tuition*	1,664	1,664	1,664	1,664	1,664	1,664
Activity Fee	114	114	80	80	34	34
Books/Supplies	550	550	500	500	500	500
Housing	2,600	5,040	1,560	5,980	2,394	6,975
Meals	2,520	2,520	1,850	1,850	2,250	2,250
Health Insurance	0	0	332	332	0	0
Health Center	0	0	110	110	0	0
Cost of Living/Personal	1,260	1,260	1,980	1,980	1,000	1,000
Transportation	1,080	1,080	324	1,710	225	675
TOTAL	9,788	12,228	8,400	14,206	8,067	13,098

\$ 2328

* based on campus calculations including a consolidated fee of 13 credit hours per semester (26 total credit hours for the academic year)
** Health Center fee is included in Activity Fee at UAA

Estimated Cost of Attendance

Full Time Resident Undergraduate

Cost Projections

based on 3% cost of living increase estimate per year

	<u>UAA</u>		<u>UAF</u>		<u>UAS</u>	
	<u>on campus</u>	<u>off campus</u>	<u>on campus</u>	<u>off campus</u>	<u>on campus</u>	<u>off campus</u>
Year 1 - 93/94	9,788	12,228	8,400	14,206	8,067	13,098
Year 2 - 94/95	10,082	12,595	8,652	14,632	8,309	13,491
Year 3 - 95/96	10,384	12,973	8,912	15,071	8,558	13,896
Year 4 - 96/97	10,696	13,362	9,179	15,523	8,815	14,313
Year 5 - 97/98	11,016	13,763	9,454	15,989	9,079	14,742
Year 6 - 98/99	11,347	14,176	9,738	16,469	9,352	15,184
TOTAL	63,313	79,098	54,335	91,890	52,181	84,723

New Faculty Positions Funded for UAA**College of Arts and Sciences (11)**

Biological Sciences (<i>Bipartite</i>)	Physics (<i>Tripartite</i>)
English (<i>Bipartite</i>)	Philosophy (<i>Bipartite</i>)
Geography (<i>Bipartite</i>)	Psychology (<i>Tripartite</i>)
Journalism (<i>Tripartite</i>)	Russian (<i>Bipartite</i>)
Social Work (Note 1)	Mathematics (2)
(<i>Not Specified</i>)	(<i>Both Bipartite</i>)

College of Career and Vocational Education (3)

Air Traffic Control (<i>Bipartite</i>)	Surveying (<i>Bipartite</i>)
Science Technology (<i>Bipartite</i>)	

School of Education (3)

Elementary Education (2)	Distance Delivery (<i>Bipartite</i>)
(1- <i>Bipartite</i> and 1- <i>Tripartite</i>)	

College of Continuing and Community Education (2)

Developmental Education (2)	(<i>Both Bipartite</i>)
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Consortium Library (1)

Librarian (<i>Bipartite</i>)

School of Business (1)

Accounting (<i>Bipartite</i>)

School of Nursing and Health Sciences (1)

Nursing (<i>Tripartite</i>)

School of Public Affairs (1)

Justice (<i>Tripartite</i>)

Extended Sites (2)

Mat-Su	Office Management (<i>Bipartite</i>)
Kenai	Social Science (.5) (<i>Bipartite</i>)
Homer	Social Science (.5) (<i>Bipartite</i>)

School of Engineering (1)

Environmental (<i>Tripartite</i>)

Note 1: From Mental Health Trust Funds



Wendy Redman, Vice President
University Relations
(907) 474-7582
(907) 474-7570 (FAX)

University of Alaska Statewide System
Fairbanks, Alaska 99775-5560

TO: Representative Con Bunde
FROM: Wendy Redman *WR*
DATE: October 11, 1993
RE: FY94 Budget Increment for UAA Faculty Positions

In response to your inquiry regarding the allocation of the \$1.4 million instructional increment received by the University of Alaska Anchorage this year, Provost Beverly Beeton, has provided me with the following information.

The funding allowed for the establishment of 26 new faculty positions. Most of the positions are currently being filled by temporary faculty while the university conducts searches to fill the positions with permanent faculty. The searches will be conducted at the school/college level and will provide opportunities for faculty to be involved in the selection of their future peers. Some of the searches will concentrate on the local and state markets, but most will be conducted on the national level keeping in mind the university's goal to recruit and hire a more diverse population.

The recruitment and hiring of the permanent will be made during the course of the coming year with anticipated start dates coinciding the August 14, 1994 appointment date currently published for faculty.

A list showing the distribution of new faculty positions by school/college is included with this letter. This list is based on UAA's FY94 increment request that was included in the Board of Regents budget presented to the Legislature. I have included the relevant narrative description from the FY94 UA Budget Request ("Redbook") for your information. The decisions regarding workload assignments have not yet been made for all positions, but it is anticipated that there will be approximately one third of the positions filled with tripartite faculty and two thirds of the positions filled with bipartite faculty.

If you have any further questions regarding the allocation of these resources, please contact me or Provost Beeton.

cc: Beverly Beeton, Provost
Don Behrend, Chancellor

New Faculty Positions Funded for UAA

College of Arts and Sciences (11)

Biological Sciences	Physics
English	Philosophy
Geography	Psychology
Journalism	Russian
Social Work (Note 1)	Mathematics (2)

College of Career and Vocational Education (3)

Air Traffic Control	Science Technology
Surveying	

School of Education (3)

Elementary Education (2)	Distance Delivery
---------------------------------	--------------------------

College of Continuing and Community Education (2)

Developmental Education (2)

Consortium Library (1)

Librarian

School of Business (1)

Accounting

School of Nursing and Health Sciences (1)

Nursing

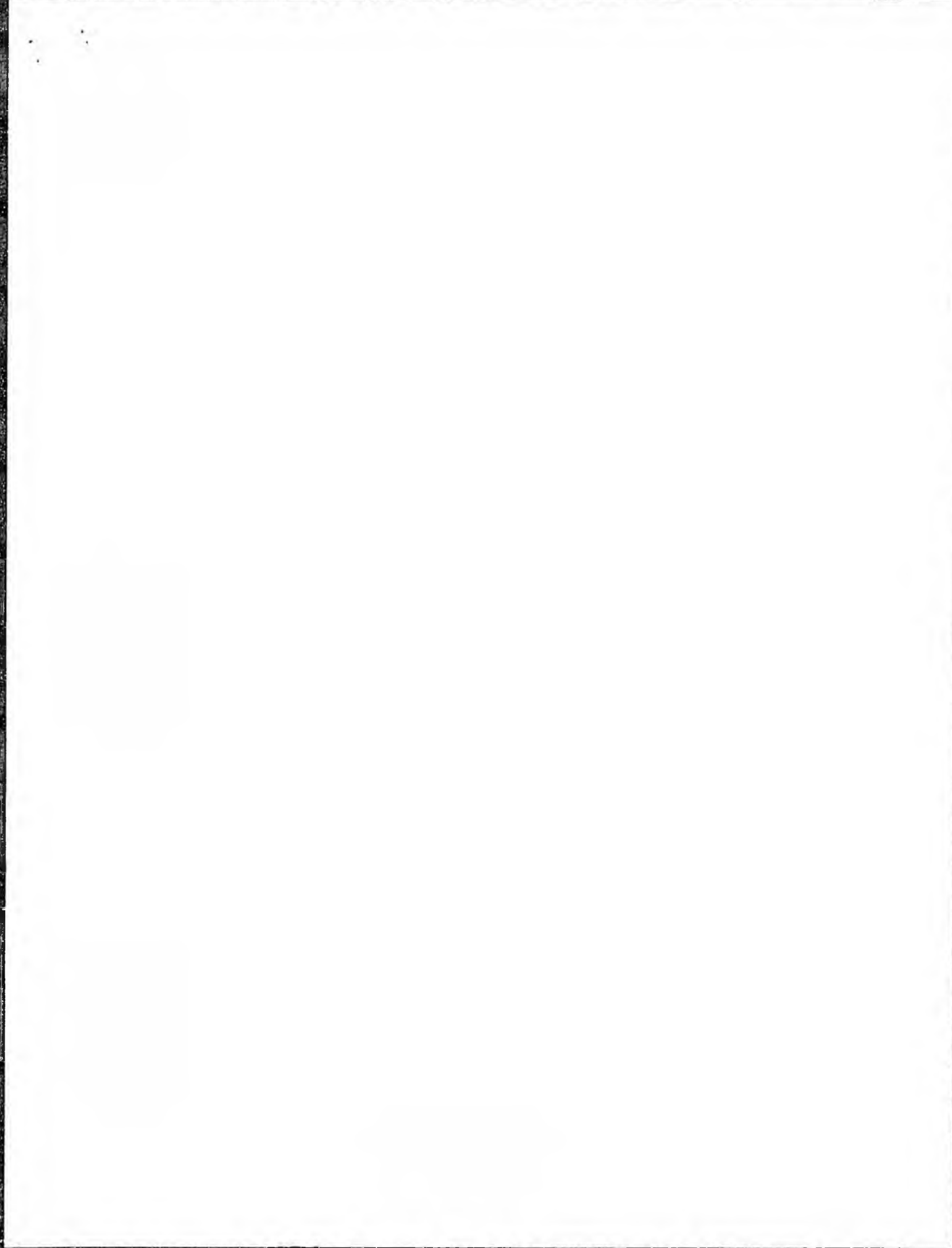
School of Public Affairs (1)

Justice

Extended Sites (2)

Mat-Su	Office Management
Kenai	Social Science (.5)
Homer	Social Science (.5)

Note 1: From Mental Heal Trust Funds



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increment of \$500.0 (commodities) to the operating budget would purchase approximately 10,000 books (a book growth rate of 3 percent for Consortium Library) at the current average cost of academic library titles. (GF: S - \$500.0)

5d Instruction-Anchorage Campus Initiatives to Meet Increased Enrollment Demands, Vocational Educ., and Accreditation **\$1657.2 GF**
\$56.3 NGF

UAA's growing enrollment continues to place demand on required courses. All entering students must meet proficiency standards in oral and written communication, mathematics, natural sciences, and other core areas. The following items provide for permanent faculty to teach and support core programs that have high demand, reducing the dependence on adjunct faculty in some departments while eliminating critical staffing shortages in others.

	P/S	Travel	Contract	Supplies	Total	GF	Std Fees
a) Mathematics	125.2	0.7	1.4	1.3	128.6	125.6	3.0
b) Geography	55.6	0.3	1.0	1.0	57.9	55.8	2.1
c) English	97.8	0.7	1.4	1.3	101.2	98.2	3.0
d) Speech	97.8	0.7	1.4	1.3	101.2	98.2	3.0
e) Philosophy	57.0	0.3	1.0	1.0	59.3	57.2	2.1
f) Anthropology	60.5	0.3	1.0	1.0	62.8	60.7	2.1
g) Psychology	61.5	0.3	1.0	1.0	63.8	61.7	2.1
h) Computer Science	58.7	0.3	1.0	1.0	61.0	58.9	2.1
i) Developmental Education	87.7	0.7	3.8	4.1	96.3	93.2	3.1
j) Minority Recruitment Fac	75.0	20.0	5.0	0.0	100.0	100.0	0.0
k) Voc-Ed/Science Technology	54.0	1.0	1.0	1.0	57.0	54.0	3.0
l) Voc-Ed/Surveying & Map	54.0	1.0	1.0	1.0	57.0	54.0	3.0
m) Voc-Ed/Auto & Diesel Tech	54.0	1.0	1.0	1.0	57.0	54.0	3.0
n) Voc-Ed/Air Traffic Control	14.1	0.5	0.5	0.5	15.6	14.1	1.5
o) Teacher Education	161.0	1.9	3.0	3.0	168.9	161.4	7.5
p) School of Business	71.0	0.7	1.0	1.0	73.7	71.2	2.5
q) Env. Quality Engineering	75.0	0.3	0.5	2.5	78.3	75.1	3.2
r) Social Work	60.0	0.7	1.0	1.0	62.7	60.2	2.5
s) Nursing and Health Sci	63.0	0.8	1.0	1.0	65.8	63.3	2.5
t) Minority Justice Faculty	58.0	0.7	1.0	1.0	60.7	58.2	2.5
u) Pacific Rim Language Fac	52.0	1.0	0.7	1.0	54.7	52.2	2.5
v) Rural Teacher Ed	<u>35.0</u>	<u>52.0</u>	<u>30.0</u>	<u>13.0</u>	<u>130.0</u>	<u>130.0</u>	<u>0.0</u>
	\$1,527.9	\$85.9	\$59.7	\$40.0	\$1,713.5	\$1,657.2	\$56.3

a) Mathematics - All baccalaureate and most associate degree students at UAA must take mathematics. In Spring '92 adjunct faculty accounted for 68% of the total sections taught in the Math department, generating a total of 4,957 semester hours. The addition of two faculty members will enable CAS to offer 16 course sections, in addition to increased time for program development and student advising. Requested is funding for two permanent faculty positions and related support costs.

b) Geography - Since Fall '87 enrollment has increased 420% with Spring '92 enrollment at 385 students. A faculty position in Geography will help reduce the high percentage of sections taught by adjunct faculty. Requested is funding for one full-time faculty position and related support costs.

c) English - English presents a similar scenario of filled classes and disproportionate use of adjunct faculty. Almost 90% of freshman composition classes are regularly taught by adjunct faculty, an undesirable percentage, as noted in the recent accreditation report. Two faculty appointments will enable UAA to offer

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16 course sections during the academic year. Requested is funding for two permanent, full-time, 9-month faculty positions and related support costs.

d) Speech - As with English, all entering students must satisfy proficiency standards in Speech. The Speech Department has all but exhausted the supply of qualified adjunct personnel from the community. Requested is funding for two permanent, full-time, 9-month faculty positions and related support costs.

e) Philosophy - Enrollment has grown from 910 student credit hours in Fall '85 to a high of 1,474 for Spring '92. The addition of one faculty position will enable CAS to offer six course sections. Requested is funding for one permanent, full-time, 9-month faculty position and related support costs.

f) Anthropology - Anthropology has been without a linguistics professor for four years. Despite this handicap, linguistic student credit enrollments have increased approximately 40 percent since Fall '85. Requested is funding for one full-time, 9-month faculty position and related support costs.

g) Psychology - In Spring '92, course offerings in Psychology were staffed with 60% adjuncts. The addition of one faculty member will enable CAS to offer six course sections during the academic year. Requested is funding for one permanent, full-time, 9-month faculty position and related support.

h) Computer Science - For Spring '92, over 1,200 student credit hours were taught in Computer Science by the equivalent of four faculty. This increment will fund one permanent, full-time, 9-month faculty position.

i) Developmental Education - With the open admissions policy mandate, the developmental courses in reading, math, and writing are needed to enhance beginning students' study skills to sufficiently allow them to be successful in their associate and baccalaureate degrees. This increment will fund two additional developmental education faculty positions required to offer Math and English courses for developmental studies.

j) Minority Recruitment Faculty - Minority student enrollment at UAA amounts to 16 percent of the total student population. The population of the state is 14.5 percent minority. Minority faculty at UAA comprise only 6.9 percent of the faculty. There is a compelling need to hire more minority people into faculty positions. This increment funds a recruitment fund to enable UAA to recruit more minority faculty.

k) Vocational Education Faculty Position in Bachelor of Science Technology Program - This increment will provide for one full-time faculty position and related support services. After only two years of existence, there are over 120 fully admitted students in the BST program. The success of this new program has been overwhelming to the point where a permanent, full-time faculty member is desperately needed.

l) Vocational Education Faculty Position in Surveying and Mapping Program - The Surveying and Mapping program is a high demand program, having experienced a 126% increase in enrollment during the past three years following implementation of the Bachelor of Science degree in Surveying and Mapping. This increase reflects a current enrollment of 152 students, up from less than 12 in 1989. Program facilities are used 18 hours per day, six to seven days per week and instructional staff cannot continue to handle the increased enrollment and associated activity. This increment will fund one full-time faculty member and associated support costs.

m) Vocational Education Faculty Position in Automotive and Diesel Technology Program - The ADT program has been understaffed for several years but has been able to meet student and employer needs through the extensive use of adjuncts and overload assignment of full-time faculty. Existing resources no longer are able to meet Alaskan employer demands and student needs. Funding this increment will allow for reasonable teaching loads for the faculty and will allow students to be enrolled in the proper classes in the proper sequence, thus completing their programs in a reasonable amount of time. This increment will provide funding for one full-time faculty position in the field of automotive and diesel technology and associated support costs.

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- n) Vocational Education Faculty Position in Air Traffic Control Program - The Federal Aviation Administration has designated the UAA Air Traffic Control Program as one of seven programs nationwide to demonstrate the capability of postsecondary institutions to prepare Air Traffic Controllers for direct entry into the workforce. Current enrollment in the ATC program is 30 students. Total program enrollment is expected to reach 60-70 students with annual graduate production being between 15-25. This funding will allow for the teaching of four additional sections of courses. This increment will provide for part-time instructors and associated support costs.
- o) Restructuring Teacher Education in Southcentral and Statewide Delivery of Special Education - The School of Education, Kenai Peninsula College, Kodiak College, Mat-Su College, and Prince William Sound Community College have developed and begun implementing a plan to meet teacher education needs in the Southcentral region. This increment calls for more full-time faculty to rotate instruction at the extended colleges and provides statewide access to special education degrees and certifications. This increment will fund three full-time, permanent, 9-month faculty positions and related support costs.
- p) School of Business - The education and training of the business and management community in Alaska is the primary goal of the School of Business. To achieve this within a level of excellence, accreditation by the American Assembly of Collegiate Schools of Business (AACSB) is sought. AACSB accreditation standards require a critical mass of qualified faculty in key disciplines and adequate support for those faculty. This increment requests funding for one faculty position and related support costs.
- q) Environmental Quality Engineering - Maintaining accreditation by the Accreditation Board for Engineering Technology (ABET) is a primary goal of the School of Engineering. Upper division credit hours have increased by 335 percent from Fall '86 to Fall '91. Enrollment has increased from 37 students in Spring '88 to 109 students in Spring '92. Accreditation of the undergraduate civil engineering program is in jeopardy partly due to heavy faculty teaching demand in Environmental Engineering at the graduate level. Funding is requested for one permanent, full-time faculty position and related support costs.
- r) Social Work - The Social Work program at UAA has completed a well-planned extended self-study and accreditation renewal program. One critical area concerns the supervision of interns in the field. Failure to adequately cover this activity could severely threaten continued accreditation. Requested is funding for one permanent, full-time, 9-month faculty position and related support.
- s) Nursing and Health Sciences - The School of Nursing and Health Sciences offers the only four-year degree in health, other than nursing, available in Alaska. In Alaska, where geographic, cultural, and social conditions strongly affect the delivery and utilization of health care, the full participation of all individuals and communities is crucial to the prevention of disease and promotion of health. UAA can play a vital role in developing health manpower for Alaska. Funding is requested for one permanent, 9-month, full-time faculty position and related support.
- t) Minority Justice Faculty - This increment will increase the number and proportion of Alaska natives and other minorities in justice related occupations who will pursue and complete their justice education at UAA. Increases in justice majors and in enrollment in justice BA general education courses, and increased responsibilities such as the compilation of university crime statistics, have forced the Justice Center to cancel this program the last two years. This increment will fund a permanent, full-time, 9-month faculty position and related support.
- u) Pacific Rim Language Faculty - A 9-month, full-time faculty position to teach Russian or Japanese is requested. In Spring '92, the Foreign Languages department was dependent upon adjunct instructors for 75 percent of its course offerings, with adjuncts generating 2,141 semester hours. The accreditation team strongly recommended recruitment of two positions. Requested is funding for one full-time, permanent, 9-month faculty position and related support.
- v) Rural Teacher Education Program - The Rural Alaska Teacher Education Program is a cooperative venture with Prince William Sound Community College to accept up to 25 students annually to specialize

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in a four-year teaching degree to prepare them to return to a rural Alaskan setting as certified teachers. Students graduating from a program requiring a commitment to teaching in rural/remote schools will result in teachers staying in rural/remote teaching situations for longer periods of time than the current teacher turnover rate characteristic of rural/remote Alaska schools. These funds will support the coordination of the program, additional course work to be offered at PWSCC by School of Education faculty or adjuncts from the Valdez area, associated travel, contractual services to provide a summer training program for faculty and students and program related supplies.

5e Student Services-Anchorage Campus \$451.8 GF
Minority Student Transition Support and Basic Student Services

a) Minority Student Transition Support Program - 250.0 GF - Alaska Natives and other minority populations have success rates which are far below that of their majority counterparts. The explanation for this low success rate includes cultural barriers and low high school preparedness levels. Organized "bridging" programs which develop academic and social skills assist rural and minority students in entering and remaining successful at the university. This proposal provides for a faculty/counselor, tutorial labor pool (\$137.0), peer advisors (\$62.0), department secretary (\$26.0) and instructional and support materials (\$25.0).

b) Sustaining Basic Student Support Services - 201.8 GF - Enrollment at UAA has grown rapidly since 1985. Student support positions were decreased because of budget reductions in 1986, 1987, and 1991. Student programs required to comply with health and safety requirements have increased to over 100 per semester. The number of requests for academic credit review has doubled over the last two years (100 per week) as has applications to 2,600 per year. In order for basic services to return to acceptable levels, front line staff with adequate resources must be added. This request is for four (4) classified range 74 positions divided among Enrollment Services and the Dean of Students Division (\$110.4).

Also, UAA is seeing an increased number of disturbed/disruptive individuals on campus resulting in increased demand for crisis intervention services, disciplinary action, and police involvement. Without adding more staff, this increment will provide \$91.4 to retain professional psychological services operated from the Student Health Center.

5f Institutional Support-Anchorage Campus \$210.0 GF
Computer Help Desk, Financial Aid, and Shuttle Bus

a) Student Financial Aid - 55.0 GF - UAA currently has one position assigned for collection activity for 2,000 bad debt accounts. 100 phone or letter contacts have to be made each day in order to perform some type of collection activity on all accounts once a month. To help provide for this activity, funding is requested for one full-time, 12-month accounts receivable clerk (GF: \$27.5 Personal Services).

Since FY89, there has been a 72% increase in the number of recipients of financial aid. Additional federal regulations that have been imposed since 1986 have vastly increased the complexity of each transaction. An additional staff position is required to maintain existing services. Requested is funding for one full-time, 12-month financial aid disbursements clerk (GF: \$27.5 Personal Services).

b) Computer Systems Specialist - 45.0 GF - This increment will enable the university to initiate a computer help desk to handle numerous calls for assistance. Computing and Technology Services serves approximately 3,000 pieces of computer equipment in the Southcentral Region (Anchorage Campus, military sites, Eagle River, Mat-Su, Adak, Kodiak, Kenai, and PWSCC). Current response time is approximately 4 weeks or more. Annual service requests total approximately 1,200-1,400, which require a technician visit. In addition, 35 to 50 daily phone calls are handled for consulting purposes. As the



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Alaska Student Loans

*A Position Paper from the
14 Campuses of the University of Alaska*

Introduction

As the cost of higher education increases, both within and outside Alaska, it is time for us to evaluate the purpose and goals of our Alaska Student Loan Program. All citizens of Alaska, both young and old, should be aware of what this important financial aid means for our students, and coincidentally for our state's industrial, economic, and social future. Alaska's higher education students are an important resource we should not ignore.

Interest Rates

The interest rate for the Alaska Student Loan is 8%, set in statute. However, the current prevailing rates in today's market are well below this. The legislature should lower the rate or set a rate that fluxuates with well known indexes. The interest rate for education should not be more expensive than that for a new home.

Timeliness

Students are often forced into serious financial difficulty because of delays in the processing and delivery of Alaska Student Loan checks. Even though students may apply for their loan in a timely manner, their check may not arrive, or may not be approved, until weeks after classes have begun. In the meantime, students are left to fend for themselves and their families. Rent payments will not wait. The cost of books cannot be deferred. A myriad of student fees must be paid promptly.

Even worse is the situation of students whose loans have not been approved. They wait in lines at the offices of financial aid, causing extra delay and expense for the student and the institution, and then are told that nothing can be done. Days or weeks later, when they learn that their loans are not approved, they owe thousands of dollars before they have earned a single credit. And if they try to call the Alaska Student Loan offices in Juneau,

students or institution officials won't get through, because the offices take their phones off the hook during the weeks of registration.

The Alaska Commission on Post-secondary Education must improve these conditions.

Maximum Amount Limits

The cost of tuition at University of Alaska campuses has nearly doubled in the last decade. When budgets are slashed, administrators simply raise student fees. The average Alaskan student is over 30 years old and is supporting a family. Yet more and more, the burden of financial shortfalls is being borne by the least able to pay- Alaska's students.

So how do students pay for this burden? In the past, it was possible to work for a summer and not take out a loan. Today, it is almost impossible to find a student who is not in debt to the Alaska Student Loan Corporation. Yet the maximum loan amounts have remained the same for years. How can students afford increased costs without accompanying increases in financial aid? How many students are prevented from receiving an education because of money?

Forgiveness

In the past, loan recipients were offered forgiveness for their loans if they resided and worked in Alaska after graduation. The idea is that we want our children to live, work, and grow in Alaska. After all, Alaska is home. Although that sentiment is widely acknowledged, reality encourages something very different. More private scholarships go to students headed Outside, and the prestige of schools in the Lower 48 attracts our top prospects. Graduates go where the jobs are. So unless there is incentive, how can we expect our best human resources to remain in Alaska, as we try to diversify our economy and improve our quality of life?

Forgiveness does not have to mean that the loans are forgotten. Other incentives can include lower interest rates for in-state students, first priority in loan processing, or better payment terms. So while forgiveness has been expensive, it doesn't have to be in the future.

Conclusion

The Alaska Student Loan Program is operating in crisis mode. The situation is such that thousands of Alaskans depend on these loans for their education, and the break downs in delivery, processing, high interest rates, the maximum limits, and terms are threatening to limit access to higher education, not just for the poor, but for the average, middle class Alaskan. The repercussions of allowing this crisis to continue will spread beyond the student and into Alaska's workplace and economy. There needs to be corrective action now.

5. Preliminary report from the student loan reform task force, and national student loan implications for UA

The Net's Alaska student loan reform task force met October 8 and identified areas that need to be researched as part of the Alaska student loan program reform movement. After the October 8 meeting, it was discovered that the vice president for finance has been asked by the president to establish a university task force to assess implications for the university regarding the national trend toward consolidating federal student applications into one

application (one-stop shopping). The acting ACPES commissioner has asked to participate in this task force to assess whether or not this "one-stop shopping" can also include the Alaska student loan program so that both federal and state student loan resources can be more efficiently maximized.

On October 8, the Net task force on Alaska student loan reform determined its task to have several thrusts, among them being to:

- a. Inform campus student governments about the loan program.

The system governance office will send each campus student government leader will be sent a packet of information on the Alaska student loan program for distribution to their groups.

- b. Document campus concerns

Each campus student government should meet with its campus administrators to assess and document the student loan concerns are on each campus and send them to the task force for inclusion in the task force proposal as backup information.

- c. Timeliness

As of October 1, the Commission had processed those student loans received up through July. Applications are backlogged at the Commission end generally because of lack of staff.

Preliminary recommendation: That the Commission turn the process of determining eligibility for Alaska student loans for students attending the University of Alaska over to the University financial aid officers. Before recommending this, the task force should assess the cost to the university for doing this and make sure that funds are included in the university budget to cover this cost.

- d. Incorrectly completed applications

Because of the backlog in processing loan applications at the Commission, students don't find out that their loans have been denied until after the semester is underway. Much of the loan denial seems to be because of incorrectly completed loan applications/

Preliminary recommendation: 1 Workshops should be held on each campus on how to complete a student loan application. Graduating high school seniors who plan to attend UA should also be invited to attend these workshops.

Preliminary recommendation 2: The commission or the university should prepare a brochure about how to fill out an Alaska student loan application and make this available at all campus registration and financial aid offices.

- e. Remove the causes for misunderstanding

When the Commission receives a student loan application, it acknowledges receipt of the loan application by sending a letter of acknowledgement to the loan applicant. This is taken by many loan applicants to mean that their loan has been approved.

Preliminary recommendation: That the Commission revise its acknowledgement letter so there no misunderstanding on the

part of the loan applicant.

f. Determine what legislation is needed

The maximum loan amount is set in statute if it is determined that the maximum loan rate should be changed or the method by which it is determined (such as setting maximum loan rates to the cost of attending a UA institution); if loan forgiveness reinstatement is to be sought or if interest rates are to be lowered, legislation will need to be drafted and legislators sought to introduce the legislation.

Preliminary recommendation: The task force will work with Wendy Redman on this aspect. The Net is encouraged to visit with their local legislators about student loan reform.

g. Gather community support

For the reform movement to succeed, especially for any legislation to be successful, the task force feels it is necessary to gather community support, among friends and peers, and from the external community, such as the Alaska State Chamber of Commerce, local chambers of commerce and other civic leaders and organizations. An example of this is the Alaska State Chamber of Commerce resolution recently draft based on the Associated Students of the University of Alaska Fairbanks proposal submitted to the state chamber by the United Students of the University of Alaska Southeast-Sitka and slated for consideration at the Chamber's December 9-10 meeting. The proposed chamber resolution is shown below:

RESOLUTION 93-___

Alaska Student Loan Program Reforms

WHEREAS resident college students finance their educational expenses in large part through the Alaska Student Loan Program, and

WHEREAS the legislature set the interest rate for the loans more than 8 years ago at eight percent (fixed), a good rate at the time, and

WHEREAS present loan rates are well below this on the market, and

WHEREAS the Alaska Student Loan Corporation's telephone lines are constantly busy during registration weeks at all campuses, and

WHEREAS all student loan recipients are residents of Alaska and are preparing, in large part, to join the Alaskan economy as business owners, leaders and professionals, now therefore be it

RESOLVED that ASCC urges the legislature to review and revamp the interest rate statute to reflect current conditions and rates, and be it further

RESOLVED that ASCC believes the interest rate for Alaska Student Loans should be set at a floating formula, tied to prime rate or other reliable indices, and be it further

RESOLVED that ASCC sees it vital that regulatory and policy impediments that currently cause long processing delays or slow service be corrected to serve the interests of these Alaskan residents.