

**SB**

**61**

# DRAFT

## CS FOR SENATE BILL NO. 61(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

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

### A BILL

### FOR AN ACT ENTITLED

1 "An Act relating to goals for public education and student performance, to grants  
 2 for improving school performance, to school district advisory boards, and to  
 3 establishment of charter schools; and providing for an effective 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) establish goals for public education in the state; it is not the purpose of this  
 9 Act to recommend a specific curriculum or to diminish the right of each school district to  
 10 establish a curriculum in that school district;

11 (3) build a state education system with the flexibility to be more responsive  
 12 to the needs of students and society;

13 (4) set high expectations and tailor educational standards to meet the diverse  
 14 needs of Alaska's children;

1 (5) change the state education system so that Alaska educators can do their  
2 very best and so that the best educators are teaching in our schools;

3 (6) provide increased opportunity for our children to achieve higher educational  
4 performance; and

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

7 \* Sec. 2. AS 14.03.015 is repealed and reenacted to read:

8 Sec. 14.03.015. MISSION FOR PUBLIC EDUCATION. The mission of the  
9 public school system is to help ensure that all students succeed in their education and  
10 work, shape worthwhile and satisfying lives, exemplify the best values of society and  
11 their respective cultures, and be effective in improving the character and quality of the  
12 world about them. It is the joint responsibility of students, parents, schools, and the  
13 community to achieve the mission described in this section.

14 \* Sec. 3. AS 14.03 is amended by adding a new section to read:

15 Sec. 14.03.017. GOALS FOR STUDENT PERFORMANCE. The public  
16 school system shall be operated with the recognition that all students can learn. The  
17 goal of the system is to develop successful students. A successful student will  
18 graduate and the process of learning should include the following:

19 (1) a working knowledge of science, language arts, social studies,  
20 mathematics, physical education and health, and fine arts;

21 (2) the ability to think logically and critically including the ability to

22 (A) think clearly about new information and ideas;

23 (B) solve problems through different ways of questioning and  
24 analysis;

25 (C) be open to new ideas and be curious about the world and  
26 self;

27 (D) demonstrate the skills needed to make good decisions;

28 (E) understand and use mathematical and scientific ideas;

29 (F) demonstrate good study skills and habits;

30 (G) access, process, and integrate information;

31 (H) evaluate and improve ideas through discussions with other

1 people;

2 (I) read, understand, and apply written information faced in  
3 daily life;

4 (3) an acceptance of personal responsibility for sustaining a person  
5 economically including the critical skills, competencies, values, and attitudes to be  
6 successful in work, whether of a cash or subsistence nature, including the ability to

7 (A) be confident, able, and prepared for opportunities in the  
8 local, national, and international workplace;

9 (B) understand the value of and necessity for lifelong learning,  
10 including the ability to teach oneself new skills to adjust to a changing  
11 workplace;

12 (C) show initiative, dependability, punctuality, and to strive for  
13 accuracy and efficiency on the job;

14 (D) willingly accept advice, supervision, and criticism and to  
15 be a good team member in the workplace;

16 (E) be safety conscious;

17 (F) be a critical consumer with skills for making informed  
18 choices;

19 (G) recognize how success in school relates to a person's future;

20 (4) the ability to communicate effectively including the ability to

21 (A) talk about feelings, ideas, and concepts with clarity;

22 (B) be a good listener;

23 (C) read, understand, and respond to written information faced

24 in daily life;

25 (D) appreciate the value of reading as a lifelong activity;

26 (E) write well for a variety of purposes and audiences;

27 (F) demonstrate understanding and openness in group settings;

28 (5) the ability to discover and nurture creative talents including the

29 ability to

30 (A) appreciate the world around us;

31 (B) take part in activities that cut across fields of study;

- 1 (C) understand our world and its past, present, and future and  
2 be able to express this understanding in a variety of ways and with different  
3 media;
- 4 (D) respect and encourage the creative talents of individuals and  
5 groups;
- 6 (E) demonstrate the knowledge and skills needed to express  
7 ideas in literature, visual arts, music, dance, and drama;
- 8 (6) knowledge of how to develop positive self-esteem including the  
9 ability to
- 10 (A) know how to set and achieve personal goals;
- 11 (B) be confident, assertive, and flexible;
- 12 (C) demonstrate an appreciation for one's own personal talents  
13 and strengths;
- 14 (D) form satisfying relationships with others based on respect,  
15 trust, cooperation, mutual understanding, compassion, and appreciation of  
16 cultural differences;
- 17 (7) the ability to master essential vocational technological skills  
18 including the ability to
- 19 (A) communicate and compete in the global market with  
20 computers, video, audio, and other technologies;
- 21 (B) use technology to gather, analyze, and evaluate information  
22 and opinions;
- 23 (C) critically evaluate information presented in the mass media;
- 24 (D) use computers to process and organize information;
- 25 (E) understand the overall purpose of equipment and the proper  
26 procedures for setup and operation;
- 27 (8) the ability to understand the values of health and fitness including  
28 the ability to
- 29 (A) understand the skills and apply the knowledge needed to  
30 promote physical and mental health;
- 31 (B) respond constructively to life's social, environmental, and

1 physical challenges;

2 (9) knowledge of the values of responsible citizenship including the  
3 ability to

4 (A) understand and participate in the democratic process;

5 (B) achieve the values, knowledge, and ethical behaviors needed  
6 to participate in a democratic society;

7 (C) learn to recognize and appreciate the contribution of peoples  
8 from other countries and cultures;

9 (D) be aware of and appreciate languages other than English;

10 (E) achieve skills in leadership, cooperation, communication,  
11 and social responsibility;

12 (F) understand one's relationship to the environment and be  
13 committed to the wise use of resources;

14 (G) know effective parenting skills to nurture healthy growth  
15 and development in others;

16 (H) understand the past.

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

18 (a) The fund for the improvement of school performance is created as an  
19 account in the general fund. The fund shall be used by the commissioner to make  
20 grants to a district located in the state for the purpose of improving public school  
21 performance. The fund consists of money appropriated by the legislature, including  
22 appropriations from the earnings of the public school trust fund established under  
23 AS 37.14.110. The commissioner shall annually determine the amount requested for  
24 grants under this section and shall include the amount in the department's budget  
25 request.

26 \* Sec. 5. AS 14.03.125(b) is amended to read:

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

31 \* Sec. 6. AS 14.03.125(c) is amended to read:

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

4 \* Sec. 7. 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. 8. AS 14.12.035 is repealed and reenacted to read:

8 Sec. 14.12.035. ADVISORY BOARDS IN SCHOOL DISTRICTS. (a) A city  
9 or borough school district board shall establish an advisory board at each school in  
10 each community within the district if the community has more than 50 permanent  
11 residents. The school district board shall set standards for the manner of selection and  
12 organization of the advisory boards, and, in a manner consistent with (b) of this  
13 section, shall prescribe advisory board powers and duties. The following are exempt  
14 from the requirements of this section:

15 (1) a school district that has only one school and has a school board;

16 or

17 (2) a school in which there is an existing parent advisory group.

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

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

22 \* Sec. 9. ESTABLISHMENT OF CHARTER SCHOOLS. (a) A charter school may be  
23 established as provided under secs. 9 - 16 of this Act upon the approval of the local school  
24 board and the state Board of Education of an application for a charter school. The state Board  
25 of Education may not approve more than 20 charter schools to operate in the state at any one  
26 time.

27 (b) Each local school board shall prescribe an application procedure for the  
28 establishment of a charter school in that school district. The application procedure must  
29 include provisions for an academic policy committee consisting of faculty and parents of the  
30 school and a proposed form for a contract between a charter school and the local school board,  
31 setting out the contract elements required under sec. 10(c) of this Act.

1 (c) A local school board shall forward to the state Board of Education applications for  
2 a charter school that have been approved or denied.

3 \* Sec. 10. ORGANIZATION AND OPERATION OF A CHARTER SCHOOL. (a) A  
4 charter school operates as a school in the local school district except that the charter school  
5 (1) is exempt from the local school district's textbook, program, curriculum, and scheduling  
6 requirements, and (2) operates under the charter school's annual program budget as set out in  
7 the contract between the local school board and the charter school. The charter school is  
8 exempt from other local school district requirements if exemption is authorized by the local  
9 school board in the contract.

10 (b) The charter school shall

11 (1) keep financial records of the charter school;

12 (2) oversee the operation of the charter school to ensure that the terms of the  
13 contract required by (c) of this section are being met; and

14 (3) meet regularly with teachers of the charter school to review, evaluate, and  
15 improve operations of the charter school.

16 (c) A charter school shall operate under a contract between the charter school and the  
17 local school board. A contract must contain the following provisions:

18 (1) description of the educational program;

19 (2) specific levels of achievement for the education program;

20 (3) admission policies and procedures;

21 (4) administrative policies;

22 (5) statement of the charter school's funding allocation from the local school  
23 board and costs assignable to the charter school program budget;

24 (6) method by which the charter school will account for receipts and  
25 expenditures;

26 (7) location and description of the facility;

27 (8) name of the teacher, or teachers, who, by agreement between the charter  
28 school and the teacher, will teach in the charter school;

29 (9) teacher-to-student ratio;

30 (10) number of students served;

31 (11) the term of the contract, not to exceed a term of three years;

1 (12) a termination clause providing that the contract may be terminated by the  
2 local school board for the failure of the charter school to meet educational achievement goals  
3 or fiscal management standards, or for other good cause;

4 (13) a statement that the charter school will comply with all state and federal  
5 requirements for receipt and use of public money;

6 (14) other requirements or exemptions agreed upon by the charter school and  
7 the local school board.

8 \* Sec. 11. FUNDING FOR CHARTER SCHOOL. (a) A local school board shall provide  
9 an approved charter school with an annual program budget. The budget shall be not less than  
10 the amount generated by the students enrolled in the charter school less administrative costs  
11 retained by the local school district, determined by applying the indirect cost rate approved  
12 by the Department of Education. The "amount generated by students enrolled in the charter  
13 school" is to be determined in the same manner as it would be for a student enrolled in any  
14 other public school in that school district.

15 (b) The program budget of a charter school is to be used for operating expenses of  
16 the educational program of the charter school, including purchasing textbooks, classroom  
17 materials, and instructional aids.

18 (c) The charter school shall provide all financial and accounting information requested  
19 by the local school board or the Department of Education, and shall cooperate with the local  
20 school district or the department in complying with the requirement of AS 14.17.190.

21 \* Sec. 12. ADMISSION. (a) The program of a charter school may be designed to serve

22 (1) students within an age group or grade level; or

23 (2) students who will benefit from a particular teaching method or curriculum.

24 (b) A charter school shall enroll all eligible students who submit a timely application,  
25 unless the number of those applications exceeds the capacity of the program, class, grade  
26 level, or building. In the event of an excess of those applications, the charter school and the  
27 local school board shall attempt to accommodate all of those applicants by considering  
28 providing additional classroom space and assigning additional teachers from the district to the  
29 charter school. If it is not possible to accommodate all eligible students who submit a timely  
30 application, students must be accepted by random drawing. A school board may not require  
31 a student to attend a charter school.

1 (c) In addition to other requirements of law, a charter school may not discriminate in  
2 selection of students on the basis of intelligence, achievement, aptitude, religion, or athletic  
3 ability.

4 \* Sec. 13. TEACHER TRANSFERS, EVALUATIONS, AND NEGOTIATED  
5 AGREEMENTS. (a) A teacher may not be assigned to teach in a charter school unless the  
6 teacher consents to the assignment.

7 (b) All provisions of an existing negotiated agreement or collective bargaining  
8 agreement applicable to a teacher or employee of a district shall apply to that teacher or  
9 employee if employed at a charter school in that district, unless the district and the bargaining  
10 unit representing the teacher or employee agree to an exemption.

11 (c) A teacher in a charter school must be evaluated in an equivalent manner as all  
12 other teachers in the district, except that if there is no administrator assigned to the charter  
13 school, the local school board, with the agreement of the ~~permanent~~ charter school board, shall  
14 designate a school district administrator in that district to evaluate a teacher in a charter  
15 school.

16 \* Sec. 14. CONTRACTS; DURATION. A contract for a charter school may be for a term  
17 of no more than three years and may not extend beyond July 1, 1999. No more than one  
18 contract for a particular charter school may be entered into under secs. 9 - 16 of this Act.

19 \* Sec. 15. REGULATIONS. The state Board of Education may adopt regulations  
20 necessary to implement secs. 9 - 16 of this Act.

21 \* Sec. 16. DEFINITIONS. In secs. 9 - 16 of this Act,

22 (1) "academic policy committee" means the group designated to supervise the  
23 academic operation of a charter school and to ensure the fulfillment of the mission of a charter  
24 school;

25 (2) "charter school" means a school established under secs. 9 - 16 of this Act;

26 (3) "local school board" means a borough or city school board or a regional  
27 school board;

28 (4) "parent" means a biological, adoptive, or foster parent, or an adult who acts  
29 as guardian of a child and makes decisions related to the child's safety, education, and  
30 welfare;

31 (5) "parent advisory group" means a group that is recognized by the school as

1 representative of those parents having children attending that school, that has regular meetings,  
2 and in which membership is open to all parents within that school's attendance area;

3 (6) "teacher" means a person who serves a school district in a teaching,  
4 counseling, or administrative capacity and is required to be certificated in order to hold the  
5 position.

6 \* Sec. 17. Sections 9 - 16 of this Act are repealed.

7 \* Sec. 18. TRANSITION. Notwithstanding secs. 20 and 21 of this Act, the state Board  
8 of Education may proceed to adopt regulations necessary to implement this Act. The  
9 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the  
10 respective effective date of the relevant section or sections of this Act.

11 \* Sec. 19. Section 18 of this Act takes effect immediately under AS 01.10.070(c).

12 \* Sec. 20. Sections 1 - 16 of this Act take effect July 1, 1993.

13 \* Sec. 21. Section 17 of this Act takes effect July 1, 1996.

## DEPARTMENT OF EDUCATION

GOLDBELT PLACE  
801 WEST 10TH STREET, SUITE 200  
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### Senate Bill 61

### "An Act implementing certain recommendations of Alaska 2000"

The following information is provided to the Senate HESS Committee:

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## SB 61

### "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

### Senate Bill 61

"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.



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.

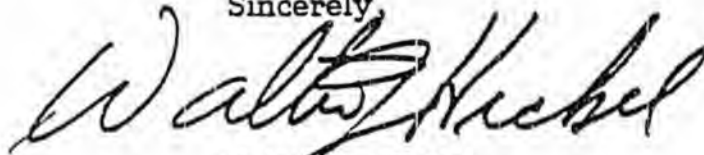
All of the above substantive changes, except for the phased-in changes in school term length in secs. 2 and 3, would take effect July 1, 1993. The phased-in changes in school term length would take effect July 1, 1994. See secs. 23 and 24.

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: SB 61  
 (S) 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						
<b>TOTAL OPERATING</b>	<b>6.0</b>					

<b>CAPITAL</b>						
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<b>REVENUE FUND SOURCE:</b>						
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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						
<b>TOTAL</b>	<b>6.0</b>					

**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: Mike Maher Jerry Covey  
 Agency: Education Date: 1-11-93

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"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.

### *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	<b>United States ..... 180</b>
England/Wales ..... 192	French Belgium..... 175
Hungary ..... 192	Flemish Belgium ..... 160

- 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.

## 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.

3/27/93  
Accepted changes

8-GS1033.A

SENATE BILL NO. 61

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/22/83  
Referred: HES, FIN

A BILL

FOR AN ACT ENTITLED

*make draft title  
to change*

1 "An Act implementing certain recommendations of Alaska 2000 to improve the  
2 state's education system; 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 14.03.030 is amended to read:

4 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on the dates  
5 fixed by the governing body of a school district. A school term shall include not less  
6 than 183 [180] days in session, unless, with the approval of the commissioner,

7 (1) a day used for in-service training of teachers is substituted for a day  
8 in session, up to a maximum of 10 days;

9 (2) an "emergency closure day" is substituted for a day in session  
10 because of conditions posing a threat to the health or safety of students; or

11 (3) a school board adopts a school term of not less than 153 [150] days  
12 for abating asbestos health hazards in the school, or not less than 163 [160] days for  
13 other purposes, and the commissioner finds that

14 (A) the shorter term is necessary;

15 (B) the school board has submitted an acceptable plan under  
16 which students will receive the educational equivalent of 183 days in session;  
17 or [HOURS OF INSTRUCTIONAL TIME CONTAINED IN A 180-DAY  
18 TERM]; and

19 (C) the school board has exhausted other remedies that would  
20 have allowed retention of a 183-day [180-DAY] school term.

21 \* Sec. 3. AS 14.03.030 is amended by adding a new subsection to read:

22 (b) The required number of school days in a school term as set out in (a) of  
23 this section, and all other numbers referring to days of a school term appearing in  
24 (a)(3) of this section, automatically increase by three days in each of the three school  
25 years that begin in 1995, 1996, and 1997, and increase by four days in each of the two  
26 school years that begin in 1998 and 1999. The increases in the number of school days  
27 in a school term made by (a) of this section and by this subsection result in a  
28 cumulative increase of 20 school days by the year 2000.

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

30 (a) The fund for the improvement of school performance is created as an  
31 account in the general fund. The fund shall be used by the commissioner to make

(Phrase reinserted)

1 grants to a district located in the state [TO A DISTRICT LOCATED IN THE STATE] for the purpose of improving  
2 public school performance. The fund consists of money appropriated by the  
3 legislature, including appropriations from the earnings of the public school trust  
4 fund (AS 37.14.110). The commissioner shall annually determine the amount  
5 requested for grants under this section and shall include the amount in the department's  
6 budget request.

7 \* Sec. 5. AS 14.03.125(b) is amended to read:

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

12 \* Sec. 6. AS 14.03.125(c) is amended to read:

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

16 \* Sec. 7. AS 14.03.125 is amended by adding a new subsection to read:

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

19 \* Sec. 8. AS 14.12.035 is repealed and reenacted to read:

20 Sec. 14.12.035. ADVISORY BOARDS IN SCHOOL DISTRICTS. (a) A city  
21 or borough school district board shall establish an advisory board at each school in  
22 each community within the district if the community has more than 50 permanent  
23 residents. The school district board shall set standards for the manner of selection and  
24 organization of the advisory boards, and, in a manner consistent with (h) of this

25 ~~section~~, shall prescribe advisory board powers and duties. [A school district that has  
26 one school and has a school board is exempt from the requirements of this  
27 section. The following are  
(1) a school district that has only one school and that has a  
school board; and

28 (2) a school in which there is an existing parent advisory group.  
29 (b) An advisory board shall advise the school district board on any matter  
concerning schools in the district in which the advisory board is established.

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

1 \* Sec. 9. AS 14.20.150 is repealed and reenacted to read:

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

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

6 (2) has been employed as a teacher in that district continuously for two  
7 full school years under a standard or provisional teaching certificate and is reemployed  
8 in that district for the school year immediately following the two full school years;

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

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

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

15 (c) A teacher who was hired by a district before July 1, 1993, who had not yet  
16 acquired tenure rights on June 30, 1993, and who was continuously employed by that  
17 district from the date of hire acquires tenure rights in that district in accordance with  
18 AS 14.20.150 as it existed on June 30, 1993.

19 \* Sec. 10. AS 14.20 is amended by adding new sections to read:

20 Sec. 14.20.151. APPLICATION FOR TENURE. (a) A teacher may apply for  
21 tenure when the teacher has been offered a third consecutive full-year contract with the  
22 same local school district.

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

30 (c) Failure of a teacher to acquire tenure does not affect any existing contract  
31 between the teacher and the school district.

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

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

8 (b) A local tenure review committee shall include two parents, two teachers,  
9 and one student over the age of 16. Any remaining members appointed to the  
10 committee must be involved in or must have been involved in the district's educational  
11 program. Each member of a committee serves for a term of three years unless the  
12 member is removed by the local school board or no longer meets the qualification  
13 requirement under which the person was appointed.

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

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

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

18 (a) A local tenure review committee shall elect a chairperson from among its  
19 members.

20 (b) The committee shall meet at least once every six months if any requests  
21 for tenure are pending, and at the call of the chair or on petition of a majority of its  
22 members. The committee shall meet at a time and place that will facilitate public  
23 participation.

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

30 (d) Notwithstanding AS 44.62.310, after allowing public comment at the public  
31 meeting on tenure requests, the committee shall deliberate on each request in executive

1 session unless a teacher requests a public discussion on that teacher's request. A  
2 teacher may be present during an executive session in which the committee considers  
3 that teacher's tenure request.

4 (e) Notwithstanding AS 09.25.120, a teacher's evaluations submitted under  
5 AS 14.20.151 are not public records unless authorized for release by the teacher.

6 (f) 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 (g) 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 Sec. 14.20.154. BOARD REVIEW OF COMMITTEE  
16 RECOMMENDATIONS. After consideration of a teacher's request for tenure and  
17 material submitted with the request, and consideration of the recommendation of the  
18 local tenure review committee under AS 14.20.153, the local school board shall  
19 approve or disapprove tenure for a teacher who applies under AS 14.20.151. If the  
20 local school board disapproves tenure for a teacher, that board shall set out in writing  
21 the reasons for the disapproval.

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

23 (8) "board" means the local borough or city school board or a regional  
24 school board;

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

26 (10) "parent" means biological, adoptive, or foster parent, or an adult  
27 who ~~is~~ guardian of a child and makes decisions related to the child's safety,  
28 education, and welfare.

29 \* Sec. 12. ESTABLISHMENT OF CHARTER SCHOOLS. (a) A charter school may be  
30 established as provided under secs. 12 - 19 of this Act upon an application for a  
31 charter school of directors of a charter school and the ~~the~~ approval of the local school board and the state Board

1 of Education. The state Board of Education may not approve more than ~~40~~<sup>20</sup> charter schools  
2 to operate in the state at any one time.

3 (b) Each local school board shall prescribe <sup>an application</sup> a procedure by which an initial board of  
4 directors ~~may apply~~ <sup>must</sup> for the establishment of a charter school in that school district. The  
<sup>provisions for an academic policy committee consisting of</sup>  
<sup>faculty and parents of the school</sup>  
5 procedure ~~may include~~ <sup>must</sup> a proposed form for a contract between a charter school and the local  
6 school board, setting out the contract elements required under sec. 13<sup>(c)</sup>(e) of this Act.

7 (c) A local school board shall forward to the state Board of Education applications for  
8 a charter school that have been approved or denied.

9 \* Sec. 13. ORGANIZATION AND OPERATION OF A CHARTER SCHOOL. (a) A  
10 charter school operates as a school in the local school district except that the charter school  
11 (1) is exempt from the local school district's textbook, program, curriculum, and scheduling  
12 requirements, and (2) operates under the charter school's annual program budget as set out in  
13 the contract between the local school board and the charter school. The charter school is  
14 exempt from other local school district requirements if exemption is authorized by the local  
15 school board in the contract. [A board of directors for the charter school shall oversee the  
16 operation of that school.]

17 (b) The initial board of directors of a charter school shall organize informally. An  
18 initial board of directors for the charter school shall consist of at least five but no more than  
19 nine members, and shall include at least one parent of a prospective student of the charter  
20 school and one person who is a prospective teacher at that school. Remaining members must  
21 be a parent of a prospective student, a prospective teacher, or a prospective student of that  
22 school.

23 (c) The initial board of directors shall develop the program of the charter school,  
24 apply to the local school board for approval of the school's establishment, and, upon approval  
25 of the ~~application~~, negotiate a contract with the local school board as required by (e) of this  
26 section.

27 (d) After approval of a charter school by the state Board of Education and after the  
28 charter school begins classes, a permanent charter school board shall be elected by a majority  
29 vote of the teachers of, and parents of students of, the charter school. The permanent charter  
30 school board must meet the membership requirements of (b) of this section, with those  
31 requirements read without the term "prospective." The permanent charter school board shall

1 (b) The charter school shall

(1) keep financial records of the charter school;

2 (2) oversee the operation of the charter school to ensure that the terms of the  
3 contract required by <sup>(e)</sup> [(e)] of this section are being met; and

4 (3) meet regularly with teachers of the charter school to review, evaluate, and  
5 improve operations of the charter school.

6 (c) [(e)] A charter school shall operate under a contract between the <sup>charter school</sup> [permanent charter  
7 school board] and the local school board. A contract must contain the following provisions:

8 (1) description of the educational program;

9 (2) specific levels of achievement for the education program;

10 (3) admission policies and procedures;

11 (4) administrative policies;

12 (5) statement of the charter school's funding allocation from the local school  
13 board and costs assignable to the charter school program budget;

14 (6) method by which the charter school will account for receipts and  
15 expenditures;

16 (7) location and description of the facility;

17 (8) name of the teacher, or teachers, who, by agreement between the <sup>charter school</sup> [permanent  
18 charter school board] and the teacher, will teach in the charter school;

19 (9) teacher-to-student ratio;

20 (10) number of students served;

21 (11) the term of the contract, not to exceed a term of three years;

22 (12) a termination clause providing that the contract may be terminated by the  
23 local school board for the failure of the charter school to meet educational achievement goals  
24 or fiscal management standards, or for other good cause;

25 a statement that the charter school will comply with all state and federal  
26 requirements ~~for~~ receipt and use of public money;

27 <sup>charter school</sup> (14) other requirements or exemptions agreed upon by the [permanent charter  
28 school board] and the local school board.

29 \* Sec. 14. FUNDING FOR CHARTER SCHOOL. (a) A local school board shall provide  
30 an approved charter school with an annual program budget. The budget shall be not less than  
31 the amount generated by the students enrolled in the charter school less administrative costs

1 retained by the local school district, determined by applying the indirect cost rate approved  
2 by the Department of Education. The "amount generated by students enrolled in the charter  
3 school" is to be determined in the same manner as it would be for a student enrolled in any  
4 other public school in that school district.

5 (b) The program budget of a charter school is to be used for operating expenses of  
6 the educational program of the charter school, including purchasing textbooks, classroom  
7 materials, and instructional aids.

8 (c) The [initial and permanent boards of a] charter school shall provide all financial and  
9 accounting information requested by the local school board or the Department of Education,  
10 and shall cooperate with the local school district or the department in complying with the  
11 requirements of AS 14.17.190.

12 \* Sec. 15. ADMISSION. (a) The program of a charter school may be designed to serve

13 (1) students within an age group or grade level; or

14 (2) students who will benefit from a particular teaching method or curriculum.

15 (b) A charter school shall enroll all eligible students who submit a timely application,  
16 unless the number of those applications exceeds the capacity of the program, class, grade  
17 level, or building. In the event of an excess of those applications, the charter school and the  
18 local school board shall attempt to accommodate all of those applicants by considering  
19 providing additional classroom space and assigning additional teachers from the district to the  
20 charter school. If it is not possible to accommodate all eligible students who submit a timely  
21 application, students must be accepted by random drawing. *a school board in a district may  
not require a pupil to  
attend a charter school.*

22 (c) In addition to other requirements of law, a charter school may not discriminate in  
23 selection of students on the basis of intelligence, achievement, *must be nonsectarian and* aptitude, or athletic ability.

24 \* Sec. 16. TEACHER TRANSFERS AND EVALUATIONS. (a) No teacher may be  
25 assigned ~~to a~~ in a charter school unless the teacher consents to the assignment.

26 → (b) ~~On or after~~ June 30, 1993, a local school board may not negotiate or renew a provision  
27 in a negotiated agreement or collective bargaining agreement that grants a teacher a right to  
28 transfer to a charter school based on seniority.]

29 (c) A teacher in a charter school must be evaluated in *an equivalent* [the same] manner as all other  
30 teachers in the district, except that if there is no administrator assigned to the charter school,  
31 the local school board, with the agreement of the *charter school* [permanent charter school board], shall

(b) *All provisions of a negotiated agreement or collective bargaining  
agreement shall apply to charter schools and school  
employees unless exemptions to that agreement are  
agreed to by the district, and the recognized employee*

SB0061a

SB 61

*New Text Underlined (DELETED TEXT BRACKETED)*

*bargaining unit(s).*

1 designate a school district administrator in that district to evaluate a teacher in a charter  
2 school.

3 \* Sec. 17. **CONTRACTS; DURATION.** A contract for a charter school may be for a term  
4 of no more than three years and may not extend beyond July 1, 1999. No more than one  
5 contract for a particular charter school may be entered into under secs. 12 - 19 of this Act.

6 \* Sec. 18. **REGULATIONS.** The state Board of Education may adopt regulations  
7 necessary to implement secs. 12 - 19 of this Act.

8 \* Sec. 19. **DEFINITIONS.** In <sup>secs.</sup> ~~secs.~~ [12] - 19 of this Act,

9 (1) "charter school" means a school established under secs. 12 - 19 of this Act;

10 (2) "local school board" means a borough or city school board or a regional  
11 school board;

12 (3) "parent" means a biological, adoptive, or foster parent, or an adult who acts  
13 as guardian of a child and makes decisions related to the child's safety, education, and  
14 welfare;

15 (4) "~~permanent charter school board~~" means the <sup>academic policy committee</sup> permanent board of directors  
16 of a charter school; <sup>designated group supervising the academic operation</sup> of the school to help ensure that the mission of  
17 <sup>The charter school is fulfilled</sup>

18 (5) "teacher" means a person who serves a school district in a teaching,  
19 counseling, or administrative capacity and is required to be certificated in order to hold the  
20 position. → (6)

21 \* Sec. 20. Sections 12 - 19 of this Act are repealed.

22 \* Sec. 21. **TRANSITION.** Notwithstanding secs. 23 - 25 of this Act, the state Board of  
23 Education may proceed to adopt regulations necessary to implement this Act. The regulations  
24 take effect under the Administrative Procedure Act, but not before the respective effective date  
25 of the relevant section or sections of this Act.

26 \* Sec. 22. ~~Section~~ 21 of this Act takes effect immediately under AS 01.10.070(c).

27 \* Sec. 23. ~~Sections~~ 1 and 4 - 19 of this Act take effect July 1, 1993.

28 \* Sec. 24. ~~Sections~~ 2 and 3 of this Act take effect July 1, 1994.

\* Sec. 25. Section 20 of this Act takes effect July 1, 1996.

(6) "parent advisory group" means a group which is recognized by the school as representative of the parents having children attending the school which has regular meetings and to which membership is open to all parents within the school's attendance area.

# 15 am  
passed

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR ELLIS

TO: SB 61

Page 1, lines 1 & 2:

Delete all material.

Insert ""An Act relating to the length of the school year, to goals for public education and student performance, to teacher tenure rights, and to establishment of charter schools; and providing for an effective date.""

Page 1, after line 6:

Insert a new paragraph to read:

"(2) establish goals for public education in the state; it is not the purpose of this Act to recommend a specific curriculum or to diminish the right of each school district to establish a curriculum in that school district;"

Renumber the following paragraphs accordingly.

Page 2, after line 2:

Insert new bill sections to read:

\* Sec. 2. AS 14.03.015 is repealed and reenacted to read:

Sec. 14.03.015. MISSION FOR PUBLIC EDUCATION. The mission of the public school system is to help ensure that all students succeed in their education and work, shape worthwhile and satisfying lives, exemplify the best values of society and their respective cultures, and be effective in improving the character and quality of the world about them. It is the joint responsibility of students, parents, schools, and the community to achieve the mission described in this section.

\* Sec. 3. AS 14.03 is amended by adding a new section to read:

Sec. 14.03.017. GOALS FOR STUDENT PERFORMANCE. The public

school system shall be operated with the recognition that all students can learn. The goal of the system is to develop successful students. A successful student will graduate and the process of learning should include the following:

(1) a working knowledge of science, language arts, social studies, mathematics, physical education and health, and fine arts;

(2) the ability to think logically and critically including the ability to

(A) think clearly about new information and ideas;

(B) solve problems through different ways of questioning and analysis;

(C) be open to new ideas and be curious about the world and self;

(D) demonstrate the skills needed to make good decisions;

(E) understand and use mathematical and scientific ideas;

(F) demonstrate good study skills and habits;

(G) access, process, and integrate information;

(H) evaluate and improve ideas through discussions with other people;

(I) read, understand, and apply written information faced in daily life;

(3) an acceptance of personal responsibility for sustaining a person economically including the critical skills, competencies, values, and attitudes to be successful in work, whether of a cash or subsistence nature, including the ability to

(A) be confident, able, and prepared for opportunities in the local, national, and international workplace;

(B) understand the value of and necessity for lifelong learning, including the ability to teach oneself new skills to adjust to a changing workplace;

(C) show initiative, dependability, punctuality, and to strive for accuracy and efficiency on the job;

(D) willingly accept advice, supervision, and criticism and to be a good team member in the workplace;

(E) be safety conscious;

(F) be a critical consumer with skills for making informed

choices;

(G) recognize how success in school relates to a person's future;

(4) the ability to communicate effectively including the ability to

(A) talk about feelings, ideas, and concepts with clarity;

(B) be a good listener;

(C) read, understand, and respond to written information faced in daily life;

(D) appreciate the value of reading as a lifelong activity;

(E) write well for a variety of purposes and audiences;

(F) demonstrate understanding and openness in group settings;

(5) the ability to discover and nurture creative talents including the ability to

(A) appreciate the world around us;

(B) take part in activities that cut across fields of study;

(C) understand our world and its past, present, and future and be able to express this understanding in a variety of ways and with different media;

(D) respect and encourage the creative talents of individuals and groups;

(E) demonstrate the knowledge and skills needed to express ideas in literature, visual arts, music, dance, and drama;

(6) knowledge of how to develop positive self-esteem including the ability to

(A) know how to set and achieve personal goals;

(B) be confident, assertive, and flexible;

(C) demonstrate an appreciation for one's own personal talents and strengths;

(D) form satisfying relationships with others based on respect, trust, cooperation, mutual understanding, compassion, and appreciation of cultural differences;

(7) the ability to master essential vocational technological skills including the ability to

(A) communicate and compete in the global market with computers, video, audio, and other technologies;

(B) use technology to gather, analyze, and evaluate information and opinions;

(C) critically evaluate information presented in the mass media;

(D) use computers to process and organize information;

(E) understand the overall purpose of equipment and the proper procedures for setup and operation;

(8) the ability to understand the values of health and fitness including the ability to

(A) understand the skills and apply the knowledge needed to promote physical and mental health;

(B) respond constructively to life's social, environmental, and physical changes *challenges*

(9) knowledge of the values of responsible citizenship including the ability to

(A) understand and participate in the democratic process;

(B) achieve the values, knowledge, and ethical behaviors needed to participate in a democratic society;

(C) learn to recognize and appreciate the contribution of peoples from other countries and cultures;

(D) be aware of and appreciate languages other than English;

(E) achieve skills in leadership, cooperation, communication, and social responsibility;

(F) understand one's relationship to the environment and be committed to the wise use of resources;

(G) know effective parenting skills to nurture healthy growth and development in others;

(H) understand the past."

Remember the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "14 - 21"

Page 7, line 6:

Delete "13(e)"

Insert "15(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "14 - 21"

Page 10, line 7:

Delete "12 - 19"

Insert "14 - 21"

Page 10, line 8:

Delete "12 - 19"

Insert "14 - 21"

Page 10, line 9:

Delete "12 - 19"

Insert "14 - 21"

Page 10, line 20:

Delete "12 - 19"

Insert "14 - 21"

Page 10, line 21:

Delete "23 - 25"

Insert "25 - 27"

Page 10, line 25:

Delete "21"

Insert "23"

Page 10, line 26:

Delete "and 4 - 19"

Insert ", 2, 3, and 6 - 21"

Page 10, line 27:

Delete "2 and 3"

Insert "4 and 5"

Page 10, line 28:

Delete "20"

Insert "22"

of Education shall develop a report on charter schools and present the report to the legislature by January 31, 1996."

Page 10, line 9:

Delete "a school established"

Insert "an existing elementary, middle, junior high, or high school operating"

Page 10, lines 15 - 16:

Delete all material.

Renumber the following paragraph accordingly.

Page 10, line 23:

Delete "1996"

Insert "1997"

Page 8, lines 27 - 28:

Delete "permanent charter school board"

Insert "charter school advisory committee"

Page 8, line 30, through page 9, line 2:

Delete "The budget shall not be less than the amount generated by the student enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the Department of Education."

Page 9, line 8:

Delete "initial and permanent boards"

Insert "charter school advisory committee"

Page 9, lines 15 - 21:

Delete all material.

Reletter the following subsection accordingly.

Page 9, line 23, after "aptitude,":

Insert "race, sex, national origin,"

Page 9, line 24, through page 10, line 5:

Delete all material and insert:

**\* Sec. 16. TEACHER EVALUATION AND NEGOTIATED AGREEMENT.** (a) A teacher not wishing to teach in a charter school shall be transferred to a comparable position in another school within the school district.

(b) All provisions contained in a negotiated agreement or collective bargaining agreement applicable to teachers or other employees who transfer into a charter school shall continue to apply to teachers and employees employed in the charter school.

(c) A teacher in a charter school shall be evaluated in the same manner as all other teachers in the school district.

**\* Sec. 17. DURATION; REPORT.** A contract for a pilot charter school may be for a term of no more than three years and may not extend beyond July 1, 1997. The Department

Insert "The charter school advisory committee"

Page 7, lines 17 - 22:

Delete all material and insert:

"(b) The teachers employed at a public school may make application to the local school board to become a charter school, if the application is supported by a two-thirds vote of the teachers employed at that school. An application must include the names of at least five and not more than seven persons selected by the employees of the public school to form a charter school advisory committee. A majority of members of the charter school advisory committee shall be classroom teachers at that public school, one member shall be the school principal, and one member shall be a parent of a student who attends that school."

Page 7, line 23:

Delete "The initial board of directors shall develop"

Insert "The charter school advisory committee shall oversee the development of"

Page 7, lines 27 - 31:

Delete all material and insert:

"(d) A charter school advisory committee shall"

Page 8, lines 6 - 7:

Delete "permanent charter school board"

Insert "charter school"

Page 8, line 16:

Delete all material.

Renumber the following paragraphs accordingly.

Page 8, lines 17 - 18:

Delete "between the permanent charter school board and the teacher,"

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR ELLIS

TO: SB 61

Page 6, line 29, after "SCHOOLS":

Insert "PILOT PROGRAM"

Page 6, lines 30 - 31:

Delete "the initial board of directors of a charter school"

Insert "a charter school advisory committee at a public school"

Page 7, line 1:

Delete "40"

Insert "four pilot"

Page 7, lines 3 - 4:

Delete "an initial board of directors"

Insert "teachers employed at a public school who meet the requirements of sec. 13(b)  
of this Act"

Page 7, lines 7 - 8:

Delete all material.

Page 7, line 10:

Delete "operates as a school in"

Insert "is an elementary, middle, junior high, or high school within"

Page 7, line 15:

Delete "A board of directors"

three full continuous school years. The district shall provide a probationary teacher, during each year of the teacher's probation, with

(1) an orientation at the beginning of the school year to inform the teacher of the school's general expectations regarding a teacher's instructional delivery, planning, interpersonal skills, knowledge of subject material, and other professional qualities;

(2) at least one visit by an evaluator to the teacher's instruction site to observe the teacher while the teacher is teaching and a follow-up meeting promptly thereafter between the evaluator and the teacher to discuss the teacher's instructional delivery, planning, interpersonal skills, knowledge of the subject matter, and other professional qualities; and

(3) a closing evaluation at the end of the school year.

(d) A teacher who was hired by a district before July 1, 1993, who had not yet acquired tenure rights on June 30, 1993, and who was continuously employed by the district from the date of hire acquires tenure rights in the district in accordance with AS 14.20.150 as it existed on June 30, 1993.

(e) In this section, "probationary teacher" means a teacher who has not acquired tenure rights."

Renumber the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "11 - 18"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 18"

#16  
passed

AMENDMENT

OFFERED IN THE SENATE  
TO: SB61

BY SENATOR LEMAN

Page 2, lines 3-28:  
Delete all material

#17 passed

# Alaska State Legislature

SENATOR  
**BERT SHARP**  
DISTRICT P  
CHAIRMAN  
TRANSPORTATION COMMITTEE  
MEMBER  
FINANCE COMMITTEE  
LEGISLATIVE BUDGET & AUDIT COMMITTEE  
HEALTH & SOCIAL SERVICES



FAIRBANKS  
DENALI BANK BUILDING  
119 N. CUSHMAN, SUITE 201  
FAIRBANKS, ALASKA 99701  
(907) 452-7885/7886  
SESSION ADDRESS  
STATE CAPITOL, ROOM 514  
JUNEAU, ALASKA 99801-1182  
(907) 465-3004/4921

## Senate

### MEMORANDUM

TO: Senator Steve Rieger, Chair  
Senate Health & Social Services Committee

FROM: Senator Bert Sharp

DATE: March 9, 1993

RE: SB-61

#### AMENDMENTS

By: Senator Bert Sharp

Delete: Pages 4 and 5

Delete: Page 6, Lines 1 through 28



REPRESENTING  
GOLDEN HEART  
OF ALASKA

A M E N D M E N T

OFFERED IN THE SENATE  
TO: SB 61

BY SENATOR SALO

Page 2, lines 3 - 28:

Delete all material.

Re-number the following bill sections accordingly.

Page 3, after line 31:

Insert a new bill section to read:

"\* Sec. 7. AS 14.17.056 is amended to read:

Sec. 14.17.056. INSTRUCTIONAL UNIT VALUE. The instructional unit value is \$61,000. except that for a district that increases the district's school term to not less than 183 days in session, the instructional unit value is \$62,000."

Re-number the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "11 - 18"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 7:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 8:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 9:

Delete "12 - 19"

Insert "11 - 13"

Page 10, line 20:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 21:

Delete "23 - 25"

Insert "22, 23, and 24"

Page 10, line 25:

Delete "21"

Insert "20"

Page 10, line 26:

Delete "Sections 1 and 4 - 19"

Insert "Sections 1 - 18"

Page 10, line 27:

Delete all material.

Renumber the following bill section accordingly.

Page 10, line 28:

Delete "Section 20"

Insert "Section 19"

AMENDMENT

(1) passed

OFFERED IN THE SENATE

BY SENATOR SALO

TO: SB 61

Page 3, line 1:

Delete "[TO A DISTRICT LOCATED IN THE STATE]"

Insert "to a district located in the state"

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR SALO

TO: SB 61

Page 2, lines 3 - 28:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, after line 31:

Insert a new bill section to read:

\*\* Sec. 7. AS 14.17.056 is amended to read:

Sec. 14.17.056. INSTRUCTIONAL UNIT VALUE. The instructional unit value is \$62,000 [\$61,000]."

Renumber the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "11 - 18"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 7:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 8:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 9:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 20:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 21:

Delete "23 - 25"

Insert "22, 23, and 24"

Page 10, line 25:

Delete "21"

Insert "20"

Page 10, line 26:

Delete "Sections 1 and 4 - 19"

Insert "Sections 1 - 18"

Page 10, line 27:

Delete all material.

Re-number the following bill section accordingly.

Page 10, line 28:

Delete "Section 20"

Insert "Section 19"

3  
with language

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR SALO

TO: SB 61

Page 2, lines 3 - 28:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, after line 31:

Insert a new bill section to read:

\*\* Sec. 7. AS 14.17.056 is amended to read:

Sec. 14.17.056. INSTRUCTIONAL UNIT VALUE. The instructional unit value is \$61,000. except that for a district that increases the district's school term to not less than 183 days in session, the instructional unit value is \$62,000."

Renumber the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "11 - 18"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 7:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 8:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 9:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 20:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 21:

Delete "23 - 25"

Insert "22, 23, and 24"

Page 10, line 25:

Delete "21"

Insert "20"

Page 10, line 26:

Delete "Sections 1 and 4 - 19"

Insert "Sections 1 - 18"

Page 10, line 27:

Delete all material.

Renumber the following bill section accordingly.

Page 10, line 28:

Delete "Section 20"

Insert "Section i9"

#5

Duncan

8-GS1033A.8  
Cramer  
2/16/93

A M E N D M E N T

OFFERED IN THE SENATE

TO: SB 61

Page 1, line 1:

Delete "implementing certain recommendations of Alaska 2000 to improve"

Insert "improving"

Page 4, line 1 through page 6, line 28:

Delete all material

Insert new bill sections to read:

\*\* Sec. 9. AS 14.20.130 is amended to read:

Sec. 14.20.130. EMPLOYMENT OF TEACHERS AND ADMINISTRATORS. An employer may, after January 1, issue contracts for the following school year to employees regularly qualified in accordance with the regulations of the department. The contract for a superintendent who qualifies under AS 14.20.150(g) may be for more than one school year but may not exceed three consecutive school years.

\* Sec. 10. AS 14.20.150 is amended by adding new subsections to read:

(c) Until a teacher acquires tenure rights under this section, the teacher is on probationary status. While a teacher is on probationary status, the school district shall evaluate the teacher's performance three times each year. If teachers in a district are represented by a bargaining organization, the school district and the bargaining organization representing teachers shall determine the evaluation process through negotiation between the bargaining organization and the district. If teachers in a district are not represented by a bargaining organization, the evaluation process shall be determined by negotiation between the teachers and the district. For teachers, the evaluation instrument shall be developed by a committee, the majority of which shall be composed of teachers who will be evaluated.

(d) A school district shall evaluate an administrator's performance three times a year during the first two years of an administrator's employment in the district. For administrators, a committee of the school board shall determine the evaluation instrument.

(e) If, in the evaluation process, the performance of a teacher or administrator is found to be deficient, the evaluator shall provide the teacher or administrator with an individual improvement plan. The plan must set out specific, objective goals that the teacher or administrator must achieve in order to secure a satisfactory evaluation.

(f) A school district shall provide training for evaluators in the requirements of this section and in the purposes and procedures of evaluation. A school district shall establish in-service opportunities for all teachers and administrators concerning the evaluation system.

(g) An administrator who has completed two years of satisfactory service is eligible to receive an employment contract that lasts for more than one year.

(h) In this section,

(1) "administrator" includes a superintendent of schools, principal of a school, and a person charged with administrative responsibilities;

(2) "school district" includes a borough or city school district and a regional educational attendance area."

Renumber the following bill sections accordingly.

Page 6, line 30:

Delete "12 - 19"

Insert "11 - 18"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 18"

A M E N D M E N T

OFFERED IN THE SENATE

TO: SB 61

Page 1, line 1:

Delete "implementing certain recommendations of Alaska 2000 to improve"

Insert "relating to"

Page 4, line 1 through page 6, line 28:

Delete all material.

Insert new bill sections to read:

\*\* Sec. 9. AS 14.20.150(a) is amended to read:

(a) Except as provided in (c) of this section, a [A] teacher acquires tenure rights in a district when the teacher

(1) possesses a standard teaching certificate;

(2) has been employed as a teacher in the same district continuously for two full school years and is reemployed for the school year immediately following the two full school years.

\* Sec. 10. AS 14.20.150 is amended by adding new subsections to read:

(c) A school district that has a probationary teacher evaluation program may extend the probationary period of a teacher who is employed in the school district by one year if the district has satisfied the requirements of this subsection and if the district is not ready to grant tenure to the teacher on the basis of two years of employment. A school district establishes a probationary teacher evaluation program by notifying the department in writing of its intent to do so. The district may terminate the program at any time by notifying the department in writing of the termination. On termination of a program, the provisions of (a) of this section apply to the probationary teachers, except that a teacher in a third year of probation does not acquire tenure rights unless reemployed for the school year immediately following the

Page 10, line 7:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 8:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 9:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 20:

Delete "12 - 19"

Insert "11 - 18"

Page 10, line 21:

Delete "23 - 25"

Insert "22 - 24"

Page 10, line 25:

Delete "21"

Insert "20"

Page 10, line 26:

Delete "4 - 19"

Insert "4 - 18"

Page 10, line 28:

Delete "20"

Insert "19"

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR ELLIS

TO: SB 61

Page 1, lines 1 - 2:

Delete "implementing certain recommendations of Alaska 2000 to improve"

Insert "relating to"

Page 6, lines 30 - 31:

Delete "the application of the initial board of directors of a charter school and the approval of"

Insert "approval of a charter school petition by"

Page 7, line 1:

Delete "40"

Insert "10"

Page 7, lines 3 - 8:

Delete all material.

Insert new subsections to read:

"(b) Each local school board shall prescribe a procedure by which an individual may submit a charter school petition for the reorganization of a school within the district as a charter school. The procedure may include a proposed form for a charter between a charter school and the local school board, setting out the charter elements. The petition for the establishment of a school in a district as a charter school may be circulated by one or more individuals seeking to establish the charter school. A charter school petition must be signed by not less than 50 percent of the parents of the school attendance area and by not less than 25 percent of the teachers employed by the school at the time the petition is circulated.

(c) The charter school petition shall be submitted to the school board for review.

(d) The school board shall hold public hearings on the provisions of the charter school and determine the level of parent and employee support for the charter school. Following review of the charter school petition, the board shall either grant or deny the petition.

(e) A charter school petition must include the following:

(1) a description of the educational program of the school designed to identify those individuals that the school is attempting to educate;

(2) the measurable pupil outcomes identified for use by the charter school; in this paragraph, "pupil outcomes" mean the extent to which pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program;

(3) the governing structure of the school, including the process to be followed by the school to ensure parental involvement;

(4) a description of how new and innovative teaching methods will be encouraged;

(5) a description of how new professional opportunities for teachers will be created, including the opportunity to be responsible for the learning program at the school site.

(f) A local school board shall forward to the state Board of Education a charter school petition that has been approved or denied."

Page 7, lines 15 - 16:

Delete "in the contract. A board of directors for the charter school shall oversee the operation of that school."

Page 7, lines 17 - 31:

Delete all material.

Insert "(b) The charter school shall"

Page 8, line 3:

Delete "(e)"

Insert "(c)"

Page 8, lines 6 - 7:

Delete "permanent charter school board"

Insert "charter school"

Page 8, lines 27 - 28:

Delete "permanent charter school board"

Insert "charter school"

Page 9, line 8:

Delete "initial and permanent boards of a"

Page 9, line 21, after "drawing.":

Insert "A school board in a district may not require a pupil to attend a charter school."

Page 9, lines 22 - 23:

Delete all material and insert:

"(c) A charter school shall be nonsectarian and shall comply with the conditions of its charter school petition. A charter school may not discriminate on the basis of ethnicity, national origin, gender, or disability."

Page 9, line 26, through page 10, line 2:

Delete all material and insert:

"(b) The provisions contained in a negotiated agreement or collective bargaining agreement applicable to teachers or other employees who transfer into a charter school may not be altered or changed as a result of the creation of a charter school.

(c) A teacher in a charter school shall be evaluated in the same manner as all other teachers in the school district."

Page 10, after line 9:

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

Renumber the following paragraphs accordingly.

Page 10, lines 15 - 16:

Delete all material.

Renumber the following paragraphs accordingly.

29      \* Sec. 12. ESTABLISHMENT OF CHARTER SCHOOLS. (a) A charter school may be  
30 established as provided under secs. 12 - 19 of this Act upon <sup>approval of a charter school petition by</sup> ~~the application of the initial board~~  
31 ~~of directors of a charter school and the approval of~~ the local school board and the state Board

1 of Education. The state Board of Education may not approve more than <sup>10</sup> 40 charter schools  
2 to operate in the state at any one time.

3 (b) Each local school board shall prescribe a procedure by which <sup>an individual may submit a charter school</sup> an initial board of  
4 <sup>petition</sup> directors ~~may apply~~ for the <sup>reorganization</sup> establishment of a charter school <sup>school within the district as a</sup> in that school district. The  
5 procedure may include a proposed form for a <sup>charter</sup> contract between a charter school and the local  
6 school board, setting out the <sup>charter</sup> contract elements, <sup>as follows</sup> ~~required under sec 13(c) of this Act~~

The petition for the establishment of a charter school within any school district may be circulated by any one or more persons seeking to establish the charter school. After the charter school petition has been signed by not less than 50 percent of the parents of the school attendance area and by not less than 25 percent of the teachers currently employed by the school.

New(c)

c. The charter school petition shall be submitted to the school board for review.

New(d)

d. The school board shall hold public hearing on the provisions of the charter school, and determine the level of parent and employee support for the charter school. Following review of the charter school petition the board shall either grant or deny the ~~charter~~ petition.

New(e)

- e. A charter school petition shall describe the following:
1. A description of the educational program of the schools designed to identify those whom the school is attempting to educate
  2. The measurable pupil outcomes identified for use by the charter school. Pupil outcomes mean the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge and attitudes specified as goals in the school's educational program.
  3. The governance structure of the school including the process to be followed by the school to ensure parental involvement
  4. A description of how new and innovative teaching methods will be encouraged.
  5. Show how new professional opportunities for teachers including the opportunity to be responsible for the learning program at the school site will be created.

New(F)

f. A local school board shall forward to the state Board of Education <sup>Charter School</sup> applications for <sup>petitions</sup> a charter school that have been approved or denied.

9        <sup>a.</sup> Sec. 13. ORGANIZATION AND OPERATION OF A CHARTER SCHOOL. (a) A  
10 charter school operates as a school in the local school district except that the charter school  
11 (1) is exempt from the local school district's textbook, program, curriculum, and scheduling  
12 requirements, and (2) operates under the charter school's annual program budget as set out in  
13 the contract between the local school board and the charter school. The charter school is  
14 exempt from other local school district requirements if exemption is authorized by the local  
15 school board. ~~Under the contract, a board of directors for the charter school shall oversee the~~  
16 ~~operation of that school.~~

17        (b) The <sup>initial board of directors of</sup> ~~initial board of directors of~~ a charter school shall organize informally. An  
18 initial board of directors for the charter school shall consist of at least five but no more than  
19 nine members, and shall include at least one parent of a prospective student of the charter  
20 school and one person who is a prospective teacher at that school. Remaining members must  
21 be a parent of a prospective student, a prospective teacher, or a prospective student of that  
22 school.

23        (c) The initial board of directors shall develop the program of the charter school,  
24 apply to the local school board for approval of the school's establishment, and, upon approval  
25 of the application, negotiate a contract with the local school board as required by (e) of this  
26 section.

27        (d) After approval of a charter school by the state Board of Education and after the  
28 charter school begins classes, a permanent charter school board shall be elected by a majority  
29 vote of the teachers of, and parents of students of, the charter school. The permanent charter  
30 school board must meet the membership requirements of (b) of this section, with those  
31 requirements read without the term "prospective." The permanent charter school board shall

The charter school shall

- 1 (1) keep financial records of the charter school;
- 2 (2) oversee the operation of the charter school to ensure that the terms of the
- 3 contract required by (e) of this section are being met; and
- 4 (3) meet regularly with teachers of the charter school to review, evaluate, and
- 5 improve operations of the charter school.

6 (e) A charter school shall operate under a contract ~~between the permanent charter~~ <sup>between the charter</sup> ~~school board and~~ <sup>school</sup> the local school board. A contract must contain the following provisions:

- 8 (1) description of the educational program;
- 9 (2) specific levels of achievement for the education program;
- 10 (3) admission policies and procedures;
- 11 (4) administrative policies;
- 12 (5) statement of the charter school's funding allocation from the local school
- 13 board and costs assignable to the charter school program budget;
- 14 (6) method by which the charter school will account for receipts and
- 15 expenditures;
- 16 (7) location and description of the facility;
- 17 (8) name of the teacher, or teachers, who, by agreement between the permanent
- 18 charter school board and the teacher, will teach in the charter school;
- 19 (9) teacher-to-student ratio;
- 20 (10) number of students served;
- 21 (11) the term of the contract, not to exceed a term of three years;
- 22 (12) a termination clause providing that the contract may be terminated by the
- 23 local school board for the failure of the charter school to meet educational achievement goals
- 24 or fiscal management standards, or for other good cause;
- 25 (13) a statement that the charter school will comply with all state and federal
- 26 requirements for receipt and use of public money;
- 27 (14) other requirements or exemptions agreed upon by the ~~permanent~~ <sup>charter</sup> charter
- 28 school ~~and~~ and the local school board.

29 \* Sec. 14. FUNDING FOR CHARTER SCHOOL. (a) A local school board shall provide

30 an approved charter school with an annual program budget. The budget shall be not less than

31 the amount generated by the students enrolled in the charter school less administrative costs

1 retained by the local school district determined by applying the indirect cost rate approved  
2 by the Department of Education. The "amount generated by students enrolled in the charter  
3 school" is to be determined in the same manner as it would be for a student enrolled in any  
4 other public school in that school district.

5 (b) The program budget of a charter school is to be used for operating expenses of  
6 the educational program of the charter school, including purchasing textbooks, classroom  
7 materials, and instructional aids.

8 (c) The ~~initial and permanent boards of~~ charter school shall provide all financial and  
9 accounting information requested by the local school board or the Department of Education,  
10 and shall cooperate with the local school district or the department in complying with the  
11 requirements of AS 14.17.190.

12 \* Sec. 15. ADMISSION. (a) The program of a charter school may be designed to serve

13 (1) students within an age group or grade level; or

14 (2) students who will benefit from a particular teaching method or curriculum.

15 (b) A charter school shall enroll all eligible students who submit a timely application,  
16 unless the number of those applications exceeds the capacity of the program, class, grade  
17 level, or building. In the event of an excess of those applications, the charter school and the  
18 local school board shall attempt to accommodate all of those applicants by considering  
19 providing additional classroom space and assigning additional teachers from the district to the  
20 charter school. If it is not possible to accommodate all eligible students who submit a timely

21 application, students must be accepted by random drawing. *A school district <sup>Board in a</sup> ~~may~~ may  
not require any pupil enrolled in the school district to attend a charter school.*

New (C.)  
New - c.  
not

*shall* A charter school *shall* will be nonsectarian and *shall* will comply with the  
conditions of its charter school petition. *The* charter school *is* may  
~~prohibited from discriminating~~ on the basis of ethnicity,  
national origin, gender or disability.

24 \* Sec. 16. TEACHER TRANSFERS AND EVALUATIONS. (a) No teacher may be  
25 assigned to teach in a charter school unless the teacher consents to the assignment.

*The* ~~no~~ provisions <sup>contained</sup> in a negotiated <sup>agreement or</sup> collective bargaining agreement <sup>applicable</sup> as it  
~~applies to the~~ employees of a school district will be altered,  
~~modified or changed as a result application or implementation of~~  
a charter school. ~~based on seniority.~~

New Section (B)

29 (c) A teacher in a charter school must be evaluated in the same manner as all other  
30 teachers in the district, <sup>school</sup> ~~except that if there is no administrator assigned to the charter school,~~  
31 ~~the local school board, with the agreement of the permanent charter school board, shall~~

1 designate a school district administrator in that district to evaluate a teacher in a charter  
2 school.

3 \* Sec. 17. CONTRACTS: DURATION. A contract for a charter school may be for a term  
4 of no more than three years and may not extend beyond July 1, 1999. No more than one  
5 contract for a particular charter school may be entered into under secs. 12 - 19 of this Act.

6 \* Sec. 18. REGULATIONS. The state Board of Education may adopt regulations  
7 necessary to implement secs. 12 - 19 of this Act.

8 \* Sec. 19. DEFINITIONS. In secs. 12 - 19 of this Act.

9 (1) "charter school" means a school established under secs. 12 - 19 of this Act;  
10 *add new* (2) "district" has the meaning given in AS 14.17.250  
11 (3) "local school board" means a borough or city school board or a regional  
12 school board;

13 (4) "parent" means a biological, adoptive, or foster parent, or an adult who acts  
14 as guardian of a child and makes decisions related to the child's safety, education, and  
15 welfare;

16 (5) "permanent charter school board" means the permanent board of directors  
17 of a charter school;

18 (6) "teacher" means a person who serves a school district in a teaching,  
19 counseling, or administrative capacity and is required to be certificated in order to hold the  
20 position.

21 \* Sec. 20. Sections 12 - 19 of this Act are repealed.

22 \* Sec. 21. TRANSITION. Notwithstanding secs. 23 - 25 of this Act, the state Board of  
23 Education may proceed to adopt regulations necessary to implement this Act. The regulations  
24 take effect under the Administrative Procedure Act, but not before the respective effective date  
25 of the relevant section or sections of this Act.

26 \* Sec. 22. Section 21 of this Act takes effect immediately under AS 01.10.070(c).

27 \* Sec. 23. Sections 1 and 4 - 19 of this Act take effect July 1, 1993.

28 \* Sec. 24. Sections 2 and 3 of this Act take effect July 1, 1994.

\* Sec. 25. Section 20 of this Act takes effect July 1, 1996.



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS  
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS  
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •  
326 Fourth St., Suite 404 Juneau, AK 99801-1101 (907) 586-9702 FAX (907) 586-5879

March 5, 1993

Senator Steve Rieger, Chair  
Senate HESS Committee  
Alaska State Senate  
Juneau, Alaska

Re: Amendments to SB 61

Dear Senator Rieger:

In your position as Chairman of the Senate HESS, you gave the charge to the educational organizations to try to come up with language which we could all live with regarding the tenure issue.

In good faith and the hope of reaching some mutual position, we were involved in several meetings with AASB, NEA and the Department of Education to exchange language and continue to discuss those areas which remain concerns which prevent us from accomplishing the goal you hoped we would reach.

At this time I must say our organization has not reached a mutual agreement with the other organizations on the issue of tenure.

Upon analyzing the last proposed language and presenting it to my executive committee we express the following concerns;

(a) We continue to believe statute must be a broad statement of what is to occur with regulations spelling out how it will happen. We feel that the language in the paragraph before (c) (1), and item (4) and item (5) are too specific in statute that the amendment creates the possibility of litigation by the non-tenured teacher or their represented union to place the burden of proof on the school district to show just cause for non-renewal of their contract or the denial of tenure. It was also stated since the language speaks to strict compliance by the district for each year of the teacher's non-tenure, we may be setting the district up for litigation upon denial of tenure after the second full year.

(b) It could also set the district up for possible challenge by the teacher or union at the end of the second year of the teacher's contract if the district chose to non retain that person. The individual or union could, by force of statute, insist the district extend that individual's contract to one more year.

(c) It was felt by our leadership that this amendment was more of a benefit for the marginal teacher than it was for the school district.

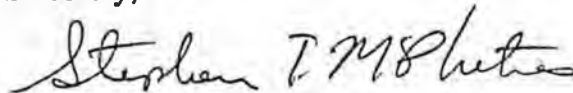
(d) There was concern that should an amendment such as this be adopted, it would be the general feeling that the issue of tenure would have been addressed when, in fact, it is just a small step in the issue of tenure reform.

As you see by the many questions and concerns we have regarding this proposed amendment, we cannot support the language as proposed.

Our main concern of the tenure issue is the lack of bench mark evaluation opportunities which would allow a re-evaluation of a long term certified teachers to insure that all employees remain effective and professional during their entire career as educators.

I would like to express my appreciation for the opportunity to meet with the other groups to begin the dialog on the tenure issue and look forward to continued debate and sharing of ideas.

Sincerely,

A handwritten signature in cursive script that reads "Stephen T. McPhetres".

Stephen T. McPhetres  
Executive Director

cc: Senate HESS Committee

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 W. 11th St. • Juneau, Alaska 99801-1510  
(907) 586-1083 • Fax (907) 586-2995

March 2, 1993

Senator Steve Rieger, Chair  
Senate HESS Committee  
Alaska State Legislature  
Juneau, Alaska

RE: SB 61

Dear Senator Rieger:

AASB continues to support the Alaska 2000 school improvement effort, and in that interest we would like to address the portion of SB 61 which speaks to the question of tenure.

As you're aware, AASB proposed an amendment which gives districts an additional two years to evaluate new teachers and provides for licensure based on a competency assessment. Additionally it requires districts to assume responsibility for providing non-tenured teachers with inservice and a mentoring program designed to enhance effectiveness and eventual success in the classroom.

We're in receipt of the amendment which you've offered providing an optional extension of a third year for districts to evaluate teachers they're not sure should either be non-retained or granted tenure, with provisions for continuing evaluation and support.

We generally feel positive about this amendment, since it supports school boards' long standing contention that two years is not sufficient time to adequately evaluate new teachers and determine that tenure is warranted, or to provide teachers of questionable status with the kind of assistance and supervision they might need to become proficient.

We do, however, have some concerns about some of the language in the amendment which we feel might have the potential of causing even greater problems with tenure than we currently experience, especially if further amendments are offered which could substantially change what is being suggested. Those concerns are as follows:

- 1) Extending a third year to *certain* teachers, rather than *all* non-tenured teachers may open a challenge from those who might be non-retained after two years, requiring districts to provide evidence as to why those non-retained weren't offered the additional opportunity of a third year to improve their skills and prove themselves worthy of tenure. This could open the tenure process to unnecessary legal problems (and additional expense)

that would be counter to the greater intention here, which is identifying competent teachers and improving classroom instruction.

- 2) The additional requirements that districts would be required to follow for working with third year non-tenured teachers could conceivably be amended to such a cumbersome form that it would discourage districts from choosing to extend this opportunity to teachers and in essence, reduce us to following the current two year tenure plan, which we believe is insufficient.
- 3) Making the third year extension optional for districts would result in an inconsistent tenure system for the state, in that there would be no guarantee that tenure would be handled the same from district to district. It would be confusing for new teachers, especially for those coming in from out of state.

We believe that there is a simple way to accomplish what there seems to be general agreement on, which is the need to make tenure requirements a better way to support school improvement:

Extend the amount of time required for tenure to *three years for all non-tenured teachers*. This will:

- 1) provide districts more of the time they need to evaluate and help new teachers improve their skills
- 2) provide new teachers with greater opportunity for success and achievement of tenure and
- 3) give the state a tenure law that will be applied consistently to all teachers.

Alaska 2000 represents a school reform initiative we all agree is needed. The elements that have been identified should not be compromised or left to negotiations, so that the ultimate outcome is less than what we know is good for kids.

AASB would respectfully request that you consider these concerns as the HESS Committee reviews this issue and considers other amendments that may be brought forth.

Sincerely,



Carl F. N. Rose  
Executive Director

cc: Senate HESS Committee

# ASSOCIATION OF ALASKA SCHOOL BOARDS

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*Advocates for Alaska's Youth*



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Michael Williams

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### DIRECTOR

Carl F.N. Rose

February 23, 1993

The Honorable Senator Steve Rieger  
Chairman, Senate HESS Committee  
Members: Sens. Sharp, Leman, Miller, Duncan, Ellis and Salo  
Alaska State Legislature  
Juneau, Alaska 99801-1182

**Re: SB 61—Recommendations of the Association of Alaska  
School Boards**

Dear Sen. Rieger and Senate HESS Committee members:

The Association of Alaska School Boards' general membership voted in November to support the Alaska 2000 initiative. AASB continues to support Alaska 2000, and seeks to improve proposed legislation.

The attached proposals are the culmination of regional teleconferences held earlier in February. All school boards participated. Following the teleconferences, an AASB focus group met to discuss concerns regarding this and other Alaska 2000 bills, and to offer recommendations for its improvement.

**AASB strongly encourages the Senate HESS Committee to  
consider the attached proposals for amendments to SB 61.**

On behalf of Alaska's locally elected school board members, we encourage the committee's support of Alaska 2000 and AASB's detailed proposals.

Sincerely,

Carl Rose, Executive Director

# ALASKA 2000

## ASSOCIATION OF ALASKA SCHOOL BOARDS RECOMMENDATIONS

### ***FRAMEWORK FOR REFORM***

- 1) ***OVERALL SCHOOL ENVIRONMENT***
  - adequate and appropriate space
  - furnishings, equipment and technology necessary to support a comprehensive educational program.
- 2) ***HIGHEST CALIBER PROFESSIONAL STAFF***
  - in the classroom and in each school building
  - assurances to both staff and public that the highest standards of professionalism will be promoted, recognized and rewarded
- 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***
  - encourage a high degree of parental involvement in each school, each classroom, and the education of each child.
- 5) ***FUNDING***
  - at a funding level to reflect Alaska's priority on education
  - distributed to all school districts in an equitable manner
  - distributed in a timely way that will allow for the most effective planning and use of each educational dollar.
- 6) ***COLLABORATION***
  - societal issues outside schools that impact children's learning
  - schools and state agencies must jointly identify resources
  - collaboratively plan to provide service to children more effectively
- 7) ***ACCOUNTABILITY***
  - for every element that is brought forth through Alaska 2000 accountability requirement for establishing expected *outcomes, benchmarks, monitoring, evaluating and reporting* to the Legislature and the public to assure desired results - the "world class" education that is our ultimate goal.

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

• **Increase the School Term**

By the year 2000, increase the school term to 200 days per year

(Estimated Cost: \$3 million per day)

***District Concerns:***

- No research base to demonstrate more of the same is better
- Impacts subsistence lifestyle, fishing seasons, jobs for students, school maintenance schedules
- Mandate with no funding to support it
- Dollars required would be better spent on Early Childhood Education
- Current 180 days might be enough contact time if it didn't include days lost to in-service and extracurricular activities

***AASB Recommendation:***

- DOE should develop clear educational standards, 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
- Provide comparable funding to allow the implementation of Early Childhood Education programs

**SB 61/HB 84      "Implementing Certain  
Recommen      tions of Alaska  
2000"**

**• Flexibility in Funding Grants for School Improvement**

School Districts and other entities eligible for a grant from "Fund for the Improvement of School Performance"

Earnings from the "Public School Trust Fund" may be appropriated to the "Fund for the Improvement of School Performance"

***District Concerns:***

- Small districts have limited ability to apply and administer
- Require school board approval for other entities
- Require successful grant programs results be shared
- How will "improvement" be assessed?

***AASB Recommendation:***

- designate a minimum of 50% of the available funds be made available to classroom teachers for research and development of classroom programs; with school district sign-off on applications
- requirement that results of grant programs be shared with other teachers and schools statewide

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

• **Establishment of Advisory School Boards**

Mandated in city and borough school districts

Under direction of local school board

May serve more than one school with Commissioner's approval

***District Concerns:***

- Don't require for single sites (duplication)
- May discourage active PTA's & other volunteer groups
- Impact caused by need for training, time for meetings, administrative involvement
- Allow use of current advisory groups, to avoid creating another layer
- Call them "committees" instead of "board" to avoid confusion about authority
- Let it be a local option

***AASB Recommendation:***

- change "advisory board" to "parent advisory committee"
- change "A city or borough school district board shall [establish and advisory board] recognize or provide for a parent advisory committee at each school..."

• **Establishment of a Tenure Review Committee**

Local board shall appoint a 5 to 9 member committee to include at least 2 parents, 2 teachers and 1 student over 16.

Committee will review teacher's tenure request, evaluations, supervisor's recommendations and other material teacher requests

Committee will vote on each tenure request and make a recommendation to local school board

***District Concerns:***

- Legal considerations regarding confidentiality of personnel files
- Fiscal impact to district to operate committee
- Can be divisive in a community
- Not appropriate to include a student
- Greater need is to strengthen evaluation process
- Should be the responsibility of school boards

***AASB Recommendation:***

- Establish:
  - 1) more rigorous standard of licensing
  - 2) greater opportunity for professional growth
  - 3) appropriate supervision and evaluation
  - 4) sufficient time for teachers to develop proficiencies before granting tenure

***Elements of Licensing Proposal - Next Page***

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

**AASB Teacher Licensing Proposal - in lieu of  
Tenure Review Committee**

- 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.

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

• **Charter Schools**

Pilot project for 3 years

Must be approved by local board and State Board, operate as a school in the local district. Exempt from many district requirements

Operates under its own program budget with funding level same as other district schools

May be designed to serve students within age groups, grade levels or those who will benefit from a particular teaching method/curriculum

No more than 40 charter schools may operate at one time

***District Concerns:***

- May cause inequity in programs
- May take money away from regular programs
- Programs may be elitist or discriminatory
- REAA's lack facilities to house charter schools
- Current alternative schools/programs do the same job
- Pilot program may result in tenured teachers we can't afford to keep when charter school closes

***AASB Recommendation:***

- Provision for local school board approval must be kept in the bill as an essential element

***AASB Position:*** School boards 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. The charter school proposal may be a possible means of accommodating that.

## AASB ADDITIONAL RECOMMENDATIONS

### • *Master Teacher Certification*

- Establish a new category of certification who exceed standards set for the teaching profession
- Master Teacher Certification requirements should be developed with cooperation of teaching professionals
- Application may come from the teacher, or by nomination by colleagues or supervising professionals
- Employing districts would be encouraged to provide rewards such as:
  - additional salary or bonuses or
  - incentive grants or
  - paid sabbatical leaves for research and development purposes
- Master teachers may, with their consent, be utilized as mentors for new teachers under the proposed revised licensing/tenure system
- Master teachers should be identified as a resource for University teacher preparation programs and the Alaska Staff Development Academy

## AASB ADDITIONAL RECOMMENDATIONS

### • *Technology*

Overarching concern that affects:

- ✓ school environment
- ✓ professionalism of staff
- ✓ improvement of the educational programs

Absent from the Alaska 2000 legislation

#### ***AASB Recommendation:***

- 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.

## AASB ADDITIONAL RECOMMENDATIONS

### • Agency Collaboration

Societal ills impact childrens' ability to learn

State faces diminishing resources

Multiple agencies serve same clients, with little or no collaboration

Result is duplication of service, or blocking of service because of conflicting communication or regulation

Collaboration between schools and state and private agencies would provide better service to students and parents, and enhance education for impacted children

Children's Commission and GICHY has already done considerable research in this area

### AASB Recommendation:

- The Legislature, under the heading of Alaska 2000, re-establish a task force to review their findings establish concrete ways to promote closer collaboration between schools and social and medical agencies.

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

**AASB ADDITIONAL RECOMMENDATIONS**

**• Accountability**

Recommended reforms will be costly in terms of additional time and/or funding demands

Legislature and the public deserves assurance that reform measures are linked to a comprehensive framework for reform and actually contribute to a "world class" education system

**AASB Recommendation:**

- 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 to include:
  - ✓expected outcomes
  - ✓measurement criteria
  - ✓monitoring
  - ✓evaluation
  - ✓reporting

# ASSOCIATION OF ALASKA SCHOOL BOARDS

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*Advocates for Alaska's Youth*

February 17, 1993

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Senator Steve Rieger  
Chairman  
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Alaska State Legislature  
Juneau, Alaska 99811

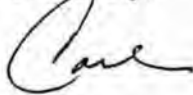
Dear Senator Rieger and HESS Committee Members:

In my last conversation with you at the HESS Committee meeting on February 10, I indicated that the Association of Alaska School Boards would be convening a meeting of a focus group to develop recommendations on Alaska 2000 legislation.

Enclosed you'll find the outcome of the work of that group. We conducted a comprehensive review of SB 61 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 17 at 1:30.

Sincerely,



Carl F. N. Rose  
Executive Director

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## 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 4 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.*

FEB 09 '93 16:34  
February 9, 1993

To HESS Committee members:

Reiger, Chr.

Sharp, Vice Chr.

Leman, Mem.

Miller, Mem.

Duncan, Mem.

Ellis, Mem.

Salc, Mem.

RE: SB 61

Alaska 2000- Extended School Year

Dear HESS Committee Members,

I have read with eager interest the proposals of SB #61 (Education 2000). I believe that many of the suggestions are worthy of consideration.

I do however have some serious reservations concerning what may be a lack of understanding of some of the problems with which educators in "Bush" Alaska must deal. As a bush educator of ten years, I am particularly concerned with the possibility of increasing the length of the school year. Additional attendance days will most certainly not work in the Bush as proposed and will, if implemented, become counter productive for the following reasons:

1) We have not had a meaningful pay raise in the Lower Yukon School District for approximately seven years. Fully implemented, we will be required to work an extra 20 days. Our District will not receive additional State money for implementation. Consequently, we teachers will be required to work those additional days without compensation. Not only is that unreasonable but immoral.

2) Students, most likely, will not attend school those extra summer attendance days- they are busy at fish camps, commercial fishing, at berry camps, and/or involved in special summer programs of an educational nature. Our Spring attendance is poor- summer attendance will be terrible.

3) The proposed time frame for adding attendance days is too fast. Without appropriate time to change curriculum to better utilize those extra days, it would be more "education as usual" when there ought to be major curriculum changes - a resultant of more planning lead time. Students also need extra time to reconcile their lost summer vacation days and prepare for cultural changes (this takes much more time than one might imagine). But, without extra State money to pay employees for more time worked, purchase necessary materials/supplies and more lead time to plan meaningful changes, this program will be destined for failure.

4) Teachers are required to earn six credit hours to meet certification requirements. Summer time is the only time many teachers have to attend classes for that purpose.

5) Nationally federal programs are based upon 180 school days. Funding for aides and programs such as JOM, Migrant Education and Indian Education will be "out of sink" should the school year be extended without time to adequately prepare.

6) Major school maintenance is done during the summer months. Time for site maintenance programs would be cut by a third if classrooms and school buildings are utilized beyond the standard school year.

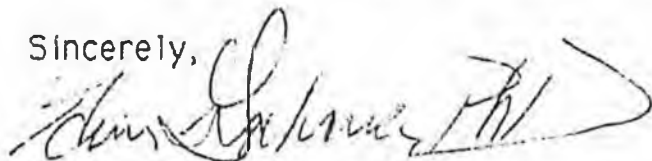
7) Regional Jr/Sr high boarding schools have been discussed by our Governor. There is a real need to better influence the study environment of some children thus making quality education much more effective. Adding extra days to the school year will not improve the students' study environment and will not accomplish what its authors' intended.

We educators are working very hard out here to meet the needs of all students. Lengthening the school year, without cultural considerations, compensation and appropriate planning time, will simply exacerbate our efforts and result in poorer quality education. It is unfortunate that SB # 61 (Education 2000) was drafted by a committee having only one public, city school teacher in its membership. Like Mark Twain said, "if public education is going to die, its death will be a result of well meaning lay people". I do not believe that we educators have all of the answers, but it would have been nice to have been better represented on the Education 2000 planning committee as we continue our search to better meet the needs of our beautiful children.

I am left with a nagging question however. The standard for the nation is 180 school days. Attempted changes in the length of the school year in the lower 48 have not worked. **What assurances does SB 61 offer the citizens of Alaska including our children that it will succeed where similar efforts in the lower 48 have failed?**

Teachers ought to be cherished, made to feel as though we will be treated fairly and have value. And that we will be assisted, in an educational partnership, by all who love children, in performing our noble tasks as we try to better meet the needs of all our students.

Sincerely,



Dr. Edwin Graham, PhD

Educator

Box 90

Russian Mission

Alaska 9965

(907) 584-53290



# NEA-ALASKA

*Affiliated with the National Education Association*

February 11, 1993

**TO:** Sen. Steve Rieger, Chairman, and members of Senate HESS.

**FROM:** Rob Pfisterer, President  
Anchorage Education Association *Rob*

**RE:** SB 61; *"An Act implementing certain recommendations of Alaska 2000 to improve the state's education system; and providing for an effective date."*

There are several parts of this bill that I believe are poorly thought out, and would have a negative impact on education in Alaska. Specifically, I feel that the central issues of school term, tenure reform, and charter schools all need closer scrutiny.

This bill purports to be a push by Alaska 2000, but one must ask in what arena this mandate for change developed? Is it responding to student needs? I think not.

The issue of extending the school year is a good example of what I mean. By the year 2000 students in public education will have a 200-day school year under this proposal. Yet today we don't mandate attendance to insure that students are in class. If the State wants children to be in school, it should begin by assuring students attend a minimum number of days to get credit for the year.

In Anchorage a student may miss 15 school days per semester. Additionally, the student may be excused or absent for school functions such as sporting events, music festivals and extra-curricular activities. This means during a 90-day semester a student can legally be absent in excess of 20 days, or 40 days per year.

By requiring students to simply attend more days during the present school term we would accomplish more expecting everyone to attend a longer academic year. Many districts would be impacted where families live on subsistence or fishing economies.

What would be the financial cost of adding 20 days to the present term? It probably would not be less than \$75 million. Is there not a more pressing educational need than extending the present school year?

I also question the need for advisory school boards as they might weaken the present school board structure. Parent participation in public schools is critical but to establish advisory boards at each school in Anchorage, for instance, would mean over 80 additional boards! Would it not be better to allow each community to decide whether additional boards are necessary? Isn't it a bit presumptuous on the State Board of Education and Department of Education's part to decide that Alaskan communities need more local boards?

What authority would these advisory boards have? Would they deal with budgets, curriculum and staffing? The implications of this part of SB 61 could be staggering to morale of teaching staff.

With regard to teacher tenure, I am totally amazed at DOE's disregard for current statutes. The very department which should be promulgating the evaluation process, and viewing evaluation as a means to improve teaching, has instead fallen back on the idea of primitive laws to bring people in line. Why would the DOE determine review committees are needed to consider tenure except for the purpose of outright teacher bashing?

If employers want to improve teaching or the products of public education in the 21st century, they must view employees as a resource. Either they work as a team or they must ball back into negativism and reprisals. This proposed tenure change has no redeeming features for employees but only continues old reactionary attitudes of the 1980's.

Why aren't administrators, principals and superintendents included in this bill? Are they above these provisions?

I would be interested in the number of tenure review committees which would be needed under this legislation. Would they be established on a building, service area or district-wide basis? In the Anchorage district, the bureaucracy created by this proposal would have substantial cost and logistic implications

With regard to the charter schools proposal I must ask why the Alaska DOE would want to create schools, using public funds, but having no requirement of following Alaska statutes? In Anchorage we have all manner of special schools, ranging from ABC Concept, SAVE I & SAVE II, REACH, Stellar Optional, Chugach Optional, and Birchwood to Whaley Center. In all of these examples, requirements of public education under state law are maintained.

Where would the funding come from for charter schools? If money follows the child, will schools losing students be compensated or will they have less money to operate with? Such a scenario would mean the DOE is proposing to diminish resources for children presently attending these schools.

Or is this charter school idea really a ruse for funding of private schools with public money? Presently any district can create successful alternative schools. There are regulations and a state constitution that prohibit the DOE from spending public dollars on private schools. I believe this is a very serious shortcoming of this bill.

Thank you for considering my testimony since I was unable to stay at the teleconference on February 10th. I would be happy to discuss further my concerns in the future.



# NEA-ALASKA

*Affiliated with the National Education Association*

*Draft  
2/17/93*

QUESTIONS - SB 61

SCHOOL TERM

General question:

Currently we have a 180 day school term. If the school term is increased to 200 days, what mandates will the Department of Education consider in order to insure that students actually attend school? Does Alaska have truancy laws? Is the Department of Education considering options to insure that students attend school?

Line 23-28 page 2: By 2000 students will be required to go to school an additional four weeks if this bill passes? Specifically how will increased opportunity for our children (line 13 page 1) be accomplished through four additional weeks of school?

Cost: To determine the cost of four additional weeks, did the Department calculate the current daily cost and multiply by 20? If so, the Department failed to inflation proof the estimate. If inflation is 3% per year, the cost could exceed \$80M?

How will colleges and universities adjust their schedules to accommodate a shorter period of time for teachers to work on advanced degrees or degree mandates during the summer months? (Remember line 4-5 page 2 allows a school to fix the beginning and ending date for a school term.) How will inservice of all school employees be handled with a longer school year? Students who utilize the summer for subsistence purposes or earn money for college will be affected.

FUND FOR THE IMPROVEMENT OF SCHOOL PERFORMANCE

Has the Department formulated tentative regulations to implement this provision? Note line 16-18 new amendment requires the board to adopt regulations concerning grants and grant awards procedures. What is the procedure now?

Line 31 page 2: (Current law) The commissioner has authority to make grants to school districts for the purpose of

improving public school performance. How many teachers have received grants under this program? How many principals? How much was granted in 91-92? 92-93?

#### ADVISORY BOARDS IN SCHOOL DISTRICTS

AS 14.12.035 provides that "borough school district boards may establish advisory school boards, and by regulation shall prescribe their manner of selection, organization, powers and duties" - How many borough school districts have established advisory school boards?

Line 21 page 3: This bill requires a city or borough school district in a community of 50 or more permanent residents shall establish an advisory board at each school.

If school districts can create advisory board now, why does the Department require each school to have a board? How many advisory school boards will be created under the 50 or more population test? Since each school will have a board that will advise the school district board on any matter concerning the schools in the district, how much money will the Department request to fund meeting expenses for each advisory board? What is the estimated cost to establish advisory school boards?

Anchorage has approximately 80 schools so they will have at least 80 advisory school boards. Will these boards be given any legal authority over the school districts budget, personnel, curricular program? How will problems between an advisory boards and the district board be resolved?

#### TENURE

Sec. 14.20.150 repeals current statute and establishes a new procedure to acquire tenure. Line 15 - 18 page 4 grandfathers teachers hired before July 1, 1993 who had not yet acquired tenure rights as of June 30, 1993.

Line 5 page 4: teacher must apply for tenure. The application process is outlined in Sec. 14.20.151 (new section) line 20-31 page 4; line 1-3 page 5.

Line 9 page 4: requires the local tenure review committee to consider employees for tenure. How will the tenure review board work to accomplish that objective?

Line 11 page 4: The teacher must be approved for tenure by the local school board. How is this different from current practice?

Tenure application procedure:

Line 20-22 page 4: Sec. 14.20.151 says a teacher may apply for tenure when the teacher has been offered a third consecutive full-year contract with the same school district. If a contract is offered, does that mean that the administration is recommending the teacher for tenure since a contract is being offered? Can the tenure review committee overturn the offer of a contract?

Line 23-29 page 4: Subsection (b) requires the teacher to submit a request for tenure, evaluations, recommendations and other materials to the superintendent who shall forward materials to the local board and the tenure review committee.

Will both the board and the tenure review committee review process be limited to the materials filed with them by the teacher? How will the teacher be assured that other written or recorded documents will not be considered?

Since the teacher makes application for tenure and voluntarily provides important confidential evaluations, etc. to the superintendent, is the teacher relinquishing his/her right to privacy. If the tenure review board fails to maintain adequate security over these records, what recourse will a teacher have? Does a teacher sue the school district or the tenure review board?

Will members of the tenure review board receive extensive training and certification in the tenure review process? Will they understand teaching methodology, classroom management, special programs, total educational goals of the school district, various approaches to teaching, etc.? Are regulations being considered by the Department of Education to implement this program in each district?

Will members of the tenure review committee be extensively trained in the school districts evaluation process along with the instruments used to evaluate teachers?

Will superintendents be subjected to the same process - two year probationary period, review by a committee similar to the teacher tenure review committee and a vote by the board? Are principals included in this bill?

Line 1-3 page 5: A teacher who is denied tenure will have an additional opportunity to resubmit another request. If the tenure review board denies tenure will specific and understandable reasons be given the teacher for the denial? Will the probationary teacher be assured that the school district will commit the resources (people and money) to insure that the person succeeds? Since the probationary teacher is new to the profession, will additional assistance

from the university be given the teacher? If the school district fails to assist the teacher either during the probationary period or during the denial period, does the teacher have recourse if the school district makes not effort to help the teacher succeed? Will the teacher be denied tenure for cause?

A teacher can reapply for tenure 120 days after the school board's disapproval - why 120 days? What happens during the 120 day period? During that period is the teacher under contract?

Local tenure review committee:

Line 4-16 page 5: Creates a new section allowing the local school board to appoint one or more tenure review committees of 5 to 9 members.

In Anchorage approximately 200 teachers are up for tenure each year. How many tenure review committees are needed - one per building (over 80 buildings in Anchorage)? How many administrative positions would have to be created to staff such bureaucracy, office space, printing, secretarial, etc.?

Will the Department of Education submit a budget request to the legislature for funding to assist districts in paying for this program?

What happens if the school board rejects the tenure recommendations from the tenure review committee?

The committee appears to be stacked and grants too much power to the local board of education. What prohibits them from appointing their friends and family. People who may share a common desire to remove a certain teacher or set in place a practice of granting minimal tenure or no tenure at all to teachers in a school district?

Why is a student on the tenure review committee? The student ex-officio? The student member of the State Board of Education is ex-officio.

Duties of the Tenure Review Committee:

Line 17-31 page 5 and 1-14 page 6: New section 14.20.153 established the duties of the tenure review committee.

What about administrative appeal of a denial? If an administrator whose recommendations is overturned, be given an opportunity to question the tenure review board?

A just cause standard is needed for denial of tenure to a teacher under this process.

Line 13 page 6: If the drafters were trying to appear fair, they would at-least include the procedure for appeal after a denial.

Line 1-3 page 6: The teacher must be assured the right to representation at every level of this process.

Board Review of Committee Recommendations:

Line 20 page 6: Provides the school board shall set out in writing reasons for disapproval of tenure. The tenure review committee should be required to do the same. Reasons should be specific. The written reason for denial should also include specific description of how the teacher must improve in order to achieve tenure.

Denial should be based on just cause.

Breach of confidentiality by either the tenure review committee or the school board should be remedied by granting of immediate tenure status to the teacher.

What happens to the administrator in this process. The administrator has the responsibility to evaluate and direct staff. He/she is responsible for the development of staff. Under this section they have no responsibility specified. Since a major function of administration is being weakened though the tenure review committee process why continue the role of the principal. The board is the employer but the principal who is trained to evaluate and develop the performance of teachers will have no role to perform in recommending the tenure status of teacher her or she worked with throughout the two year period.

CHARTER SCHOOLS

Line 29-31 page 7, all of page 7, 8, 9 and line 1-19 of page 10: creates charter schools.

Line 1 page 7: Limits state to no more than 40 charter schools. What is the fiscal note associated with creation of up to 40 charter schools?

Cost items: Charter school board of directors  
classroom space  
personnel  
administration  
materials  
textbooks  
transportation

Line 30 page 6 and line 3 page 7: How is the initial board of directors of a charter school selected? The bill indicates how the permanent board is established. Note that

the initial board develops the program of the charter school, applies to the board for approval and negotiates a contract with the local board to operate the charter school (Sec. 13. (c) page 7. Why do they do all the work prior to the election of the permanent board?

Sec. 13 (d) page 7: The permanent charter school board is not elected until after the charter school has been approved by the state Board of Education and until after charter school classes begin. This conveniently allow the initial board to slide into the permanent positions. Because of election the permanent board has greater validity, that board should be elected first then proceed to implement the initial phases of the charter school.

Organization and operation of a charter school:

Line 11 page 7: Exempts charter schools from certain requirements. Specifically is a charter school exempt from the following Alaska statutes if this bill passes:

- 14.03.030 - School term
- 14.03.020 - School year
- 14.03.040 - Day in session
- 14.03.060 - elementary, junior high, and secondary schools
- 14.03.070 - school age
- 14.03.080 - free education
- 14.03.090 - sectarian or denominational doctrines prohibited
- 14.03.100 - use of school facilities
- 14.03.120 - education planning

Line 12 page 7: Charter school will operate under its own annual program budget as set out in the contract between the board and the charter school. How does that work? Will money be taken from other programs to fund the charter school? If money follows the child (line 30-31 page 8), will a school losing children to a charter school be compensated or adjusted for the loss in aid? Will the Department of Education fund charter schools from the improvement of school performance fund? specific funding request? Does the local board of directors have the authority to totally control the charter school budget?

Line 21 page 8: The term of the charter school contract will not exceed a term of three years. Do student's return to their original schools after the three year term? How will students be integrated back into their original programs to avoid academic disruption?

Line 19 page 8: Teacher to student ratio - Is the Department recommending an elementary and secondary ratio?

Line 14 page 8: method by which the charter school will account for receipts and expenditures - Will the Department standardize reporting systems? What review procedure will the public have over such receipts and expenditures?

Line 7 page 9: Will transportation costs for charter school students be paid by the charter school?

Line 8 - 10 page 9: Will charter schools be audited annually?

Line 18-19 page 9: The charter school and the local school board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teacher from the district to the charter school - Who pays for the additional classrooms and for the additional teachers reassigned?

Line 23 page 9: Charter schools will not discriminate in selection of students on the basis of intelligence, achievement, aptitude or athletic ability - what about sex, handicap, income level, race, ethnic, etc.? Why just intelligence, achievement, aptitude, athletic ability

Line 26-28 page 9: Why limit bargaining a provision to allow teachers who have seniority the opportunity to transfer to a charter school?

Line 29-31 page 9 and line 1-2 page 10: Will a designated evaluator have opportunities to observe teaching performance? Will the designated evaluator have an opportunity to inter-react with a charter school teacher on a daily basis? Does this not weaken the evaluation process?

02/10/93  
14:12:10

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:30209 SCHEDULED FOR:02/10/93 13:30 TO 15:30  
PUBLIC HEARING SENATE HEALTH, EDUCATION & SOCIAL SERVIC

LTN1150  
BY:ANC  
FOR:ANC

LOCATION: ANCHORAGE

SB 61	✓ RICH	KRONBERG	TESTIFY
SB 61	✓ DAVID	SCHWANTES	TESTIFY
SB 61	✓ ROB	PFISTERER	TESTIFY
SB 61	✓ KATHY	MCCORD	TESTIFY

02/10/93  
13:49:13

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:30209 SCHEDULED FOR:02/10/93 13:30 TO 15:30  
PUBLIC HEARING SENATE HEALTH, EDUCATION & SOCIAL SERVIC

LTN1150  
BY:FBX  
FOR:FBX

LOCATION: FAIRBANKS

SB 61	✓ BONNIE	BARBER	FEA	TESTIFY
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02/10/93  
14:27:56

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (TESTIFIERS ONLY)  
TCN:30209 SCHEDULED FOR:02/10/93 13:30 TO 15:30  
PUBLIC HEARING SENATE HEALTH, EDUCATION & SOCIAL SERVIC

LTN1150  
BY:MAT  
FOR:MAT

LOCATION: MATSU

SB 61	MS ✓ PAMELA	CONRAD	TESTIFY
SB 61	MR <del>RONALD</del>	BERGEY	TESTIFY
SB 61	MR ✓ JOHN	CYR	TESTIFY

02/10/93  
13:30:41

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:30209 SCHEDULED FOR:02/10/93 13:30 TO 15:30  
PUBLIC HEARING SENATE HEALTH, EDUCATION & SOCIAL SERVIC

LTN1150  
BY:SQL  
FOR:SQL

LOCATION: KEN/SQL

SB 61	✓ MRS. MARY	RUBADEAU	KFRSD	TESTIFY
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Richard Kronberg 522-1080

3511 Chiniak Bay Drive 02/05/93

Anchorage AK 99515 C

VOTE TO DEFEAT SB 61. WHATEVER PROBLEMS PUBLIC  
EDUCATION HAS THIS BILL WILL ONLY MAKE THEM WORSE.  
FOR EXAMPLE, POLITICIZING TENURE DECISIONS WILL  
NOT IMPROVE TEACHING IT WILL ONLY PRODUCE MINDLESS  
TEACHERS. I URGE YOU  
TO DEFEAT THE BILL.

Kris Mutholland 344-4875

337 Bailey Avenue no 30 02/05/93

Anchorage AK 99515 C

I STRONGLY ENCOURAGE A NO VOTE ON SB 53 AND SB 55.

*See below for...*



(1)  
passed

8-GS1033VA.3  
Ford  
2/15/93

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR SALO

TO: SB 61

Page 3, line 1:

Delete "[TO A DISTRICT LOCATED IN THE STATE]"

Insert "to a district located in the state"



## TENURE AMENDMENT

- (a) Except as provided in (c) of this section a teacher acquires tenure rights in a district when the teacher:
- (1) posses a standard teaching certificate;
  - (2) has been employed as a teacher in the same district continuously for two full school years and is reemployed for the school year immediately following the two full school years.
- (b) The tenure rights acquired under (a) of this section become effective on the first day the teacher performs teaching services in the district during the school year immediately following the two full school years.

Sec. 10. AS 14.20.150 is amended by adding new subsections to read:

- (c) A school district that has a non-tenured teacher evaluation program may extend the probationary period of a non-tenured teacher who is employed in the school district by one year if the district has satisfied the requirements of this subsection and based on the evaluation of the teaching performance of the non-tenure teacher. The provisions of (a) and (b) of this section apply to non-tenured teachers except that a teacher in a third year of probation does not acquire tenure rights unless reemployed for the school year immediately following the three full continuous school years. The district may extend the period of non-tenure for one additional year (1) if the evaluator conducts the evaluations according to Administrative Code, Chapter 19; and according to provisions of this section and (2) if a non-tenured teacher is making progress toward tenure.

The district shall strictly comply with this sub-section by providing a non-tenured teacher, during each year of the teacher's non-tenure, with a minimum of two formal observations and two evaluation sessions to include:

- (1) pre-observation/evaluation conference
- (2) a formal visit by an evaluator to the teacher's instruction site to observe the teacher while the teacher is teaching
- (3) Post observation/evaluation conference to discuss the teacher's instructional delivery, planning, interpersonal skills, knowledge of the subject matter and other professional qualities.

- (4) For non-tenured teachers who are not performing successfully, specific measurable and relevant objectives that the non-tenured employee must achieve to be successful, will be identified.
  - (5) Evaluators will receive or demonstrate they have received inservice training on the evaluation policy and procedure of the school district.
  - (6) Each school district shall invite, obtain, and consider community input, including that of students, parents, teachers and administrators in the design of the procedure and content for evaluation
- (d) A teacher who was hired by a district before July 1, 1993, who had not yet acquired tenure rights on June 30, 1994 and who was continuously employed by the district from the date of hire acquire tenure rights in the district in accordance with AS 14.20.150 as it existed on June 30, 1993.
- In this section, "probationary teacher" means a teacher who has not acquired tenure rights.

02/08/93  
13:32:42

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)

LTN1150  
BY:ANC  
FOR:ANC

TCN:30182 SCHEDULED FOR:02/08/93 13:30 TO 15:00  
PUBLIC HEARING SENATE HEALTH, EDUCATION & SOCIAL SERVIC

LOCATION: ANCHORAGE  
SB 61

ABBY

HENSLEY

PTA

TESTIFY

ALSO JUDY NORTON (AT ANOTHER SITE)



FEB 10 '93 09:18

P.O. Box 129  
Russian Mission, AK 99507  
February 8, 1993

RE: SB 61 (Education 2000)

Gentlemen:

While many of the components of SB 61 have merit, they each need to be considered separately, as some issues have not been carefully thought out--thus creating new problems even more serious than the present situation.

Passing SB 61 would be like rushing to remedy a broken arm by putting on a cast--without first resetting the bone: at first glance, the reinforcement would seem to strengthen the limb, but without an internal "straightening" the result would be worse than no help at all.

One issue we feel needs to be re-examined especially is the longer school year. "More" is not "better" if there has been little prior planning. Tacking on an addition 20 days without a complete change in curriculum and approach would be useless.

How could teachers keep current in their field when they usually attend summer classes themselves? Without the extra month it would be difficult or impossible to schedule needed summer school study.

Also, the question of how this would be financed has not been addressed. Educational funds are lacking now, so where would the extra dollars come from?

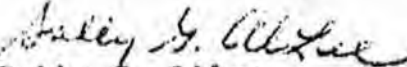
The above examples address only one of the bill's inadequacies. As professional educators of more than 16 years, we agree education needs revamping, but not by rushing in with a band-aid solution.

Just as a knowledgeable person would not attempt surgery without experienced medical personnel, the state should not try to remedy our educational problems without greater input from professional educators, who were greatly underrepresented in the formation of this bill. The issue needs further study with a stronger representation of the professionals who must implement the plan.

~~We urge you to veto this bill.~~ As currently written, SB 61 does not meet the needs of the people it is meant to serve--~~it is~~ future generations. The legislature needs to reconsider our priorities, then formulate a more well-thought-out solution.

Sincerely,

  
Guy L. AlLee  
K-12 School Counselor

  
Sally C. AlLee  
4-12 English/Reading teacher