

SB

132

SFIN

FILE

Amend #1 RH - Duty-free time Adopted
RP p. 3 Delete Sec. 7 - Adopted
Amend #1-A Adopted
Amend re: Judicial Review - Adopted
Amend #4 Adopted (interest)
Amend #3 Adopted

9-LS0838\K

Draft
CS FOR SENATE BILL NO. 132(JUD) ~~Fin~~

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/11/95
Referred: Finance

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to teacher tenure, teacher layoff and rehire rights, review of
2 decisions of school boards concerning teachers, and to a retirement incentive
3 program for employees of school districts and regional educational attendance
4 areas; repealing the requirement for duty-free mealtime for teachers in certain
5 school facilities; and providing for an effective date."

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

7 • Section 1. AS 14.20.147(b) is amended to read:

8 (b) When a school operated by a federal agency is transferred to or absorbed
9 into a new or existing school district, the teachers shall also be transferred if mutually
10 agreed by the teacher or teachers and the school board of the new or existing district.
11 A teacher transferred from a federal agency school ~~that~~ [, WHICH] does not have an
12 official salary schedule or teacher tenure in the same manner as a public school district
13 in the state [,] shall be placed on a position on the salary schedule of the absorbing

1 district; the salary may not be less than the teacher would have received in the federal
2 agency school. If the teacher taught five [TWO] or more years in the federal agency
3 school and, at the time of transfer, had a valid Alaska teaching certificate, that teacher
4 shall be placed on tenure in the absorbing district.

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

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

8 (1) possesses a standard teaching certificate;

9 (2) has been employed as a teacher in the same district continuously
10 for five [TWO] full school years and is reemployed for the school year immediately
11 following the five [TWO] full school years.

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

15 * Sec. 3. AS 14.20.160 is amended to read:

16 Sec. 14.20.160. LOSS OF TENURE RIGHTS. Tenure rights are lost when the
17 teacher's employment in the district is interrupted or terminated. However, a teacher
18 on layoff status does not lose tenure rights during the period of layoff except as
19 provided (by regulation adopted) under AS 14.20.177. *delete Amend 1-A Adopted*

20 * Sec. 4. AS 14.20.175(b) is amended to read:

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

23 (1) incompetency, which is defined as the inability or the unintentional
24 or intentional failure to perform the teacher's customary teaching duties in a
25 satisfactory manner;

26 (2) immorality, which is defined as the commission of an act that,
27 under the laws of the state, constitutes a crime involving moral turpitude; or

28 (3) substantial noncompliance with the school laws of the state, the
29 regulations or bylaws of the department, the bylaws of the district, or the written rules
30 of the superintendent; OR

31 (4) A NECESSARY REDUCTION OF STAFF OCCASIONED BY A

1 DECREASE IN SCHOOL ATTENDANCE].

2 * Sec. 5. AS 14.25 is amended by adding a new section to read:

3 Sec. 14.20.177. LAYOFFS. (a) A school district may place a teacher who has
4 acquired tenure rights on layoff status but only if it is necessary for the district to
5 reduce the number of teachers

6 (1) because of a decrease in school attendance or school district
7 revenue; or

8 (2) to better meet the academic program needs of the district.

9 (b) The department shall adopt regulations to establish

10 (1) procedures under which a district may lay off tenured teachers;

11 (2) the length of time that a teacher retains rehire rights after a layoff;

12 (3) the circumstances under which a teacher may lose rehire rights after
13 a layoff; and

14 (4) other provisions to implement this section.

15 * Sec. 6. AS 14.20.205 is amended to read:

16 Sec. 14.20.205. JUDICIAL REVIEW. If a school board reaches a decision
17 unfavorable to a tenured teacher, the tenured teacher is entitled to appeal the
18 decision to [A DE NOVO TRIAL IN] the superior court. The scope of judicial
19 review shall be the same as an appeal from a decision of an administrative agency
20 under AS 44.62 Administrative Procedure Act. A [HOWEVER, A] teacher who
21 is not tenured [HAS NOT ATTAINED TENURE RIGHTS] is not entitled to judicial
22 review under [ACCORDING TO] this section.

RP
Adopted
Deletion

23 ~~Sec. 7. AS 23.40 is amended by adding a new section to read:~~

24 ~~Sec. 23.40.185. SCHOOL DISTRICT NEGOTIATIONS OPEN TO THE~~
25 ~~PUBLIC. Negotiations between a school district or regional educational attendance~~
26 ~~area and a bargaining organization representing its employees shall be conducted at~~
27 ~~meetings that are open to the public.~~

28 * Sec. 8. FINDINGS AND PURPOSE OF RETIREMENT INCENTIVE PROGRAM.

29 Many school districts are facing the need to restructure their operations and their work forces
30 in order to reduce expenditures and balance budgets. Retirement incentives is a management
31 tool that has been used extensively by the private sector, the federal government, and other

1 state and local governments across the country. The purpose of secs. 8 - 17 of this Act is to
2 make that management tool temporarily available to school districts of the state. Sections 8 -
3 17 of this Act will enable school districts to be more efficient and cost-effective by
4 eliminating certain non-essential positions, and producing a net reduction in personnel costs.

5 • Sec. 9. RETIREMENT INCENTIVE PROGRAM. (a) A school district may adopt a
6 retirement incentive plan under secs. 10 and 11 of this Act and designate categories of
7 employees eligible to participate in the plan. A school district need not extend the incentive
8 plan to all employees who would otherwise be eligible, but may choose to extend the plan
9 only to employees

10 (1) in specific budget or administrative components of the school district;

11 (2) in specific job classifications;

12 (3) in specific geographic locations; or

13 (4) on the basis of any combination of factors set out in (1) - (3) of this
14 subsection.

15 (b) An employee is eligible to participate in a retirement incentive plan under secs. 8 -
16 17 of this Act only if

17 (1) the employee is a vested member of the public employees' retirement
18 system or the teachers' retirement system;

19 (2) the employee will be qualified to retire under AS 14.25.110 or
20 AS 39.35.370 after receipt of the credit described in (f) of this section;

21 (3) the savings to the school district in personal services costs for the
22 employee's position will exceed the costs to the school district for that position within three
23 years after the employee is appointed to retirement.

24 (c) A school district shall file its proposed retirement incentive plan with the
25 commissioner of administration. The commissioner shall approve the plan if the plan meets
26 the requirements of secs. 8 - 17 of this Act. A proposed plan filed under this section must

27 (1) identify job classifications of employees, and specific budget or
28 administrative components, eligible to participate in the plan;

29 (2) include a reimbursement agreement that

30 (A) requires the school district, for each employee who retires under
31 the plan, to reimburse the appropriate retirement system, within three years after the

1 end of the fiscal year in which the employee is appointed to retirement, in an amount
2 equal to

3 (i) the actuarial equivalent of the difference between the benefits
4 the participant receives after the addition of the credit under (f) of this section
5 and the amount the participant would have received without the credit, less the
6 amount the participant has paid on the indebtedness determined under (d) or (e)
7 of this section; and

8 (ii) an appropriate share of the administrative costs of the
9 program; and

10 (B) provides that contributions from the school district under this
11 section take priority over other obligations of the employer to the maximum extent
12 permitted by law

13 (d) A member of the teachers' retirement system who participates in an approved
14 retirement incentive plan under secs. 8 - 17 of this Act is indebted to that system for an
15 amount calculated under this subsection. The indebtedness is 25.95 percent of the member's
16 actual compensation for the school year in which the member terminates employment, or the
17 calculated school year compensation for a member who works less than the entire school year.
18 An outstanding indebtedness at the time a member is appointed to retirement under an
19 approved retirement incentive plan requires an actuarial adjustment to the benefits payable to
20 that member.

21 (e) A member of the public employees' retirement system who participates in an
22 approved retirement incentive plan under secs. 8 - 17 of this Act is indebted to that system
23 for an amount calculated under this subsection. The indebtedness is 20.14 percent of the
24 member's actual annual compensation for the year in which the member terminates
25 employment, or the calculated annual compensation for a member who works fewer than 12
26 months. An outstanding indebtedness at the time a member is appointed to retirement under
27 an approved retirement incentive plan requires an actuarial adjustment to the benefits payable
28 to that member.

29 (f) An employee who participates in an approved retirement incentive plan under
30 sec. 8(1) of this Act receives a credit of three years. The three years shall be applied in
31 the following order until exhausted:

1 (1) to meet the age or service required for eligibility for normal retirement
2 under AS 14.25.110 or AS 39.35.370, as appropriate;

3 (2) to meet the age required for early retirement under AS 14.25.110 or
4 AS 39.35.370, as appropriate;

5 (3) to reduce the actuarial adjustment required for early retirement under
6 AS 14.25.110 or AS 39.35.370, as appropriate;

7 (4) as years of credited service for calculating retirement benefits.

8 * Sec. 10. AUTHORIZATION FOR RETIREMENT INCENTIVE FOR SCHOOL
9 DISTRICT EMPLOYEES IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM. (a)

10 The school board of a school district that has elected to participate in the public employees'
11 retirement system under AS 39.35.550 - 39.35.650 may adopt, and file with the commissioner
12 of administration for approval, a proposed retirement incentive plan for its employees. A plan
13 adopted under this section must provide that the application period for participation in the
14 retirement incentive plan is December 31, 1995 through June 30, 1996.

15 (b) The commissioner of administration may not accept the application of an employee
16 to participate in an approved retirement incentive plan adopted under this section unless the
17 employee will be appointed to retirement on or before February 1, 1997. In a plan adopted
18 under this section, a school board may set an earlier date by which an employee must be
19 appointed to retirement in order to participate in the plan.

20 * Sec. 11. AUTHORIZATION FOR RETIREMENT INCENTIVE FOR SCHOOL

21 DISTRICT EMPLOYEES IN THE TEACHERS' RETIREMENT SYSTEM. (a) A school

22 board may adopt, and file with the commissioner of administration for approval, a proposed
23 retirement incentive plan for employees of the school district who are members of the
24 teachers' retirement system. A plan adopted under this section must provide that the
25 application period for participation in the retirement incentive plan is June 30, 1995 through
26 December 31, 1995.

27 (b) The commissioner of administration may not accept the application of an employee
28 to participate in an approved retirement incentive plan adopted under this section unless the
29 employee will be appointed to retirement on or before August 1, 1996. The school board, in
30 a plan adopted under this section, may set an earlier date by which an employee must be
31 appointed to retirement in order to participate in the plan.

1 * Sec. 12. RECOVERY OF EMPLOYER DELINQUENCIES. To recover a delinquency
2 owed by a school district under an agreement entered into under sec. 9(c)(2) of this Act, the
3 Department of Administration may

4 (1) direct that the amount of the delinquency or a lesser amount be withheld
5 from any money payable to the school district by a state department or agency and that the
6 amount withheld be credited to the delinquency; and

7 (2) bring an action against the school district.

8 * Sec. 13. REEMPLOYMENT INDEBTEDNESS; PROHIBITION ON
9 REEMPLOYMENT. (a) If an individual is reemployed as a member of the public employees'
10 retirement system under AS 39.35, the teachers' retirement system under AS 14.25, the judicial
11 retirement system under AS 22.25, or the optional university retirement program under
12 AS 14.40.661 - 14.40.799 after appointment to retirement under secs. 8 - 17 of this Act, that
13 individual forfeits the incentive credit received under sec. 9(f) of this Act and is indebted to
14 the system under which the individual took retirement. The indebtedness is 110 percent of
15 the amount the individual received as a result of participation in a retirement incentive plan
16 under secs. 8 - 17 of this Act and to which the individual would not otherwise have been
17 entitled, including the cost of health insurance. The amount that the individual has paid under
18 sec. 9(d) or (e) of this Act will be applied as a credit toward the reemployment indebtedness.
19 Interest on the reemployment indebtedness accrues from the date of reemployment until the
20 date that the individual either is appointed to retirement and accepts an actuarial adjustment
21 to the individual's future benefits or repays the indebtedness in full. The rate of interest is that
22 established by regulation for the public employees' retirement system by the public employees'
23 retirement board and for the teachers' retirement system by the teachers' retirement board.

24 (b) An individual who was appointed to retirement under secs. 8 - 17 of this Act may
25 not be employed by, or enter into a contract for personal services with, a state agency or the
26 University of Alaska within the three years after the date of appointment to retirement, except
27 that

28 (1) the University of Alaska may enter into a personal services contract with
29 the individual for teaching or research; and

30 (2) the individual may accept employment with the legislature during a
31 legislative session if the employment is on an hourly basis and does not entitle the individual

1 to receive retirement, health, or leave benefits.

2 (c) Notwithstanding the prohibition in (b) of this section, a state agency or the
3 University of Alaska may enter into a personal services contract with an individual who was
4 appointed to retirement under secs. 8 - 17 of this Act if the Board of Regents, for the
5 University of Alaska, or the commissioner of administration, for a state agency, determines
6 that there is a compelling reason to do so because of the individual's specialized or extensive
7 experience that relates to a particular program or project of the state agency or university.

8 * **Sec. 14. OFFICE OF MANAGEMENT AND BUDGET.** (a) The office of management
9 and budget shall submit to the legislature annual reports on the retirement incentive program
10 under secs. 8 - 17 of this Act beginning January 15, 1997, and continuing through January 15,
11 1999, and shall submit a final report January 15, 2000. Each report must provide the
12 information necessary for the legislature to evaluate the effectiveness of the program in
13 achieving its objectives. The report must include information on the designated employee
14 categories under the incentive program, including the cost of each incentive program per
15 participant, the cost to the school district, the cost to the employee, the number of positions
16 deleted or left vacant, and the projected or actual net savings over the three-year period.

17 * **Sec. 15. PROGRAM CHANGES.** An individual employee does not have a vested or
18 contractual right to a benefit under secs. 8 - 17 of this Act until an agreement is executed with
19 the commissioner of administration that specifically authorizes that employee to participate
20 in the retirement incentive program under secs. 8 - 17 of this Act. The legislature reserves
21 the right to change any aspect of the retirement incentive program as it relates to employees
22 for whom participation agreements have not yet been executed with the commissioner of
23 administration.

24 * **Sec. 16. REGULATIONS.** The commissioner of administration may adopt regulations
25 under AS 44.62 (Administrative Procedure Act) to implement and interpret secs. 8 - 17 of this
26 Act.

27 * **Sec. 17. DEFINITIONS.** (a) Unless provided otherwise in secs. 8 - 17 of this Act, the
28 definitions set out in AS 14.25.220 apply to provisions in secs. 8 - 13 of this Act that relate
29 to the teachers' retirement system and members of the teachers' retirement system.

30 (b) Unless provided otherwise in secs. 8 - 17 of this Act, the definitions set out in
31 AS 39.15.950 apply to provisions in secs. 8 - 13 of this Act that relate to the public

1 employees' retirement system and members of the public employees' retirement system.

2 (c) In secs. 8 - 17 of this Act,

3 (1) "office of management and budget" means the office of management and
4 budget in the Office of the Governor;

5 (2) "public employees' retirement system" means the Public Employees'
6 Retirement System of Alaska (AS 39.35);

7 (3) "school district" means a city or borough school district or a regional
8 educational attendance area;

9 (4) "teachers' retirement system" means the Teachers' Retirement System of
10 Alaska (AS 14.25).

11 * Sec. 18. The amendments made by secs. 1 - 2 of this Act apply to teachers first hired
12 by a school district on or after the effective date of this Act.

13 * Sec. 19. AS 14.20.097 is repealed.

14 * Sec. 20. Section 9 of this Act is repealed July 1, 1999.

15 * Sec. 21. Sections 10 and 11 of this Act are repealed July 1, 1997.

16 * Sec. 22. This Act takes effect immediately under AS 01.10.070(c).

1 RH
9-LS0838\K.4 ✓
Cramer
4/12/95

SR
3
Adopted
4-13-95

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 132(JUD)

- 1 Page 1, line 4:
- 2 Delete "repealing"
- 3 Insert "amending"

- 4 Page 1, after line 6:
- 5 Insert a new bill section to read:
- 6 ** Section 1. AS 14.20.097 is amended to read:
- 7 Sec. 14.20.097. DUTY-FREE TIME. Each governing body shall allow its
- 8 teachers in school facilities with four or more teachers a daily duty-free mealtime of
- 9 at least 30 minutes [BETWEEN 11:00 A.M. AND 1:00 P.M]."

- 10 Page 1, line 7:
- 11 Delete "Section 1"
- 12 Insert "Sec. 2"

- 13 Renumber the following bill sections accordingly.

- 14 Page 4, line 1:
- 15 Delete "8 - 17"
- 16 Insert "9 - 18"

- 17 Page 4, lines 2 - 3:
- 18 Delete "8 - 17"
- 19 Insert "9 - 18"

1 Page 4, line 6:

2 Delete "10 and 11"

3 Insert "11 and 12"

4 Page 4, lines 15 - 16:

5 Delete "8 - 17"

6 Insert "9 - 18"

7 Page 4, line 26:

8 Delete "8 - 17"

9 Insert "9 - 18"

10 Page 5, line 14:

11 Delete "8 - 17"

12 Insert "9 - 18"

13 Page 5, line 22:

14 Delete "8 - 17"

15 Insert "9 - 18"

16 Page 5, line 30:

17 Delete "8 - 17"

18 Insert "9 - 18"

19 Page 7, line 2:

20 Delete "9(c)(2)"

21 Insert "10(c)(2)"

22 Page 7, line 12:

23 Delete "8 - 17"

24 Insert "9 - 18"

- 1 Page 7, line 13:
- 2 Delete "9(f)"
- 3 Insert "10(f)"

- 4 Page 7, line 16:
- 5 Delete "8 - 17"
- 6 Insert "9 - 18"

- 7 Page 7, line 18:
- 8 Delete "9(d) or (e)"
- 9 Insert "10(d) or (e)"

- 10 Page 7, line 24:
- 11 Delete "8 - 17"
- 12 Insert "9 - 18"

- 13 Page 8, line 4:
- 14 Delete "8 - 17"
- 15 Insert "9 - 18"

- 16 Page 8, line 10:
- 17 Delete "8 - 17"
- 18 Insert "9 - 18"

- 19 Page 8, line 18:
- 20 Delete "8 - 17"
- 21 Insert "9 - 18"

- 22 Page 8, line 20:
- 23 Delete "8 - 17"
- 24 Insert "9 - 18"

1 Page 8, line 25:
2 Delete "8 - 17"
3 Insert "9 - 18"

4 Page 8, line 27:
5 Delete "8 - 17"
6 Insert "9 - 18"

7 Page 8, line 28:
8 Delete "8 - 13"
9 Insert "9 - 14"

10 Page 8, line 30:
11 Delete "8 - 17"
12 Insert "9 - 18"

13 Page 8, line 31:
14 Delete "8 - 13"
15 Insert "9 - 14"

16 Page 9, line 2:
17 Delete "8 - 17"
18 Insert "9 - 18"

19 Page 9, line 11:
20 Delete "1 - 2"
21 Insert "2 - 3"

22 Page 9, line 13:
23 Delete all material.

24 Renumber the following bill sections accordingly.

- 1 Page 9, line 14:
- 2 Delete "Section 9"
- 3 Insert "Section 10"

- 4 Page 9, line 15:
- 5 Delete "10 and 11"
- 6 Insert "11 and 12"

4-13-95
Adopted
BS

9-LS08381K.1
Cramer
4/11/95

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 132(JUD)

SENATE FINANCE
COMMITTEE
Amendment Number: 1-A
Bill Number: SB 132
Sponsor: DRACP Date: 4/12/95
Logged In By: JFP

1 Page 2, line 19:
2 Delete "by regulation adopted"

3 Page 3, lines 9 - 14:
4 Delete all material and insert:

5 (b) For a period of three years after layoff, a teacher is on layoff status and
6 is entitled to a hiring preference in the district or regional educational attendance area
7 where the teacher had been employed. The hiring preference applies only to vacant
8 teaching positions for which the teacher is qualified. If a teacher is offered a teaching
9 position under this subsection and the teacher declines the offer, the teacher is no
10 longer considered to be on layoff status and is no longer entitled to a hiring
11 preference under this section.

12 (c) In making layoff and rehire decisions under this section, a school district
13 may lay off or fail to rehire a secondary school teacher who has more seniority than
14 a primary school teacher in order to give preference to a teacher skilled in teaching
15 at the primary school level. The district may also give preference to a secondary
16 school teacher over a primary school teacher with more seniority in order to preserve
17 secondary school programs.

18 (d) Notwithstanding any provision of AS 23.40, the terms of a collective
19 bargaining agreement entered into between a school district or regional educational
20 attendance area and a bargaining organization representing teachers on or after the
21 effective date of this section may not be inconsistent with the provisions of this
22 section.

23 (e) A teacher on layoff status is not entitled to be reemployed under
24 AS 14.20.145 and does not accrue leave. Time spent on layoff status does not count

1 toward the acquisition of tenure rights. However, layoff status does not constitute a
2 break in service for

- 3 (1) determining eligibility for tenure;
- 4 (2) retaining acquired tenure rights; or
- 5 (3) retaining accrued sick leave.

4/13/95
Adopted
as
amended
4-13-95

Amendment

Amendment to the Code
to Amend Section 14-20-205

P. 3 Sec. 6 Trial de novo

Section AS 14-20-205 is amended to read:

Sec. 14-20-205. JUDICIAL REVIEW. If a school board reaches a decision unfavorable to a teacher, the teacher is entitled to mandatory, advisory arbitration conducted by a neutral third party and ^{either party is entitled} ~~if the decision of the school board remains unfavorable to the teacher,~~ ^{subsequent} judicial review based on the record (A DE NOVO TRIAL) in the superior court. However, a teacher who has not attained tenure rights is not entitled to arbitration or judicial review under (ACCORDING TO) this section.

(Either party should have the right to judicial review)

Adopted
4-13-95

Amendment

By R.eyer

Page 4, Line 17

after "insure" insert ", plus interest"

SENATE FINANCE
COMMITTEE

Amendment Number: 4

Bill Number: SB 132

Sponsor: R.eyer Date: 4/12/95

Logged In By: [Signature]

4-13-95
Adopted

Amendment

By Rieyer

Page 7, Line 23

Immediately preceding the period at
the end of the sentence on line 23,
insert new language as follows:

" , but may not be less than the
~~unassumed~~ projected rate of earnings assumed
by the board in its actuarial calculations
for the retirement fund "

SENATE FINANCE
COMMITTEE
Amendment Number: 3
Bill Number: SB 132
Sponsor: Rieyer Date: 4/12/95
Logged In By: JK

MEMORANDUM

TO: Senate Finance Committee Members
FROM: Senate Finance Committee Staff
DATE: April 19, 1995
SUBJECT: Tenure/evaluation amendments discussed two years ago

=====

During last week's meeting the committee briefly discussed tenure amendments which were discussed two years ago.

Attached are the specific amendments:

Senator Salo provided the proposed amendment regarding evaluation of both teachers and administrators to SB 61 in 1993.

NEA provided their proposed amendment concerning tenure and an evaluation process.

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 2004) to improve"
Insert "improving"

Page 4, line 1 through page 5, line 12.

Delete all material
Insert new bill sections to read:

* Sec. 9. AS 14.20.150 is amended to read:

Sec. 14.20.150. 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 5, line 30:

Delete "12 - 19"

Insert "11 - 13"

Page 7, line 6:

Delete "13(e)"

Insert "12(e)"

Page 10, line 5:

Delete "12 - 19"

Insert "11 - 13"

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-tenured 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.

Page 2

TENURE AMENDMENT

March 3, 1992

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

A M E N D M E N T

OFFERED IN THE SENATE

BY: SENATOR ZHAROFF

TO: CS SB 132(FIN) Work Draft 9-LS038/M

1 Page 1, lines 1 - 2:

2 Delete "to review of decisions of school boards concerning teachers"

3 Insert "teacher arbitration rights"

4 Page 4, lines 7-13

5 Delete all material

6 Insert new sections to read:

7 • Sec. 7. AS 14.20.180(b) is amended to read:

8 (b) The tenured teacher may, within 15 days immediately following receipt
9 of the notification, notify the employer in writing that arbitration under
10 AS 09.43.010 - 09.43.180 [A HEARING BEFORE THE SCHOOL BOARD] is
11 requested. The tenured teacher may require in the notification that the arbitration
12 hearing be either public or private [AND THAT THE HEARING BE UNDER OATH
13 OR AFFIRMATION, THE NOTIFICATION MAY ALSO REQUIRE THAT THE
14 RIGHT OF CROSS-EXAMINATION BE PROVIDED AND THAT THE TENURED
15 TEACHER BE REPRESENTED BY COUNSEL AND HAVE THE RIGHT TO
16 SUBPOENA A PERSON WHO HAS MADE ALLEGATIONS THAT ARE USED
17 AS A BASIS FOR THE DECISION OF THE EMPLOYER].

18 • Sec. 8. AS 14.20.190(c) is amended to read:

19 (c) Upon receipt of the notification requesting an arbitration [A] hearing, the
20 employer and the employee shall immediately arrange for a hearing [AND SHALL
21 NOTIFY THE TENURED TEACHER OR ADMINISTRATOR IN WRITING OF
22 THE DATE, TIME, AND PLACE OF THE HEARING. A WRITTEN
23 TRANSCRIPT, TAPE, OR SIMILAR RECORDING OF THE PROCEEDINGS
24 SHALL BE KEPT. TRANSCRIBED COPIES SHALL BE FURNISHED TO THE

2 .EACHE. A FINAL DECISION OF THE SCHOOL BOARD REQUIRES A
3 MAJORITY VOTE OF THE MEMBERSHIP. THE VOTE SHALL BE BY ROLL
4 CALL. THE FINAL DECISION SHALL BE WRITTEN AND CONTAIN SPECIFIC
5 FINDINGS OF FACT AND CONCLUSIONS OF LAW.] A written notification of
6 the arbitration decision shall be furnished to the tenured teacher and the employer
7 within 10 days after [OF] the date of the decision. Either party may apply to the
8 court to confirm, vacate, modify, or correct the arbitration decision in
9 accordance with AS 09.43.110 - 09.43.130.

10 * Sec. 9. AS 14 20 205 is repealed and reenacted to read:

11 Sec. 14 20 205. JUDICIAL REVIEW. Judicial review of a decision or award
12 in arbitration under AS 14 20.180 shall be as provided in AS 09.43.010 - 09.43.180."

13 Renumber the following bill section accordingly.

Amendment

By Rieger

Page 7, Line 13

SENATE FINANCE
COMMITTEE

Amendment Number: 6

Bill Number: SB 132

Sponsor: Rieger Date: 4/12/95

Logged In By: JFR

delete "repealed"

replace with: amended to read:

Sec 14.20.097. Duty Free Time. Each
governing body shall allow its ^{full-time} teachers in
school facilities ~~with four or more teachers a daily~~

with four or more teachers a daily
[BETWEEN 11:00 AM. AND 1:00 P.M.]
duty-free mealtime of at least 30 minutes
during the period
not sooner than 2 hours before the start

of the teacher's shift and not later than
2 hours prior to the end of the teacher's
shift.

Amendment #8

By Rieger

Page 2, Line 15, Insert a new section to read:

"A school district must perform evaluations of a non-tenured teacher at least during the first year, second year and fourth year of the teacher's non-tenured service. For purposes of this section, "evaluation" means at least two formal observations and one formal evaluation session."

SENATE FINANCE
COMMITTEE

Amendment Number: 8

Bill Number: SB 132

Sponsor: R. Rieger Date: 4/13/95

Logged In By: JML

4-13-95
SR
Will not
offer

Amendment

By Rieger

Page 8, Line 16

delete "over the three-year period"

replace with "since the commencement of
the incentive program"

SENATE FINANCE
COMMITTEE
Amendment Number: 5
Bill Number: SB 132
Sponsor: Rieger Date: 4/13/95
Logged In By: [Signature]

4/19/75

Adopted: Negotiations to Public (M.L. Ser. D)
Adopted: Career Path (Pieger)

9-LS0838WM
Cramer
4/13/95

CS FOR SENATE BILL NO. 132(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to teacher tenure, teacher layoff and rehire rights, review of
2 decisions of school boards concerning teachers, and to a retirement incentive
3 program for employees of school districts and regional educational attendance
4 areas; amending the requirement for duty-free mealtime for teachers in certain
5 school facilities; and providing for an effective date."

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

7 • Section 1. AS 14.20.097 is amended to read:

8 Sec. 14.20.097. DUTY-FREE TIME. Each governing body shall allow its
9 teachers in school facilities with four or more teachers a daily duty-free mealtime of
10 at least 30 minutes [BETWEEN 11:00 A.M. AND 1:00 P.M].

11 • Sec. 2. AS 14.20.147(b) is amended to read:

12 (b) When a school operated by a federal agency is transferred to or absorbed
13 into a new or existing school district, the teachers shall also be transferred if mutually

1 agreed by the teacher or teachers and the school board of the new or existing district.
2 A teacher transferred from a federal agency school ~~that~~ [. WHICH] does not have an
3 official salary schedule or teacher tenure in the same manner as a public school district
4 in the state [,] shall be placed on a position on the salary schedule of the absorbing
5 district; the salary may not be less than the teacher would have received in the federal
6 agency school. If the teacher taught ~~five~~ [TWO] or more years in the federal agency
7 school and, at the time of transfer, had a valid Alaska teaching certificate, that teacher
8 shall be placed on tenure in the absorbing district.

9 • Sec. 3. AS 14.20.150 is amended to read:

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

12 (1) possesses a standard teaching certificate;

13 (2) has been employed as a teacher in the same district continuously
14 for ~~five~~ [TWO] full school years and is reemployed for the school year immediately
15 following the ~~five~~ [TWO] full school years.

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

19 • Sec. 4. AS 14.20.160 is amended to read:

20 Sec. 14.20.160. LOSS OF TENURE RIGHTS. Tenure rights are lost when the
21 teacher's employment in the district is interrupted or terminated. However, a teacher
22 on layoff status does not lose tenure rights during the period of layoff except as
23 provided under AS 14.20.177.

24 • Sec. 5. AS 14.20.175(b) is amended to read:

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

27 (1) incompetency, which is defined as the inability or the unintentional
28 or intentional failure to perform the teacher's customary teaching duties in a
29 satisfactory manner;

30 (2) immorality, which is defined as the commission of an act that,
31 under the laws of the state, constitutes a crime involving moral turpitude; ~~or~~

1 (3) substantial noncompliance with the school laws of the state, the
2 regulations or bylaws of the department, the bylaws of the district, or the written rules
3 of the superintendent [; OR

4 (4) A NECESSARY REDUCTION OF STAFF OCCASIONED BY A
5 DECREASE IN SCHOOL ATTENDANCE].

6 * Sec. 6. AS 14.25 is amended by adding a new section to read:

7 Sec. 14.20.177. LAYOFFS. (a) A school district may place a teacher who has
8 acquired tenure rights on layoff status but only if it is necessary for the district to
9 reduce the number of teachers

10 (1) because of a decrease in school attendance or school district
11 revenue; or

12 (2) to better meet the academic program needs of the district.

13 (b) For a period of three years after layoff, a teacher is on layoff status and
14 is entitled to a hiring preference in the district or regional educational attendance area
15 where the teacher had been employed. The hiring preference applies only to vacant
16 teaching positions for which the teacher is qualified. If a teacher is offered a teaching
17 position under this subsection and the teacher declines the offer, the teacher is no
18 longer considered to be on layoff status and is no longer entitled to a hiring preference
19 under this section.

20 (c) In making layoff and rehire decisions under this section, a school district
21 may lay off or fail to rehire a secondary school teacher who has more seniority than
22 a primary school teacher in order to give preference to a teacher skilled in teaching at
23 the primary school level. The district may also give preference to a secondary school
24 teacher over a primary school teacher with more seniority in order to preserve
25 secondary school programs.

26 (d) Notwithstanding any provision of AS 23.40, the terms of a collective
27 bargaining agreement entered into between a school district or regional educational
28 attendance area and a bargaining organization representing teachers on or after the
29 effective date of this section may not be inconsistent with the provisions of this
30 section.

31 (e) A teacher on layoff status is not entitled to be reemployed under

1 AS 14.20.145 and does not accrue leave. Time spent on layoff status does not count
2 toward the acquisition of tenure rights. However, layoff status does not constitute a
3 break in service for

- 4 (1) determining eligibility for tenure;
5 (2) retaining acquired tenure rights; or
6 (3) retaining accrued sick leave.

7 * Sec. 7. AS 14.20.205 is amended to read:

8 Sec. 14.20.205. JUDICIAL REVIEW. If a school board reaches a decision
9 unfavorable to a teacher, the teacher is entitled to mandatory, advisory arbitration
10 conducted by a neutral third party and either party is entitled to subsequent
11 judicial review based on the record [A DE NOVO TRIAL] in the superior court.
12 However, a teacher who has not attained tenure rights is not entitled to arbitration or
13 judicial review under [ACCORDING TO] this section.

14 * Sec. 8. FINDINGS AND PURPOSE OF RETIREMENT INCENTIVE PROGRAM.

15 Many school districts are facing the need to restructure their operations and their work forces
16 in order to reduce expenditures and balance budgets. Retirement incentives is a management
17 tool that has been used extensively by the private sector, the federal government, and other
18 state and local governments across the country. The purpose of secs. 8 - 17 of this Act is to
19 make that management tool temporarily available to school districts of the state. Sections * -
20 17 of this Act will enable school districts to be more efficient and cost-effective by
21 eliminating certain non-essential positions, and producing a net reduction in personnel costs.

22 * Sec. 9. RETIREMENT INCENTIVE PROGRAM. (a) A school district may adopt a
23 retirement incentive plan under secs. 10 and 11 of this Act and designate categories of
24 employees eligible to participate in the plan. A school district need not extend the incentive
25 plan to all employees who would otherwise be eligible, but may choose to extend the plan
26 only to employees

- 27 (1) in specific budget or administrative components of the school district,
28 (2) in specific job classifications,
29 (3) in specific geographic locations, or
30 (4) on the basis of any combination of factors set out in (1) - (3) of this

31 subsection.

1 (b) An employee is eligible to participate in a retirement incentive plan under secs. 8 -
2 17 of this Act only if

3 (1) the employee is a vested member of the public employees' retirement
4 system or the teachers' retirement system;

5 (2) the employee will be qualified to retire under AS 14.25.110 or
6 AS 39.35.370 after receipt of the credit described in (f) of this section;

7 (3) the savings to the school district in personal services costs for the
8 employee's position will exceed the costs to the school district for that position within three
9 years after the employee is appointed to retirement.

10 (c) A school district shall file its proposed retirement incentive plan with the
11 commissioner of administration. The commissioner shall approve the plan if the plan meets
12 the requirements of secs. 8 - 17 of this Act. A proposed plan filed under this section must

13 (1) identify job classifications of employees, and specific budget or
14 administrative components, eligible to participate in the plan;

15 (2) include a reimbursement agreement that

16 (A) requires the school district, for each employee who retires under
17 the plan, to reimburse the appropriate retirement system, within three years after the
18 end of the fiscal year in which the employee is appointed to retirement, in an amount
19 equal to

20 (i) the actuarial equivalent of the difference between the benefits
21 the participant receives after the addition of the credit under (f) of this section
22 and the amount the participant would have received without the credit, less the
23 amount the participant has paid on the indebtedness determined under (d) or (e)
24 of this section; and

25 (ii) an appropriate share of the administrative costs of the
26 program; and

27 (B) provides that contributions from the school district under this
28 section take priority over other obligations of the employer to the maximum extent
29 permitted by law.

30 (d) A member of the teachers' retirement system who participates in an approved
31 retirement incentive plan under secs. 8 - 17 of this Act is indebted to that system for an

1 amount calculated under this subsection. The indebtedness is 25.95 percent of the member's
2 actual compensation for the school year in which the member terminates employment, or the
3 calculated school year compensation for a member who works less than the entire school year.

4 An outstanding indebtedness at the time a member is appointed to retirement under an
5 approved retirement incentive plan requires an actuarial adjustment to the benefits payable to
6 that member.

7 (e) A member of the public employees' retirement system who participates in an
8 approved retirement incentive plan under secs. 8 - 17 of this Act is indebted to that system
9 for an amount calculated under this subsection. The indebtedness is 20-1/4 percent of the
10 member's actual annual compensation for the year in which the member terminates
11 employment, or the calculated annual compensation for a member who works fewer than 12
12 months. An outstanding indebtedness at the time a member is appointed to retirement under
13 an approved retirement incentive plan requires an actuarial adjustment to the benefits payable
14 to that member.

15 (f) An employee who participates in an approved retirement incentive plan under
16 secs. 8 - 17 of this Act receives a credit of three years. The three years shall be applied in
17 the following order until exhausted:

18 (1) to meet the age or service required for eligibility for normal retirement
19 under AS 14.25.110 or AS 39.35.370, as appropriate;

20 (2) to meet the age required for early retirement under AS 14.25.110 or
21 AS 39.35.370, as appropriate;

22 (3) to reduce the actuarial adjustment required for early retirement under
23 AS 14.25.110 or AS 39.35.370, as appropriate;

24 (4) as years of credited service for calculating retirement benefits.

25 * Sec. 10. AUTHORIZATION FOR RETIREMENT INCENTIVE FOR SCHOOL
26 DISTRICT EMPLOYEES IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM. (a)

27 The school board of a school district that has elected to participate in the public employees'
28 retirement system under AS 39.35.550 - 39.35.650 may adopt, and file with the commissioner
29 of administration for approval, a proposed retirement incentive plan for its employees. A plan
30 adopted under this section must provide that the application period for participation in the
31 retirement incentive plan is December 31, 1995, through June 30, 1996.

1 (b) The commissioner of administration may not accept the application of an employee
2 to participate in an approved retirement incentive plan adopted under this section unless the
3 employee will be appointed to retirement on or before February 1, 1997. In a plan adopted
4 under this section, a school board may set an earlier date by which an employee must be
5 appointed to retirement in order to participate in the plan.

6 * Sec. 11. AUTHORIZATION FOR RETIREMENT INCENTIVE FOR SCHOOL
7 DISTRICT EMPLOYEES IN THE TEACHERS' RETIREMENT SYSTEM. (a) A school
8 board may adopt, and file with the commissioner of administration for approval, a proposed
9 retirement incentive plan for employees of the school district who are members of the
10 teachers' retirement system. A plan adopted under this section must provide that the
11 application period for participation in the retirement incentive plan is June 30, 1995, through
12 December 31, 1995.

13 (b) The commissioner of administration may not accept the application of an employee
14 to participate in an approved retirement incentive plan adopted under this section unless the
15 employee will be appointed to retirement on or before August 1, 1996. The school board, in
16 a plan adopted under this section, may set an earlier date by which an employee must be
17 appointed to retirement in order to participate in the plan.

18 * Sec. 12. RECOVERY OF EMPLOYER DELINQUENCIES. To recover a delinquency
19 owed by a school district under an agreement entered into under sec. 9(c)(2) of this Act, the
20 Department of Administration may

21 (1) direct that the amount of the delinquency or a lesser amount be withheld
22 from any money payable to the school district by a state department or agency and that the
23 amount withheld be credited to the delinquency; and

24 (2) bring an action against the school district.

25 * Sec. 13. REEMPLOYMENT INDEBTEDNESS. PROHIBITION ON
26 REEMPLOYMENT. (a) If an individual is reemployed as a member of the public employees'
27 retirement system under AS 39.35, the teachers' retirement system under AS 14.25, the judicial
28 retirement system under AS 22.25, or the optional university retirement program under
29 AS 14.40.661 - 14.40.799 after appointment to retirement under secs. 8 - 17 of this Act, that
30 individual forfeits the incentive credit received under sec. 9(f) of this Act and is indebted to
31 the system under which the individual took retirement. The indebtedness is 110 percent of

1 the amount the individual received as a result of participation in a retirement incentive plan
2 under secs. 8 - 17 of this Act and to which the individual would not otherwise have been
3 entitled, including the cost of health insurance, plus interest. The amount that the individual
4 has paid under sec. 9(d) or (e) of this Act will be applied as a credit toward the reemployment
5 indebtedness. Interest on the reemployment indebtedness accrues from the date of
6 reemployment until the date that the individual either is appointed to retirement and accepts
7 an actuarial adjustment to the individual's future benefits or repays the indebtedness in full.
8 The rate of interest is that established by regulation for the public employees' retirement
9 system by the public employees' retirement board and for the teachers' retirement system by
10 the teachers' retirement board, but may not be less than the projected rate of earnings assumed
11 by the board in its actuarial calculations for the retirement fund.

12 (b) An individual who was appointed to retirement under secs. 8 - 17 of this Act may
13 not be employed by, or enter into a contract for personal services with, a state agency or the
14 University of Alaska within the three years after the date of appointment to retirement, except
15 that

16 (1) the University of Alaska may enter into a personal services contract with
17 the individual for teaching or research; and

18 (2) the individual may accept employment with the legislature during a
19 legislative session if the employment is on an hourly basis and does not entitle the individual
20 to receive retirement, health, or leave benefits.

21 (c) Notwithstanding the prohibition in (b) of this section, a state agency or the
22 University of Alaska may enter into a personal services contract with an individual who was
23 appointed to retirement under secs. 8 - 17 of this Act if the Board of Regents, for the
24 University of Alaska, or the commissioner of administration, for a state agency, determines
25 that there is a compelling reason to do so because of the individual's specialized or extensive
26 experience that relates to a particular program or project of the state agency or university.

27 * Sec. 14. OFFICE OF MANAGEMENT AND BUDGET. (a) The office of management
28 and budget shall submit to the legislature annual reports on the retirement incentive program
29 under secs. 8 - 17 of this Act beginning January 15, 1997, and continuing through January 15,
30 1999, and shall submit a final report January 15, 2000. Each report must provide the
31 information necessary for the legislature to evaluate the effectiveness of the program in

1 achieving its objectives. The report must include information on the designated employee
2 categories under the incentive program including the cost of each incentive program per
3 participant, the cost to the school district, the cost to the employee, the number of positions
4 deleted or left vacant, and the projected or actual net savings over the three-year period.

5 * Sec. 15. PROGRAM CHANGES. An individual employee does not have a vested or
6 contractual right to a benefit under secs. 8 - 17 of this Act until an agreement is executed with
7 the commissioner of administration that specifically authorizes that employee to participate
8 in the retirement incentive program under secs. 8 - 17 of this Act. The legislature reserves
9 the right to change any aspect of the retirement incentive program as it relates to employees
10 for whom participation agreements have not yet been executed with the commissioner of
11 administration.

12 * Sec. 16. REGULATIONS. The commissioner of administration may adopt regulations
13 under AS 44.62 (Administrative Procedure Act) to implement and interpret secs. 8 - 17 of this
14 Act.

15 * Sec. 17. DEFINITIONS. (a) Unless provided otherwise in secs. 8 - 17 of this Act, the
16 definitions set out in AS 14.25.220 apply to provisions in secs. 8 - 13 of this Act that relate
17 to the teachers' retirement system and members of the teachers' retirement system.

18 (b) Unless provided otherwise in secs. 8 - 17 of this Act, the definitions set out in
19 AS 39.35.680 apply to provisions in secs. 8 - 13 of this Act that relate to the public
20 employees' retirement system and members of the public employees' retirement system.

21 (c) In secs. 8 - 17 of this Act,

22 (1) "office of management and budget" means the office of management and
23 budget in the Office of the Governor;

24 (2) "public employees' retirement system" means the Public Employees'
25 Retirement System of Alaska (AS 39.35);

26 (3) "school district" means a city or borough school district or a regional
27 educational attendance area;

28 (4) "teachers' retirement system" means the Teachers' Retirement System of
29 Alaska (AS 14.25).

30 * Sec. 18. The amendments made by secs. 2 - 3 of this Act apply to teachers first hired
31 by a school district on or after the effective date of this Act.

- 1 • **Sec. 19.** Section 9 of this Act is repealed July 1, 1999.
- 2 • **Sec. 20.** Sections 10 and 11 of this Act are repealed July 1, 1997.
- 3 • **Sec. 21.** This Act takes effect immediately under AS 01.10.070(c).

Adopted
4-19-95

Amendment to SB132

By Rieger

Add new language as part of 14.20.220.

"14.20.220 (h) A school district may establish a career path for teachers which includes advancement based on teaching performance. For purposes of this section, the evaluation may be performed by other teachers employed in the same school district, ^{and adopted 4-19-95} ~~or~~ by the school district.
~~delete~~

Adopted
4-19-95

or both. ~~delete~~

14.20.220 (i) A school district may establish instructional teaching positions which have mentoring responsibilities to other teachers, and may allow reduced direct instructional workloads in such positions."

Effective Date
July, 1996

Post-It Brand Fax Transmittal memo 7071		Page 2 of 2	
To: J. Deane	Co:	From: D. Strickland	Co: Santa Fe
Dept: Legal	Fax: 2029	Phone: 465-4955	Fax: 465-2157

Adopted
4-19-95

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR HALFORD

Amends AS 23.40 by adding a new subsection to read:

Sec. 23.40.185 SUMMARY OF NEGOTIATIONS AVAILABLE TO PUBLIC. (a) Copies of the initial proposals exchanged by the parties and final agreements reached shall be public documents. Prior to the first negotiating session the School Board shall prepare and make available to the public an analysis of the effect that the respective proposals, if adopted, would have on district operations. The analysis shall include a summary of existing contract provisions, changes proposed by the parties, and an assessment of the potential impact adopting either of the respective proposals would have on class size, district finances, and delivery of educational services within the district.

(b) Section (a) applies to negotiations between a school district or regional attendance area and a bargaining organization representing its employees.

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 132(JUD)

SENATE FINANCE
COMMITTEE
Amendment Number: 2
Bill Number: 38132
Sponsor: John L. Cramer Date: 4/12/95
Logged In By: JLC

- 1 Page 1, line 4, after ";":
2 Insert "relating to contracts for certain school administrators;"
- 3 Page 1, after line 6:
4 Insert a new bill section to read:
5 * Section 1. AS 14.20.130 is amended to read:
6 Sec. 14.20.130. EMPLOYMENT OF TEACHERS AND
7 ADMINISTRATORS. An employer may, after January 1, issue contracts for the
8 following school year to employees regularly qualified in accordance with the
9 regulations of the department. The contract for a superintendent or other school
10 administrator may not be for more than one school year [BUT MAY NOT EXCEED
11 THREE CONSECUTIVE SCHOOL YEARS].
- 12 Page 1, line 7:
13 Delete "Section 1"
14 Insert "Sec. 2"
- 15 Renumber the following bill sections accordingly
- 16 Page 4, line 1:
17 Delete "8 - 17"
18 Insert "9 - 18"
- 19 Page 4, lines 2 - 3
20 Delete "8 - 17"

1 Insert "9 - 18"

2 Page 4, line 6:

3 Delete "10 and 11"

4 Insert "11 and 12"

5 Page 4, lines 15 - 16:

6 Delete "8 - 17"

7 Insert "9 - 18"

8 Page 4, line 26:

9 Delete "8 - 17"

10 Insert "9 - 18"

11 Page 5, line 14:

12 Delete "8 - 17"

13 Insert "9 - 18"

14 Page 5, line 22:

15 Delete "8 - 17"

16 Insert "9 - 18"

17 Page 5, line 30:

18 Delete "8 - 17"

19 Insert "9 - 18"

20 Page 7, line 2:

21 Delete "9(c)(2)"

22 Insert "10(c)(2)"

23 Page 7, line 12:

24 Delete "8 - 17"

- 1 Insert "9 - 18"

- 2 Page 7, line 13:
- 3 Delete "9(f)"
- 4 Insert "10(f)"

- 5 Page 7, line 16:
- 6 Delete "8 - 17"
- 7 Insert "9 - 18"

- 8 Page 7, line 18:
- 9 Delete "9(d) or (e)"
- 10 Insert "10(d) or (e)"

- 11 Page 7, line 24:
- 12 Delete "8 - 17"
- 13 Insert "9 - 18"

- 14 Page 8, line 4:
- 15 Delete "8 - 17"
- 16 Insert "9 - 18"

- 17 Page 8, line 10:
- 18 Delete "8 - 17"
- 19 Insert "9 - 18"

- 20 Page 8, line 18:
- 21 Delete "8 - 17"
- 22 Insert "9 - 18"

- 23 Page 8, line 20:
- 24 Delete "8 - 17"

- 1 Insert "9 - 18"

- 2 Page 8, line 25:
- 3 Delete "8 - 17"
- 4 Insert "9 - 18"

- 5 Page 8, line 27:
- 6 Delete "8 - 17"
- 7 Insert "9 - 18"

- 8 Page 8, line 28:
- 9 Delete "8 - 13"
- 10 Insert "9 - 14"

- 11 Page 8, line 30:
- 12 Delete "8 - 17"
- 13 Insert "9 - 18"

- 14 Page 8, line 31:
- 15 Delete "8 - 13"
- 16 Insert "9 - 14"

- 17 Page 9, line 2:
- 18 Delete "8 - 17"
- 19 Insert "9 - 18"

- 20 Page 9, after line 10:
- 21 Insert a new bill section to read:
- 22 * Sec. 19. The amendment to AS 14.20.130 made by sec. 1 of this Act does not apply
- 23 to a contract of a school administrator that was in existence on the effective date of this Act.*

- 24 Renumber the following bill sections accordingly.

1 Page 9, line 11:

2 Delete "1 - 2"

3 Insert "2 - 3"

4 Page 9, line 14:

5 Delete "Section 9"

6 Insert "Section 10"

7 Page 9, line 15:

8 Delete "10 and 11"

9 Insert "11 and 12"

4-13-95

Failed

SENATE FINANCE
COMMITTEE

2-3

Amendment Number: 1

Bill Number: SB 132

Sponsor: Phillips Date: 4/13/95

Logged In By: [Signature]

Amendment

OFFERED IN THE SENATE BY SENATOR PHILLIPS

TO: CS SB132 (JUD)

- Page 7, Line 26 following the word 'retirement,' to Page 5, Line 1

Delete all material

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE ROBINSON

TO: CSHB 217(), "K" Version, dated 4/6/95

1 Page 3, line 12, through page 4, line 3:

2 Delete all material and insert:

3 ** Sec. 6. AS 14.20 is amended by adding a new section to read:

4 Sec. 14.20.177. LAYOFFS AND REHIRE. (a) A tenured or nontenured
5 teacher is subject to layoff for the next fiscal year if the school district has

6 (1) an unanticipated financial exigency that interferes with the normal
7 operations of the school district and that cannot be resolved through other reasonable
8 and usual budgetary processes, including normal staff attrition, reduction of
9 unnecessary expenditures, and administrative layoffs; or

10 (2) a decrease in school attendance that makes a reduction in staff
11 necessary.

12 (b) A neutral third party selected by mutual agreement between the school
13 district and the bargaining organization representing teachers must verify the
14 unanticipated financial exigency or the need to reduce staff because of a decrease in
15 school attendance before the school district may lay off teachers.

16 (c) A school district shall notify tenured teachers of a layoff no later than
17 March 15th of the fiscal year preceding the year of layoff. Layoffs shall occur in
18 reverse order of seniority of employment within the district.

19 (d) A school district and the bargaining organization representing teachers
20 shall negotiate a provision concerning the rehire or recall rights of teachers who have
21 been laid off under this section before the district lays off teachers under this section.

22 (e) A teacher who is laid off under this section has recall rights based on
23 seniority for five years after the date of layoff. A school district may not employ a
24 new teacher so long as there are laid off teachers on the recall list.

1 Reletter the following subsection accordingly

FISCAL NOTE

/

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 132

Revision Date: _____

Department Affected: Education

Title: Judicial Review of Decisions of School Boards

BRU: Executive Administration

Component: Commissioner's Office

Sponsor: Senate HESS Committee

Requester: Senate HESS Committee

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00

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

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MITTA						
Other						
TOTAL	00	00	00	00	00	00

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 00

ANALYSIS: (Attach a separate page if necessary)

Senate Bill 132 amends the section of law dealing with judicial review of decisions unfavorable to tenured teachers. De novo trials are replaced with an appeal of the decision to the superior court, the scope of the review to be the same as an appeal from a decision under the Administrative Procedure Act. This legislation will have no fiscal impact on the department. However, this provision may result in considerable savings to the local school districts.

Prepared by: Shirley Peterson, Special Assistant

Phone: 465-2803

Division: Commissioner's Office

Date: April 5, 1995

Approved by Commissioner: [Signature]

Shirley Holloway, Ph.D.

Agency: Education

Date: _____

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#2

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132 (HES)

Revision Date _____
Title An Act relating to teacher tenure, teacher layoff and retire
ments and to retirement incentive programs
Sponsor Senate Health, Education and Social Services Comm.
Requestor _____

Department Affected Administration
BRU Retirement & Benefits
Component Retirement & Benefits
COMPONENT SERIAL NO. 54

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	225.8	225.8	51.5	51.5	51.5	51.5
TRAVEL	3.0	3.0	0.0	0.0	0.0	0.0
CONTRACTUAL	17.9	11.4	2.8	2.8	2.8	2.8
SUPPLIES	6.0	1.5	3	3	3	3
EQUIPMENT	67.8	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	315.5	241.7	54.6	54.6	54.6	54.6

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
--------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF M&TA	0.0	0.0	0.0	0.0	0.0	0.0
OTHER	315.5	241.7	54.6	54.6	54.6	54.6
TOTAL	315.5	241.7	54.6	54.6	54.6	54.6

Estimate of any current year (FY 95) cost \$ zero

POSITIONS

	1	2	3	4	5	6
FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS (Attach a separate page if necessary)

The actual costs to participating employers due to this program are to be paid up front and no additional costs to the systems are anticipated. An administrative charge for participating employers will cover the increased costs of administering the retirement incentive program.

Prepared by Robert E. Stetson Phone 465-4475
Director Retirement & Benefits Date _____

Approved by Commissioner Mark Bogue
Agency Department of Administration Date 4/10/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132(HFS)

ANALYSIS (continued)

This bill creates a retirement incentive program for the Public Employees' (PERS) and Teachers' (TRS) Retirement System employees of school districts. Active school district employees could retire on an accelerated basis with an increased benefit under the following conditions: at age 47, if vested, with 17 years of service as a teacher or with 27 years of credited service in the PERS. Before qualifying for an accelerated benefit, however, the member must pay a lump sum indebtedness payment or take an actuarial reduction from their lifetime benefit for the indebtedness amount.

We estimate that one permanent full-time employee will be needed to manage the operations of the program and increased service demands into the future. Five long-term non-permanent employees will also be needed over the next two fiscal years. Personnel will handle increased counseling, address and beneficiary changes, account maintenance, and other services. Subsequent increases in the number of retirees will necessitate increased permanent employees to handle the increased demand for information and service.

We estimate that we will need to increase our normal number of counseling trips by two trips over the next two fiscal years to assure that members understand the options and requirements of the program.

The total estimated administrative cost to the division by fiscal year is as follows:

	<u>FY 1995</u>	<u>FY 1997</u>	<u>FY 1998</u>
PERSONAL SERVICES			
<u>FY 1995</u>			
1 Retirement & Benefits Specialist I	\$ 515		
1 Retirement & Benefits Tech LII (NP)	1116		
1 Accounting Clerk III (NP)	330		
1 Admin Clerk I (NP)	<u>241</u>		
TOTAL FY 1995 COSTS		\$2258	
<u>FY 1997</u>			
1 Retirement & Benefits Specialist I	\$ 515		
1 Retirement & Benefits Tech LII (NP)	1116		
1 Accounting Clerk III (NP)	330		
1 Admin Clerk I (NP)	<u>241</u>		
TOTAL FY 1997 COSTS		\$2258	
<u>FY 1998</u>			
1 Retirement & Benefits Specialist I	\$ 515		
TOTAL FY 1998 COSTS			\$515

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132(HFS)

	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>
TRAVEL			
Traveling to various locations throughout the state to counsel prospective retirees and give seminars.	3 0	3 0	0 0
CONTRACTUAL			
Communication (Telephone, Postage)	6 6	6 6	1 6
Mainframe Computer Time	4 4	4 4	. 8
Software Maintenance	1 5		
Training/Risk Management	<u>4</u>	<u>4</u>	<u>4</u>
Total Contractual	12 0	11 4	2 8
SUPPLIES			
Office Supplies, Calculators, software	6 0	1 5	3
EQUIPMENT			
Computer Workstations	20 0	7 0	0 0
File Cabinets (1)	8	0 0	0 0
Office Chairs (5)	3 0	0 0	0 0
Microfiche Viewers (5)	3 0	0 0	0 0
Office Workstations	5 0	0 0	0 0
Computer/Network Printers	12 0	0 0	0 0
Computer Network Upgrades	21 4	0 0	0 0
Telephone Unit (5)	<u>3 0</u>	<u>0 0</u>	<u>0 0</u>
Total Equipment	57 8	7 0	0 0
TOTAL OPERATIONS COST	\$315 5	\$241 7	\$54 6

The retirement technicians, retirement specialists, and accounting clerks need constant access to the PERS and TRS computer files. We do not have any excess terminals, microfiche viewers, or calculators. Our equipment request will satisfy our equipment needs for the duration of this program. We propose the purchase of personal computers to be used as terminals because they will be compatible with the division's local area network.

We are also proposing the purchase of two additional computer printers. The previous RFPs put a great demand on our existing printers and we were always in a state of backlog. Our current day-to-day printer needs maximize the capacity of our existing printers. After comparing the cost of leasing printers for two years, coupled with our existing needs, purchasing new printers would be more cost effective.

All administrative costs of the program will be paid in advance by participating employers as required by the bill.

Funding Source Breakdown for FY 1996

1029	PERS	126 2
1034	TRS	189 3
		\$315 5

#3
Replaces #1

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB132 (JUD)

Revision Date: _____

Department Affected: Education

Title: Employment Rights of Teachers

BRU: Executive Administration

Sponsor: Senate HESS Committee

Component: Commissioner's Office

Requester: Senate Judiciary Committee

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	50	00	00	00	00	00
CONTRACTUAL	10	00	00	00	00	00
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	60	00	00	00	00	00

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

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	60	00	00	00	00	00
1005 GF/Program Receipts						
1006 GF/MITTA						
Other						
TOTAL	60	00	00	00	00	00

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

CSSB 132 (JUD) permits school districts to place a tenured teacher on layoff status if it is necessary to reduce the number of teachers because of a decrease in attendance or revenue, or to better meet the academic program needs of the district. The department is required to adopt regulations to establish procedures for the layoff of tenured teachers, the length of time the teacher retains rehire rights, and the circumstances under which a teacher may lose rehire rights after a layoff. The adoption of these regulations will require travel and advertising costs.

Section 6 amends the section of law dealing with judicial review of decisions unfavorable to tenured teachers. This change in statute may result in considerable savings to the local school districts.

Prepared by: Sheila Peterson, Social Assistant
 Division: Commissioner's Office
 Approved by Commissioner: [Signature]
 Agency: Education

Phone: 465-2803
 Date: April 10, 1995
 Shirley J. Holloway, Ph.D.
 Date: April 10, 1995

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132 (JUD)

Revision Date: _____
 Title: An Act relating to teacher tenure, teacher layoff and return rights and to retirement incentive programs
 Sponsor: Senate Health, Education and Social Services Comm.
 Requestor: (S) Finance

Department Affected: Administration
BRU Retirement & Benefits
 Component: Retirement & Benefits
 COMPONENT SERIAL NO. 64

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	225.8	225.8	51.5	51.5	51.5	51.5
TRAVEL	3.0	3.0	0.0	0.0	0.0	0.0
CONTRACTUAL	12.9	11.4	2.8	2.8	2.8	2.8
SUPPLIES	6.0	1.5	3	3	3	3
EQUIPMENT	67.8	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	315.5	241.7	54.6	54.6	54.6	54.6

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
OTHER	315.5	241.7	54.6	54.6	54.6	54.6
TOTAL	315.5	241.7	54.6	54.6	54.6	54.6

Estimate of any current year (FY 95) cost: \$ zero

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	5	5	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

The actual costs to participating employers due to this program are to be paid up front and no additional costs to the systems are anticipated. An administrative charge for participating employers will cover the increased costs of administering the retirement incentive program.

Update of Note #2

Prepared by Robert F. Stalvaker Phone 465-4470
 Division Retirement & Benefits Date _____

Approved by Commissioner Mark Boyer Date 4/18/95
 Agency Department of Administration

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132(JUD)

ANALYSIS: (continued)

This bill creates a retirement incentive program for the Public Employees' (PERS) and Teachers' (TRS) Retirement System employees of school districts. Active school district employees could retire on an accelerated basis with an increased benefit under the following conditions: at age 47, if vested; with 17 years of service as a teacher or with 27 years of credited service in the PERS. Before qualifying for an accelerated benefit, however, the member must pay a lump sum indebtedness payment or take an actuarial reduction from their lifetime benefit for the indebtedness amount.

We estimate that one permanent full-time employee will be needed to manage the operations of the program and increased service demands into the future. Five long-term non-permanent employees will also be needed over the next two fiscal years. Personnel will handle increased counseling, address and beneficiary changes, account maintenance, and other services. Subsequent increases in the number of retirees will necessitate increased permanent employees to handle the increased demand for information and services.

We estimate that we will need to increase our normal number of counseling trips by two trips over the next two fiscal years to assure that members understand the options and requirements of the program.

The total estimated administrative cost to the division by fiscal year is as follows:

	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>
PERSONAL SERVICES			
<u>FY 1996</u>			
1 Retirement & Benefits Specialist I	\$ 51.5		
3 Retirement & Benefits Tech III (NP)	111.6		
1 Accounting Clerk III (NP)	33.6		
1 Admin Clerk I (NP)	<u>24.1</u>		
TOTAL FY 1996 COSTS		\$225.8	
<u>FY 1997</u>			
1 Retirement & Benefits Specialist I	\$ 51.5		
3 Retirement & Benefits Tech III (NP)	111.6		
1 Accounting Clerk III (NP)	33.6		
1 Admin Clerk I (NP)	<u>24.1</u>		
TOTAL FY 1997 COSTS		\$225.8	
<u>FY 1998</u>			
1 Retirement & Benefits Specialist I	\$ 51.5		
TOTAL FY 1998 COSTS			\$51.5

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 132(JUD)

	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>
TRAVEL			
Traveling to various locations throughout the state to counsel prospective retirees and give seminars.	30	30	00
CONTRACTUAL			
Communication (Telephone, Postage)	66	66	16
Mainframe Computer Time	44	44	6
Software Maintenance	15		
Training/Risk Management	<u>4</u>	<u>4</u>	<u>4</u>
Total Contractual	129	114	26
SUPPLIES			
Office Supplies, Calculators, software	60	15	3
EQUIPMENT			
Computer Workstations	200	00	00
File Cabinets (1)	8	00	00
Office Chairs (5)	30	00	00
Microfiche Viewers (5)	30	00	00
Office Workstations	50	00	00
Computer/Network Printers	120	00	00
Computer Network Upgrades	214	00	00
Telephone Unit (5)	<u>30</u>	<u>00</u>	<u>00</u>
Total Equipment	<u>678</u>	<u>00</u>	<u>00</u>
TOTAL OPERATIONS COST	\$3155	\$2417	\$546

The retirement technicians, retirement specialists, and accounting clerks need constant access to the PERS and TRS computer files. We do not have any excess terminals, microfiche viewers, or calculators. Our equipment request will satisfy our equipment needs for the duration of this program. We propose the purchase of personal computers to be used as terminals because they will be compatible with the division's local area network.

We are also proposing the purchase of two additional computer printers. The previous RIPs put a great demand on our existing printers and we were always in a state of backlog. Our current day-to-day printer needs maximize the capacity of our existing printers. After comparing the cost of leasing printers for two years, coupled with our existing needs, purchasing new printers would be more cost effective.

All administrative costs of the program will be paid in advance by participating employees as required by the bill.

Funding Source Breakdown for FY 1996

1029	PERS	126.2
1034	TRS	<u>189.3</u>
		\$315.5

JOSEPHSON & BAIR, P.C.

ATTORNEYS AT LAW

880 N. STREET SUITE 205
ANCHORAGE ALASKA 99501

(907) 276-0151 TELE

1 800 478-3508

(907) 276-0155 FAX

JOE P. JOSEPHSON
DANIEL S. BAIR

April 11, 1995

Via Fax (907) 465-6595

Honorable Dave Donley
Member, Senate Finance Committee
Alaska State Legislature
State Capitol, Room 11
Juneau, Alaska 99801

Dear Senator Donley:

I'm advised that the Senate Finance Committee is considering CSSB 132. As a parent and as an attorney who has represented both school boards and teachers, I am deeply troubled by the proposed changes to Title 14 embodied in CSSB 132.

First, in my judgment, a delay in tenure eligibility from two to five years will do nothing except to encourage more sloppiness and tardiness in the supervision and evaluation of new teachers, to the detriment of public education. The present two-year probation period is adequate for alert and energetic administrators -- the kind of administrators we are entitled to have -- to evaluate a new teacher's strengths, weaknesses, assets, and needs for improvement.

Since the Peter Principle says that work fills the time allotted for its completion, this proposed delay will be certain to simply make school principals and other administrators lazy. The tendency will be to keep weak and undeserving teachers on the job for five years instead of getting rid of them earlier. It is Alaska's kids who will lose most.

The Legislature should proceed very cautiously in changing the de novo rights of tenured teachers. If the Legislature wishes not to have de novo trials in Superior Court, it should take pains to be certain that there will be at least a truly impartial administrative tribunal that considers whether a tenured teacher should be dismissed.

Simply abolishing de novo trials would be grossly unfair unless the Legislature ensures the impartiality of the administrative tribunal whose decision is to be reviewed on the record by the court under a very limited "substantial basis" scope of review.

One suggestion for dealing with that concern would be to provide for arbitration. The present system, under which the school board hires a hearing officer, who conducts the hearing knowing what the school board wants to do, and then recommends action to his or her school board employer, is satisfactory as long as there is a trial de novo, but would become unconscionable if de novo hearings are abolished.

Under Alaska's arbitration statute, judicial review is very limited and there is no de novo hearing in Superior Court. But the arbitrator is neutrally appointed, not selected by the employer unilaterally.

The Supreme Court of Alaska has written that school boards have no expertise entitling their judgments about teacher retention or dismissal to enjoy judicial deference. In reality, no law passed by the legislature can convey that necessary expertise to the boards, any more than a law passed by the legislature can convey knowledge to students. I believe, respectfully, that to try to insulate school board dismissal decisions from judicial reversal as long as there is a "substantial basis" based upon hearings conducted by boards or by board-appointed hearing officers would not be rational.

The Administrative Procedure Act, AS 44.62, deals in part with appeals from administrative agencies, e.g., the Workers Compensation Board, which have genuine expertise because of the volume of experience reflected in their busy dockets. A school board, on the other hand, deals with a very few teacher dismissal cases, if any, in any school year and has no such expertise.

If the focus of the Finance Committee is cost-saving, I can confidently predict that the passage of SB117 or a counterpart will not save money. Instead, employees know they have no right to a de novo hearing in Superior Court, and facing very negative effects upon their careers, will be sure to make the administrative hearings more elaborate and more detailed than they feel compelled to do at present. Since the number of cases that go to administrative hearings is greater than the number that go to court, the net result is likely to be more cost, not less cost.

The idea of mandatory "public" collective bargaining for school employees is a very poor idea. Because effective bargaining is an art in which the negotiators must be free to start from self-serving positions to which they are prepared to ultimately retreat to more reasonable ground, concede on one issue in exchange for another, and share confidences, the process works best when the negotiators are not placed in public roles in which they must "posture" before their constituencies.

Obviously, too, it would be very unfair if school employees are singled out for "public" collective bargaining, while other bargaining proceeds under the traditional mode. It strikes me as peculiarly ironic that we might live in a state in which oil companies and the attorney general can strike tax compromises involving billions of dollars, without "public" bargaining, but school boards and school employees would be prohibited from negotiating with each other except in public.

And what would public bargaining actually achieve? I suppose the sponsors of SB 132 believe it would place taxpayer pressure upon school boards to be more rigidly in their negotiations with employees' unions; how is it occurred to them that it might also place pressure on the unions' leaders to be less flexible in the negotiations? Do the sponsors of SB 132 have any models proving that such public bargaining requirements are effective?

This is not a question of the public's right to know. School boards and union officials are accountable to their constituencies for the final product, and the results are debatable at every public and union election.

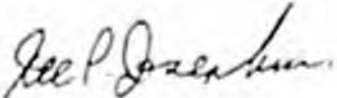
The day when all political party caucuses in the legislature, and negotiations among the House, the Senate and the Governor about budgets, are opened to the public, and when petroleum tax disputes are negotiated in public sessions with oil companies, will be the day when the Legislature could properly begin to consider "public" collective bargaining in education. I make this point not to be disrespectful, but just to be realistic: at least some caucuses and some political negotiations are closed for a very good reason, as are collective bargaining processes.

The views expressed in this letter are mine and mine alone. I do not purport to speak for any group or organization. I worry that the legislature, although anxious to do the right thing, might rush to very regrettable judgments that will injure public education, be unfair to employees, add costs to the administration

of public schools, polarize our communities, retard employer-employee cooperation and contact, and adversely affect the morale of school employees.

I appreciate your consideration of these views and wish you and your colleagues a very productive session.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Joe P. Josephson".

Joe P. Josephson



NEA-ALASKA

Affiliated with the National Education Association

NEA-Alaska Survey of the States

State	Required for Tenure - Years
Alabama	3 Years - R*
Alaska	2 Years - R*
Arizona	3 Years - R*
Arkansas	3 Years - R*
California	2 Years - R*
Connecticut	3 Years
Delaware	3 Years
Florida	Professional Services Contract (PSC) Teacher - 3 Years
	Continuing Contract (CC) Teacher - 3 Years
Georgia	3 Years - R*
Hawaii	2 Years - R*
Idaho	3 Years - R*
Illinois	2 Years
Indiana	5 Years - R*
Iowa	2 Years
Kansas	3 Years - R*
Kentucky	3 Years - R*
Louisiana	3 Years
Maine	2 Years
Maryland	2 Years or Less
Massachusetts	3 Years
Michigan	4 Yrs. after 6/11/93 2 Yrs. before 6/11/93
Minnesota	3 Years
Mississippi	Not Specified
Missouri	5 Years - R*
Montana	3 Years - R*
Nebraska	3 Years
Nevada	1st year probation 2nd year of probation is optional
New Hampshire	3 Years
New Jersey	3 Years - R*
New Mexico	3 Years

*R = Must return to begin the next school year.

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FAIRBANKS REGIONAL OFFICE • 2110 Cambridge Street • Fairbanks, Alaska 99701 • (907) 452-6611 • FAX (907) 452-2100

New York	3 Years
North Carolina	3 Years - R*
North Dakota	Not Specified
Ohio	3 Years - R*
Oklahoma	3 Years
Oregon	3 Years - R*
Pennsylvania	2 Years
Rhode Island	3 Years
South Carolina	3 Years
South Dakota	2 Years - R*
Tennessee	3 Years - R*
Texas	3 Years
Utah	Not Specified
Vermont	Continuing Contract
Virginia	3 Years - R*
Washington	Continuing Contract 2 years in 1st job; 1 year in school district if 2 years previously served in another school in state
West Virginia	3 Years
Wisconsin	3 Years - R*
Wyoming	3 Years - R*

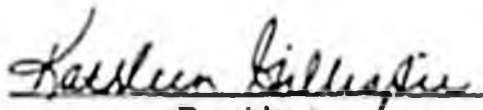
*R = Must return to begin the next school year.

Acquisition of Teacher Tenure

Adopted by the General Membership of the Anchorage Council of PTAs
March 6, 1995

- Whereas: The Objects of the National PTA include, "to secure adequate laws for the care and protection of children and youth" and "to develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social and spiritual education"; and
- Whereas: The quality of teaching is important in the development of strong educational programs in the State; and
- Whereas: Currently available data indicates 32 states require at least 3 years teaching experience in order to qualify for tenure and 7 states offer no tenure at all; and
- Whereas: Two years is often insufficient time for new teachers to develop professionally and successfully in an environment free of the pressures of non-retention notice deadline; and
- Whereas: Two years is often not long enough to comprehensively evaluate the capability of a teacher prior to granting tenure; and
- Whereas: School districts are under increased pressure to reduce costs resulting in fewer supervisors conducting quality teacher evaluations; and
- Whereas: The Association of Alaska School Boards has passed Core Resolution 95-22 supporting changes to State law requiring five full years probation before obtaining tenure; therefore, be it
- Resolved: That the Anchorage Council of PTAs recommends to the Legislature that AS 14.20.150 (a) and (b) be amended to require a minimum of five full school years of employment as a teacher to obtain tenure in the school systems of the State of Alaska (applicable to teachers first hired on or after the effective date of the act).

Adopted this 6th day of March, 1995 by the General Membership


President

Public Disclosure of Public School Employer-Employee Negotiations

Whereas, The National PTA through its mission and the United States Department of Education through Goals 2000, Educate America Act support parents having a meaningful voice in all aspects of school governance; and

Whereas, The National PTA Position Statement, *Teacher Negotiations, Sanctions, and Strikes*, encourages PTAs to provide, in the negotiation period, "a full public hearing of the issues for the purpose of dispelling confusion and developing intelligent, informed public opinion"; and

Whereas, several states have enacted legislation to provide for public notification and a reasonable time for public comment prior to the beginning of and during formal negotiations between school districts and bargaining units; and

Whereas, school boards are the community/public representative in contract negotiations with bargaining units working within the school district; and

CONTINUED

Whereas, ground rules set by the bargaining unit and the school board can preclude public notification of issues prior to the commencement of formal contract negotiations and the negotiated agreement amends school board policy; therefore, be it

Resolved, that the National PTA and its constituent bodies support ground rules in collective bargaining that provide for public disclosure and reasonable time for public comment of all issues being considered between the bargaining group and the school board; and, therefore, be it further

Resolved, that the National PTA and its constituent bodies actively seek and support changes to state legislation and regulations which allow for public disclosure and a reasonable time for public comment of all issues being considered between the bargaining group and the school board through collective bargaining.

April 18, 1995

Senator Lyda Green
Juneau, Alaska
FAX: 465-3805

Attention: Portia

Dear Senator Green:

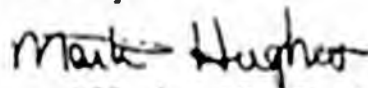
As followup to my conversation with Portia today, here are two resolutions the general membership of the Anchorage Council of PTAs has passed this year. These resolutions are forwarded to you for use as supporting documentation for your CSSB 132.

Our resolution for "Acquisition of Teacher Tenure" supports a probationary period of a minimum of 5 years before tenure is granted. Increasing the probation period will not only allow principals adequate time to do a comprehensive evaluation of nontenured teachers, but will also allow added time to provide sufficient support for improvement and development of the employee's teaching skills. Additionally, the Executive Board of the Anchorage Council supports three resolutions of the Association of Alaska School Boards: #95-22, Acquisition of Teacher Tenure; #95-23 Tenured Staff Reduction when Revenues Decline; and 95-24, Staff Reduction Due to Changing Program Needs.

Our resolution for "Public Disclosure of Public School Employer-Employee Negotiations" supports legislation requiring public disclosure and allowing for a reasonable time for public comment on all issues being considered between the school board and the bargaining group. We recognize such a 'sunshine law' will play an important part in promoting parent involvement in our schools.

The Anchorage Council of PTAs is comprised of 63 PTAs, which collectively represent thousands of parents and guardians of children in the Anchorage bowl area. We appreciate the opportunity to share these resolutions with you. If you should have any questions, please contact me at 345-8337.

Sincerely,



Marti Hughes, Vice President, Legislation
Anchorage Council of PTAs



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on SB132 . dated April 13, 1995
bill/subject

See p. 2

Signed Lucy Hope
Testifier/

Mat Su Educ Association
Representing (Optional)

PO Box 870887 Wadella AK 99687
Address

907 376 4794
Phone No.

p. 2

Several concerns with SB132.

1. Regarding the changes to tenure acquisition:

If the intent is to improve instruction, 2 years of intensive work with a principal should be sufficient. In fact, in Mat-Su, we hired approximately 70 new teachers each year for the past three years. Only one of these 210 new teachers was nonretained. I believe our District is doing a good job of screening, and then selecting qualified applicants to teach, and remediating any deficiencies in beginning teachers. This was accomplished in the first two years of their employment, and is done through professional inservice training, and proper evaluation which may include plans of improvement.

If the intent is to have a vehicle to get rid of tenured teachers, in the same amount of time, 2 tenured teachers were nonretained. By using the evaluation procedure, teachers who have achieved tenure can be nonretained at this time.

2. Regarding layoff of tenured teachers for academic program needs of the District:

The District now can eliminate programs, if that is a concern. This summer, our District eliminated an Alternative to Suspension program, to save money. Rather than put these people out of work, lay them off, they were reassigned within the District. According to D.O.E., in this state, a teacher with a Type A certificate can teach any subject, with the exception of Special Ed or Voc Ed. I myself was reassigned to a position I was not endorsed in, or trained for. It was difficult, but far preferable to losing my job, my ability to earn a living, and having to leave the community I call home. I since have taken extra coursework and am now skilled in teaching this new area.

I maintain that a competent teacher can teach many different subject areas, with some retraining perhaps. If the District is going to such drastic money saving measures as to eliminate programs, there needs to be a commitment to retrain teachers who have a successful history of working there.

3. Regarding the elimination of a duty-free lunch:

I do not understand this effort on your part; Is it to save money? It certainly cannot be to improve instruction. As an elementary teacher, most of our duty-free lunch is taken up with taking children back and forth to the playground, calling parents, and helping students with makeup work, supervising students kept in for disciplinary reasons. If other duties are assigned at this time, when are these things to get done? No other business or workplace requires people to work while eating lunch.

According to U. S. Department of Education, teacher now work 11 hours outside of the classroom on school related things; Now you are asking for another 2 and a half hours of time. I find this appalling. There literally, is no way, that elementary teachers could do any more than they already do.

4. Regarding mandatory public bargaining:

As a member of the past 5 bargaining teams here in the last 10 years, I have had lots of experience with public bargaining. The vast majority of bargaining here has been in public. Our negotiated agreement here provides for public bargaining if either party requests it. The parties at the table decide if it is best for the process in their own community.

Just as in the private sector, there are some negotiations sessions that are best done in private. For example, when discussing an area of the contract, the District frequently wants examples of what the concern is; it always involves sharing names, incidences, schools, and most times these are not things that need to be said in public. In closing, just a reminder that all of the results of bargaining are public; our negotiated agreement, salary schedule are public documents, and are available for the public to have.

Sue Hope

Fairbanks Education Association

2118 S. Cushman St.
Fairbanks, Alaska 99701
Phone - 456-4435 Fax - 456-2159



Thursday, April 13, 1995

Dear Senator Holford,

I am writing this letter since I was unable to testify while in Juneau and the teleconference yesterday never took place. I do want to thank your staff for contacting me and attempting to allow for my testimony. In case I don't get to testify I want to pass along my concerns.

CS68 132 is not a bill aimed at improving education! The bill itself, just on first reading, is already having a very negative effect on the teachers in Fairbanks. Doing away with duty-free lunch will further isolate an already isolated group. For many teachers, the duty-free lunch is the only time they can get to interact with one another. The duty-free lunch is also a protection from unscrupulous administrators. For each school that the duty-free lunch had been a problem—I can provide information showing the unreasonableness of an administrator. Currently, we have two schools in Fairbanks that have administrators who have collaborated with staff to reach a solution and ultimately be granted a waiver to have a duty-free lunch outside of the 11 - 1 time frame. Rational and reasonable administrators do not need more tools to solve their problems. They solve them by working collaboratively with their staff.

The issue of the scope of judicial review seems aimed more at protecting incompetent administrators than at incompetent teachers. Where in the bill do you have a section that deals with the level of competence of an administrator that fails to adequately evaluate or discipline an employee? This change gives school boards the right to discharge an employee in a subjective way. They are not trained in judicial process and, as an employer, they have a vested interest in an employee's continued employment. That vested interest could have either a negative or positive effect on the outcome of a hearing, which is the very reason a de novo trial has been in place. The court is interested in fair play, school boards often have a different interest.

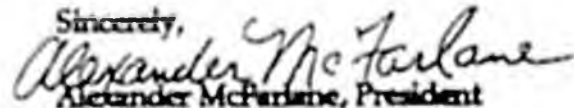
Regarding layoffs, I find it interesting that school districts will be able, without process involving staff, determine layoffs due to academic program needs. Again, rational and reasonable administrators have no trouble meeting educational needs—layoff due to supposed academic needs will lead to inappropriate use of legislation. If it sounds like I don't trust administrators, then you read right. I've been around both good and lousy administrators and the damage a lousy administrator can do to a school in a short amount of time is often irreparable. Checks and balances need to be in place and that is what we currently have. Locally, we have a good superintendent who is rational and reasonable, however, we won't necessarily always have that same caliber of superintendent.

Changing two-year tenure to five-year tenure will not improve education. Instead it will allow incompetent administrators to keep an inadequate teacher around for five years. If principals do an adequate job of evaluation then inadequate teachers will not be teaching. Districts already have the right to decide their own evaluation procedures, yet they want a further out when they don't do an adequate job. This won't improve education, it will protect lousy administration!

Finally, the RIP bill. If the RIP is such a good idea then why not let it stand on its own?

I urge you to vote this bill down and out! This bill does absolutely nothing to improve education. Help steer other legislators to working towards changes that have a chance of improving education, not purposely demoralizing teachers. I further urge you to help insure that the public is thoroughly involved in the decision-making process. I do appreciate the time you took reading this letter and look forward to your response.

Sincerely,



Alexander McFarlane, President
Fairbanks Education Association

Senate bill does 'bash' teachers

There's no other word for it

The state Senate has abruptly shifted into high gear on a bill that would drastically alter the relationship between school districts and teachers.

It would encourage open warfare.

The measure, Senate Bill 122, is loaded with problems, not the least of which is its suddenness. For the most significant piece of school-related legislation in years to skedaddle through the Senate like some routine housekeeping bill is ridiculous.

The measure passed the Senate Health, Education and Social Services Committee at its first hearing on Friday, after what was a single-issue bill was amended to carry more weight than Charles Atlas.

It then moved through the Judiciary Committee on Monday and was scheduled for action in Finance today. At that pace, the measure could make it to the floor by the end of the week. Clearly, the bill appears greased for passage.

Among other things, here's what the proposal would do:

- Require new teachers to work five years instead of two to obtain tenure.
- Make it much easier for school districts to lay off tenured teachers.
- Eliminate an existing law that guarantees teachers a half-hour lunch break between 11 a.m. and 1 p.m.
- Make it harder for fired teachers to win judicial appeals against school districts — the original purpose of the bill.

No wonder one educator labeled the measure "a real teacher-bashing bill."

Sen. Lyda Green, the Wasilla Republican taking point on the proposal, is working hard at spin control. "This is an education bill designed to improve education," she said.

Sure it is. And the Ku Klux Klan is a community group designed to improve community relations.

What's really happening is that the Senate is laying down a smokescreen to cover the fact that the GOP-led Legislature won't ante up \$18 million in increased school funding proposed by Democratic Gov. Tony Knowles.

Instead, senators are offering school districts the opportunity to go to war with teachers — and giving the districts most of the ammunition.

Senate Bill 122 also has been called a "Christmas tree bill" — the term used in the Legislature when many major issues are lumped into one measure.

Other sections of the bill would:

- Allow school districts to offer retirement incentive programs to highly paid veteran teachers, replacing them with money-saving new teachers.
- Require that all contract negotiations be open to the public.

Which leads to a couple of questions.

Why doesn't the Senate approve the retirement incentive bill already proposed by the governor? That measure would save additional money by also allowing other state and municipal government workers to retire early.

And, if school labor negotiations can be conducted in public, why can't virtually all the Senate's business? Like the back-room discussions that obviously occurred when Senate leaders decided to put this bill on the fast track.

Look, there's no doubt that Alaska school districts need help with their budget troubles. And reasoned, rational debate over such things as retirement incentive programs and basing teacher tenure on merit is appropriate.

But loading up the bill with the worst sort of anti-teacher language — then rushing it through the process — is neither reasonable nor rational.

It also is a misguided attempt to avoid the obvious: Alaska's schoolchildren will be worse off next year if the Legislature is too chintzy to fund the governor's request for increased education spending.

Although many of the other students saw it, it took some time before one student came forward.

"The police were called, the boys were arrested, handcuffed and removed from school. They were suspended for 10 days. ... I do not understand why this child has the right to continue to go to school. ... How do his rights to an education outweigh the rights of 800 other children to a safe environment? ... The child who told about the gun is terrified of revenge, and the other students are too."

The awful thing is that the story — the allegation of an elementary school student in the United States bringing a gun to school — did not sound at all implausible. Indeed, when we spoke with Chicago Public Schools officials, they said that the facts in the letter were accu-

Josh Maria pal of Trent Sanders, spoke schools, sound sad when they happened. Yes year-old — ha loaded 8-shot. Yes, he was b we in this co melancholy tim

"What are I said. "Do we t ementary level from coming to We can't do the students have. We teach our teacher or a crossing guard with a gun. An son with the gu the child who I wonder whether right thing."

New York's

When students at the city university recently jammed streets around city hall to vent indignation about budget cuts that portend tuition increases they carried signs denouncing Mayor Giuliani, but misspelling his name, as well as "tuition" and "priority." Those signs were indications either that more money is needed for higher education, or that less money should be entrusted to the people responsible for that university. Whichever, the turmoil was just one manifestation of resistance to budgets that Giuliani calls "reality therapy."

It is an old axiom that in politics if you have no choice, you have no problem. That is the only sense in which Giuliani has no problem. He has no choice but to cut continuously at the city's government because the alternative is implosion. That occurs when rising taxes and declining quality of life drive more and more of a city's tax base — people and businesses — to flee the city, leaving the remainder to bear a steadily increasing burden.

Last year the city budget was smaller than the year before, and this year Giuliani has proposed a still smaller budget achieved by spending cuts of a severity not seen here since the depths of the Depression. He says his aim is to

GEORGE

make New York mal city. "The what New York of this century, cally, but it is for a city that welfare (12 m one in seven pe schools and th more administrat jact each year man classes or campuses. No welcome : : a cent year there one every sev All emergency shults, which a many go unrep New York i mality spends capita on its r or Boston, twi its on welfare; cago has app employees for

LETTERS

Traveler finds MarkAir ticket problems continue

When I was growing up, Western movies always entertained me. I cheered the good guys in the white hats and booed the bad guys in the black hats.

And now I find it quite interesting to take note of the two airlines that are graciously stepping in to accommodate MarkAir passengers who have tickets after mid-April. They are sort of like the good guys in the white hats, or so it seemed before I phoned each airline and gathered information.

My dilemma is that I have a ticket purchased with a Permanent Fund coupon, and this ticket

is for travel to Juneau to Anch

But my date MarkAir no li mean. So I th what the guys could tell me, see how they w

After a bit, the phone, I times to then make Alaska while, I did get ing agent, and full.

She reserves flight from J, that's right — change, and from Anchor Fairbanks.

DOONEBURY®



BY GARY



Alaska 2000 Educational Initiative
Public Opinion Survey Results
Descending sort by the sum of the support percentages
As of 10/13/92
702 Responses

	Sum of Support %	Strongly support		Support somewhat		No opinion		Slightly opposed		Very opposed	
		N	%	N	%	N	%	N	%	N	%
Vision statement	93	272	41	350	52	17	3	14	2	17	3
Performance standards	93	274	36	370	57	6	1	17	3	22	3
Preventive maintenance	93	228	35	384	58	18	3	9	1	18	3
Technology training	92	262	40	336	52	12	2	21	3	21	3
Vocational programs	91	270	42	320	49	14	2	10	2	33	5
Encouraging parental responsibility	89	293	48	250	41	23	4	13	2	36	6
Technology Recommendations	88	20	49	16	39	2	5	1	2	2	5
Facilities Recommendations	88	11	26	26	62	3	7	0	0	2	5
New Programs Recommendations	88	25	45	24	43	0	0	1	2	6	11
School construction standards	87	168	26	393	61	31	5	26	4	31	5
Funding major maintenance	87	167	26	387	61	40	6	15	2	23	4
Audit	87	205	32	355	55	35	5	22	3	25	4
Capital funding priorities	86	178	28	366	58	41	6	21	3	28	4
New schools and classrooms	86	408	65	129	21	29	5	24	4	39	6
Student incentive grants	86	174	28	363	58	25	4	26	4	35	6
Financial standards	85	409	67	109	18	46	8	15	2	27	4
Standards/Assessment Recommendations	81	17	35	22	46	1	2	3	6	5	10
Two-phased funding	81	135	21	386	60	70	11	17	3	32	5
Research and development	81	154	25	341	56	32	5	34	6	49	8
Telecommunications reporting system	80	158	25	349	55	54	9	39	6	35	6
Withholding funds	78	140	23	337	55	42	7	46	7	49	8
Sharing capital costs	76	116	20	320	56	34	6	32	6	66	12
School tax	75	175	28	297	47	22	4	35	6	98	16
Thirteen year funding	71	136	25	249	46	35	7	51	10	65	12
Residential high schools	66	91	15	317	51	43	7	73	12	94	15
Allowing choice	56	157	27	170	29	24	4	70	12	167	28
Laws Recommendations	56	23	38	11	18	2	3	13	21	12	20
School price index	53	132	31	95	22	48	11	84	20	64	15
Telecommunications network	52	191	30	138	22	46	7	244	38	21	3
Teacher training standards	52	234	35	113	17	11	2	273	41	30	5
Finance Recommendations	52	9	26	9	26	4	11	9	26	4	11
Reporting student contact time	52	131	31	88	21	63	15	39	9	102	24
Workforce Recommendations	47	9	28	6	19	2	6	11	34	4	13
Knowledge of technology	47	186	28	127	19	22	3	61	9	264	40
Choices Recommendations	47	13	32	6	15	4	10	1	2	17	41
School Construction Corps	47	146	24	143	23	31	5	54	9	218	39
Student testing	46	162	27	113	19	24	4	224	37	75	13
Facility inventory	46	142	23	145	23	47	7	252	40	45	7
Construction standards	46	174	27	122	19	32	5	276	43	60	6
Advisory boards	44	177	28	101	16	37	6	219	35	98	16
Regulation review	41	165	26	95	15	48	8	267	43	48	8
Additional certification requirements	40	151	23	112	17	14	2	298	46	77	12
Master teachers	40	161	26	85	14	35	6	51	8	282	46
Certificates of Mastery	39	139	23	97	16	36	6	234	39	49	15
Increased student contact time	39	142	23	97	16	33	2	76	12	296	47
School choice	38	132	21	108	17	21	3	250	39	132	21
Sharing costs	37	137	22	91	15	32	5	296	48	59	10
Staff reduction	36	164	25	70	11	18	3	70	11	139	21
Per capita funding	36	126	21	94	15	30	5	52	8	311	51
Summer session	35	128	20	97	15	43	7	61	10	302	48
Waivers from regulations	35	122	20	94	15	38	6	263	43	81	13
Reciprocity	35	88	17	92	18	59	11	188	31	48	17
Approval of regulations	34	126	20	91	18	34	6	51	9	303	48
Transportation costs	34	170	18	93	16	65	11	47	6	240	47
Construction standards	31	97	15	102	16	62	10	143	27	71	11
Teacher salary	29	121	19	66	10	14	2	54	8	408	61
Teacher Standards	27	91	14	92	13	23	4	58	9	176	27