

HB

1922



Alaska State Legislature

Mike Doogan
Representative
District 25, Anchorage

SPONSOR STATEMENT

HB 192

An Act relating to notification to teachers of layoff or nonretention.

Alaska Statute currently requires school districts to inform tenured teachers they will be laid off or not retained for the following school year by March 16, while teachers who have not acquired tenure must be notified by the final day of the school term.

HB 192 changes the notification date for lay off or nonretention of tenured teachers from March 16 to the final day of the school term, the same notification deadline mandated for non-tenured teachers. The reason for this change is school districts do not know what their budget for the following school year will be by the middle of March.

While school districts can project or make reasonable guesses, they do not know with certainty what the state's contribution to education is going to be until the end of the legislative session. In the face of inadequate information, it is unreasonable to require school districts to send pink slips to tenured teachers in the middle of March simply because they are uncertain if they will have adequate funds to retain the teachers by the time the legislature has passed an education funding budget.

State Capitol
Juneau, AK 99801
907-465-4998 or 800-689-4998
Fax 907-465-4419

716 West 4th Avenue
Anchorage, AK 99501
907-269-0216
Fax 907-269-0218

Rep.Mike.Doogan@legis.state.ak.us



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SECTIONAL ANALYSIS

HB 192: "An Act relating to notification to teachers of layoff or nonretention."

- Section 1:** Amends AS 14.20.140(b) to stipulate all teachers, not just non-tenured teachers, are to be notified by an employer of layoff or nonretention on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.
- Section 2:** Amends AS 14.20.180(b) to comply with AS 14.20.140(b), not AS 14.20.140(a), which is repealed in Section 3 of the bill.
- Section 3:** AS 14.20.140(a), which stipulates tenured teachers must be notified by an employer of layoff or nonretention before March 16, is repealed.

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Sec. ~~14.20.140~~. Notification of lay off or nonretention.

(a) If a teacher who has acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year, the employer shall notify the teacher of the layoff or nonretention by writing, delivered before March 16, or by registered mail postmarked before March 16.

(b) If a teacher who has not acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year the employer shall notify the teacher of the layoff or nonretention by writing delivered on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.

(c) Notwithstanding a teacher's right to continued employment under AS 39.20.500 - 39.20.550, a school district may notify a teacher of layoff or nonretention under this section for the following school year for a permissible reason.

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 192

BY REPRESENTATIVE DOOGAN

1 Page 1, lines 3 - 13:

2 Delete all material and insert:

3 **** Section 1.** AS 14.20.140 (a) is repealed and reenacted to read:

4 (a) If no bill containing public school funding under AS 14.17.410 passes both
5 houses of the legislature on or before March 1, the employer shall notify a teacher who
6 is to be laid off under AS 14.20.177 or is not to be retained for the following school
7 year of the layoff or nonretention by writing delivered on or before the last day of the
8 school term or by registered mail postmarked on or before the last day of the school
9 term.

10 *** Sec. 2.** AS 14.20.140(b) is repealed and reenacted to read:

11 (b) If a bill containing public school funding under AS 14.17.410 passes both
12 houses of the legislature on or before March 1, the employer shall notify a teacher who
13 is to be laid off under AS 14.20.177 or is not to be retained for the following school
14 year by writing delivered on or before

15 (1) March 16, or by registered mail postmarked before March 16 for a
16 teacher who has acquired tenure rights; or

17 (2) the last day of the school term or by registered mail postmarked on
18 or before the last day of the school term for a teacher who has not acquired tenure
19 rights.

20 *** Sec. 3.** AS 14.20.180(b) is amended to read:

21 (b) An employer that has decided to nonretain a tenured teacher shall provide
22 the teacher with written notice, including a statement of cause and a complete bill of
23 particulars. The notice must comply with AS 14.20.140(a) or (b), whichever is ?

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applicable."