

**SCOMM**

**151:8**

COMPROMISE  
COULD BE, SAY,  
APRIL 15 BUDGET  
PASS, MAY 1 =  
PINK SLIPS.  
JOB FAIRS COULD  
BE SCHEDULED LATER.

FACT STANDS:  
IF THERE'S AN  
UNEMPLOYED TEACHER  
OUT THERE, IT'S  
EASY TO GET A JOB.

# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 192(HES)  
 (H) Publish Date: 4/25/07

Revision Date/Time (Note if correction):  
 Title An act relating to notification to teachers of  
layoff or nonretention.  
 Sponsor Representative Doogan, Crawford  
 Requester Health, Education and Social Services, Finance

Dept. Affected: Education & Early Development  
 RDU Education Support Services  
 Component Executive Administration  
 Component No. 2736

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation requires school districts to give all teachers that are tenured or non-tenured notification of non-retention by the last day of the school term by registered mail.

AS 14.20.140(a) Which states a teacher who is to be laid off, will be notified via regular mail by March 16th, is repealed.

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 Approved by: Barbara Thompson, Deputy Commissioner  
 Agency Education & Early Development

Phone 465-8679  
 Date/Time 4/20/07 1:30 PM  
 Date 4/20/2007



## 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 provide tenured teachers notice of nonretention or layoff 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 makes the early March 16 notification date for tenured teachers contingent on passage of a public education funding bill by March 1. If no public education funding bill passes the legislature by March 1, then tenured teachers must be notified of nonretention or layoff by the final day of the school term. HB 192 does not alter the mandatory notification date for non-tenured teachers, the final day of the school term.

The intent of HB 192 is to remove a statutory mandate that is placed on school districts that ignores whether education funding has passed the legislature or not. If no education funding bill has passed the legislature by the current March 16 notification date, districts do not actually know what their budgets for the following year will be. Consequently, the districts must send layoff or nonretention notices to tenured teachers out of uncertainty or speculation that they may not have adequate funds in their budget to retain the tenured teachers for the following year.

If the legislature passes an education funding bill by March 1, it is reasonable to mandate school districts give notice of layoff or nonretention to tenured teachers by March 16. Otherwise, the district is sending out layoff or nonretention notices to tenured teachers out of uncertainty and speculation. Requiring school districts to layoff tenured teachers without a final budget is impractical and can have negative consequences for both tenured teachers and school districts. HB 192 helps mitigate those negative consequences by changing the law to correspond with budgetary reality.



## Alaska State Legislature

**Mike Doogan**  
Representative  
District 25, Anchorage

### SECTIONAL ANALYSIS

#### CS for HB 192(HES)

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

- Section 1:** Amends AS 14.20.140(a) to stipulate if no bill containing public school funding passes the legislature by March 1, all teachers (non-tenured and tenured) 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 14.20.140(b) to stipulate if a bill containing public school funding passes the legislature by March 1, then
- (1) tenured teachers must be notified by an employer of layoff or nonretention on or before March 16, or by registered mail postmarked before March 16, and
  - (2) non-tenured teachers must 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 3:** Amends AS 14.20.180(b), to conform with the provisions of AS 14.20.140 (a) and (b), whichever is applicable.

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.