

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

7782 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

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ALASKA PUBLIC EMPLOYEES ASSOCIATION/AFT(AFL-CIO)

State Headquarters/Juneau Field Office
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Telephone (907) 586-2334, (800) 478-9991, Fax 463-4980

February 8, 1994

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

Re: Opposition to CSHB 84

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

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

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

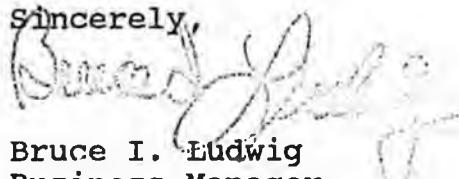
University style tenure determination systems are intended to protect academic freedom, but can frequently result in highly political, penalizing, character attacks upon new teachers.

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

Please vote against passage of CSHB 84.

Thank you for your time and consideration of our concerns.

Sincerely,


Bruce I. Ludwig
Business Manager



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

February 3, 1994

Representative Bettye Davis
Alaska State Legislature
Juneau, Alaska

Dear Bettye,

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

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

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

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

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

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

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

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

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

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

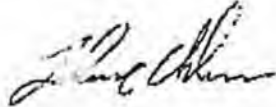
2. eliminate AS 14.20.170-180, in its entirety. Replace it with an addendum to AS 23.40 that says that collective bargaining agreements must contain grievance procedures which end in binding arbitration and apply to termination of teachers for just cause, without access to School Board review or trial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

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

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

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

Sincerely,



Lee Wilson
Executive Director/Labor Relations

cc: Bob Christal
Carol Comeau

CS FOR HOUSE BILL NO. 84(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

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

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (e) In this section,

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

1 section;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 nontenured teacher.

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

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

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

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

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

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

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

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

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

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

MEMORANDUM

February 1, 1994

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

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

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

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

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

TC:pl:gc
94-087.plm
Enclosure

8-GH1033R
Ford
1/28/94

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

BY

Offered:
Referred:

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

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9 to the needs of students and society;

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11 needs of Alaska's children;

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

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18 UP TO \$50,000 to improve public school performance by submitting an application
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28 if the district is administering the grant and the district governing body is not the
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1 (1) "applicant" means a person applying for a grant under this
2 section;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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27 request and all material submitted with the request.

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

1 school board's disapproval under AS 14.20.154.

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5 Sec. 14.20.152. LOCAL TENURE REVIEW COMMITTEE. (a) A local
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8 pleasure of the local school board.

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

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

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

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25 a time and place that will encourage public participation.

26 (c) The committee shall publish notice of its meetings in the manner that
27 notice is provided for regularly scheduled local school board meetings in the district.
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30 Comments regarding a teacher that are received by the committee shall be provided
31 to the teacher.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1
2
3
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9

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

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

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

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

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

MEETING
1/30/94

ATTACHMENT 1

AMENDMENTS

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

Page 3

Delete Section 7 and renumber.

Page 5 Line 7-8

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

Page 5 Line 13

Delete "or"

Insert "and".

Page 5 Line 14

Delete "or both".

(The sentence will now read:

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

Page 5 Line 15

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

Page 7 Line 20

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

DATE: 1/29/94

MEETING 1/30/94
ATTACHMENT
2

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

Please oppose CS HB 84 (Alaska 2000)

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

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

DATE: January 29, 1993

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

Please oppose CS HB 84 (Alaska 2000)

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

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

more teachers in the classroom!

I'm a constituent of Rep. Toohey.

Let us do the job we're trained for!

Anchorage Education Association



MEETING 1/30/94

ATTACHMENT 3

355

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

January 31, 1994

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

Dear HESS Committee,

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

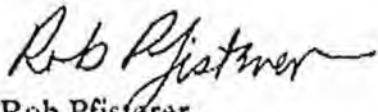
- 1) The changes would not accomplish the stated intent. If districts are interested in removing teachers who are not adequate in performing their professional duties, they need to adequately evaluate their performance.
- 2) The creation of tenure review boards would not make districts more accountable.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

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

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

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

Respectfully,



Rob Pfisterer
President, Anchorage Education Association

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615

January 26, 1994

Re HB 84

Dear Legislators,

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

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

Sincerely,



Kermit D. Reppond

RECEIVED 1/26/94
4:45

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

Dear NEA Committee members:

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

Re: AS Sec. 14.20.15

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

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

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

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

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

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

DATE: 1/29/94

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

Please oppose CS HB 84 (Alaska 2000)

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

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

DATE: January 29, 1993

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

Please oppose CS HB 84 (Alaska 2000)

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

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

more teachers in the classroom!

I'm a constituent of Rep. Farley.

Let us do the job we're trained for!

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

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

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

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

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

1 performance; and

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

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

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

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

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

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

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

16 * Sec. 5. AS 14.12.035 is repealed and reenacted to read:

17 Sec. 14.12.035. ADVISORY BOARDS IN SCHOOL DISTRICTS. (a) Except
18 as provided in (d) of this section, a city or borough school district board shall establish
19 an advisory board at each school in each community within the district if the
20 community has more than 50 permanent residents. The school district board shall set
21 standards for the manner of selection and organization of the advisory boards and, in
22 a manner consistent with (b) of this section, shall prescribe advisory board powers and
23 duties. A member of an advisory board serves without compensation. A school
24 district that has only one school and has a school board is exempt from the
25 requirements of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

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

MEMORANDUM

January 20, 1994

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

TO: Representative Cynthia Toqhey

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

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

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

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

Section 1. Purpose section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Representative Cynthia Toohey
January 20, 1994
Page 3

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

MFF:TBC:gc
94-045.glc



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

DATE: 1-26-94

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

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

Thank you,

Lorna Steelman / Kodiak LIO



Alaska State Legislature

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

(PLEASE SEE ATTACHED SHEET) - OVER -

RECEIVED: 2/8/94

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

- OVER -

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615

January 26, 1994

Re HB 84

Dear Legislators,

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

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

Sincerely,



Kermit D. Reppond

Kermit D. Reppond
1616 Selief Lane
Kodiak, AK 99615

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Sincerely,



Kermit D. Reppond

FAIRBANKS NORTH STAR BOROUGH BOARD OF EDUCATION

Resolution 93-13

Teacher Tenure

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


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

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

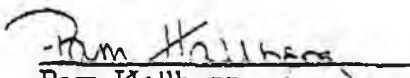
WHEREAS, the two year tenure restricts school boards' abilities to manage for quality education,

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

PASSED AND APPROVED OCTOBER 5, 1993.


Gene Redden, President
Board of Education

ATTEST:


Pam Hallberg
Secretary to the Board

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

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

January 26, 1994

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Sincerely,



Kermit D. Reppond



Alaska State Legislature

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FAIRBANKS NORTH STAR BOROUGH BOARD OF EDUCATION

Resolution 93-13

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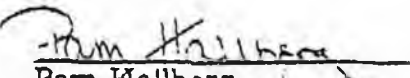
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PASSED AND APPROVED OCTOBER 5, 1993.


Gene Redden, President
Board of Education

ATTEST:


Pam Hallberg
Secretary to the Board



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22, 1993

PLACE: Capitol Room 106

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

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ Nelson J. Carroll	Self	P.O. Box 240293 Reno, NV 89524 →		364-2210	School 586-5718	(Y) N	
✓ Sam Whitcomb	"	2155 Feltz Lane Rd.		789-1384	304-3114	(Y) N	
James K. Harris	Self	3412 Foster Ave #2	99501		586-3651	Y (N)	
in Part law		320 W Willoughby	801		6-1432	Y (N)	
✓ Kim McCullough	"	PO 707 Petersburg	99833	772- 9238	772 4751	(Y) N	
Bob Bennett	self	130 Seward St - 99501		586-2066		Y N	HB 66
						Y N	
						Y N	
						Y N	
						Y N	



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

HB 30
HB 66
HB 67

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



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: FEBRUARY 22, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

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

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



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

DATE: FEBRUARY 18, 1993

PLACE: Capitol Room 106

SUBJECT OF MEETING:

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

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Carl Rose	ASSEC of AK School Bds	316 W 11th St Juneau AK 99801			586-1083	<input checked="" type="checkbox"/> N	HB 84/HB 85
Claudia Douglas	NEA-ALASKA	114 Securo Juneau, AK 99801			586-3090	<input checked="" type="checkbox"/> N	HR 84
Ken Sweet	Chvathbale PAC	P.O. Box 0 Chvathbale AK 99557				<input checked="" type="checkbox"/> N	
Don Harmon	Rep. Dev. PAC	P.O. Box 37 Rep. Dev. AK 99656				<input checked="" type="checkbox"/> N	

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

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02/24/93

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PAGE 01
09:22:30

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

2/18/93

**** ORDER SUMMARY ****

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

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

**** AGENDA ****

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

**** PARTICIPATING LIOS ****

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

PARTICIPANTS IN ANCHORAGE ANC

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

PARTICIPANTS IN BARROW BAR

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

PARTICIPANTS IN FAIRBANKS FBX

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

PARTICIPANTS IN: GLENNALLEN GLN

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

LTN1100-R01

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 02

02/24/93

09:22:30

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

PARTICIPANTS IN: GLENNALLEN GLN

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

PARTICIPANTS IN: JUNEAU JNU

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

23

2

OBSERVE

AK

(907)000-0000

OBSV. HB 84

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PAGE 03

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

PARTICIPANTS IN: KETCHIKAN

KTN

1 MR.	ROBERT WEINSTEIN (HB 85)	S.E. ISL. SCHOOL D UNABL HB 84	AK 99901	(907)225-9658
	BOX 8340	KETCHIKAN		
2 MS	MARYSIA OCHEJ (HB 85)	S.E. ISL. SCHOOL D OBSV. HB 84	AK 99901	(907)225-9658
	BOX 8340	KETCHIKAN		
3 MR.	BRUCE STANTON (HB 85)	UNABL HB 84	AK 99901	(907)225-4436
	177 SHOUP ST. STG	KETCHIKAN		
4 MS	VICKIE BEVENS (HB 85)	OBSV. HB 84	AK 99901	(907)225-0770
	215 WHITE CLIFF STREET	KETCHIKAN		
5 MS	SHARRON NORTON (HB 85)	TSFY. HB 84	AK 99901	(907)225-2479
	8302 S. TONGASS HWY.	KETCHIKAN		

PARTICIPANTS IN: MATSU

MAT

1 MS	ROSE SMITH	TSFY. HB 84	AK 99687	(907)376-2517
	1140 GAIL DRIVE	WASILLA		
2 MR.	ROBERT THOMPSON	TSFY. HB 84	AK 99645	(907)745-2019
	HC01-6875C	PALMER		
3 MR	BILL MUNROE	TSFY. HB 84	AK 99687	(907)376-4264
	2950 MARIANNE	WASILLA		
4 MS	SUZANNE CYR	TSFY. HB 84	AK 99687	(907)376-1139
	P.O. BOX 873663	WASILLA		
5 MS	PATRICIA GAKIN	OBSV. HB 84	AK 99687	(907)373-4717
	P.O. BOX 871304	WASILLA		
6 MS	SANDY PEVAN	OBSV. HB 84	AK 99687	(907)373-6198
	P.O. BOX 871256	WASILLA		
7 MR	PETE PEVAN	OBSV. HB 84	AK 99687	(907)373-6198
	P.O. BOX 871256	WASILLA		
8 DR.	ELL SORENSON	MAT-SU SCHOOLS OBSV. HB 84	AK 99645	(907)746-9200
	BOX 153	PALMER		

PARTICIPANTS IN: MATSU

MAT

9 MR. HENRY GUINOTTE PALMER OBSV. HB 84
 BOX 2346 AK 99645 (907)000-0000

PARTICIPANTS IN: NOME

NOM

1 MR. MICHAEL MURPHY NOME SCHOOLBOARD TSFY. ALL ITEMS
 BOX 1062 NOME AK 99762 (907)443-2043

2 MR. VERNON KUGZRUK SELF OBSV. HB 85
 BOX 837 NOME AK 99762 (907)000-0000

3 MR. E.C. WHEELER SELF OBSV. ALL ITEMS
 BOX 1209 NOME AK 99762 (907)443-5533

4 MR. ROBERT KENNA NOME SCHOOLDISTR OBSV. ALL ITEMS
 BOX 131 NOME AK 99762 (907)443-2231

5 MRS. DEBRAH MILLER SCHOOL BOARD OBSV. ALL ITEMS
 BOX 1923 NOME AK 99762 (907)443-3083

PARTICIPANTS IN: SITKA

SIT

1 MR. STEVE LAWRIE SIT SCHOOL BOARD OBSV. ALL ITEMS
 BOX 2976 SITKA AK 99835 (907)747-6150

2 MR. MIKE LITMAN SIT SCHOOL BOARD UNABL HB 85
 BOX 1971 SITKA AK 99835 (907)747-3660

3 MRS. SUSAN LITMAN OBSV. HB 85
 BOX 1971 SITKA AK 99835 (907)747-3660

4 MR. BRUCE BACHEN SIT SCHOOL BOARD OBSV. HB 85
 713 SIRSTAD ST. SITKA AK 99835 (907)747-5922

5 MS. JAN KOCH OBSV. HB 85
 1003-A LAKE ST. SITKA AK 99835 (907)747-6034

6 MS. SUSAN PADILLA SIT SCHOOL BOARD OBSV. ALL ITEMS
 312 WORTMAN LOOP SITKA AK 99835 (907)747-6576

PARTICIPANTS IN: KEN/SOL

SOL

1 REP. GARY DAVIS (HB85) TSFY. HB 84
 AK (907)000-0000

2 MR. DICK SWARNER (SUPPOKPBDS UNABL HB 85
 148 N. BINKLEY SOLDOTNA AK 99669 (907)262-4056

PARTICIPANTS IN: TOK LTD

TOK

1 MS. CATHERINE WILSON OBSV. HB 84
 P.O. BOX 226 TOK AK 99780 (907)883-5151

PARTICIPANTS IN: VALDEZ

VAL

1 MR. JOHN TONGEN VALDEZ SCHOOLS OBSV. ALL ITEMS
 AK (907)000-0000

2 MR. HARRY ROGERS VALDEZ SCHOOLS OBSV. ALL ITEMS
 P.O. BOX 398 VALDEZ AK 99686 (907)835-4357

REVA SIRCEL
TCC
122 FIRST AVE.
FAIRBANKS, AK 99701

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

HB 84

TESTIMONY

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

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

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

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

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

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

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

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

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

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

BISHOP MICHAEL H. KENNY

R. CATHOLIC DIOCESE OF JUNEAU
CATHOLIC COMMUNITY SERVICE

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

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

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

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

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

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

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

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

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

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

EDUCATION BILL TELECONFERENCE

Thursday, February 18, 3:00

HB 84

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

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

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

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

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

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

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

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

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

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

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

legislation will help the cause of a better education system.

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

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

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

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

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



SOUTHEAST
ISLAND
SCHOOL
DISTRICT

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

Robert Weinstein
SUPERINTENDENT

February 17, 1993

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

Dear Representative Bunde:

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

My specific comments are as follows.

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

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

2. SB 61/HB 84: Alaska 2000 Recommendations

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

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

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

Testimony

Representative Bunde

Page 2

February 17, 1993

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

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

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

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

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

Sincerely,



Robert Weinstein
Superintendent

RW:eb
cc: Commissioner of Education

STATE OF ALASKA

DEPARTMENT OF EDUCATION

WALTER J. HICKEL, GOVERNOR

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

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

The following information is provided to the House HESS Committee:

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

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

Increase the School Term

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

Flexibility in Funding Grants for School Improvement

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

Establishment of Advisory School Boards

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

Establishment of a Tenure Review Committee

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

Establishment of a Tenure Review Committee cont.

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

Establishment of Charter Schools

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

Sectional Analysis

House Bill 84

"An Act implementing certain recommendations of Alaska 2000"

Section 1 sets out the purposes of the Act.

Section 2 increases the school term by three days.

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

Section 3 provides additional, subsequent increases.

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

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

Section 4

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

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

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

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

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

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

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

Section 9 provides that teachers acquire tenure after

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

Section 10 sets out the process for applying for tenure.

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

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

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

have had involvement in the district's educational program.

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

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

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

Section 12 establishes charter schools.

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

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

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

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

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

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

Section 14 describes funding for charter schools.

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

Section 15 describes admission to a charter school.

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

Section 16 addresses teacher transfers and evaluation.

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

charter school based on seniority.

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

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

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

Section 19 is a definition section related to charter schools.

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

Sections 21-25 provide effective dates.

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 1993

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

Dear President Halford:

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

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

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

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

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

The Honorable Rick Halford
January 22, 1993
Page 2

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

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

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

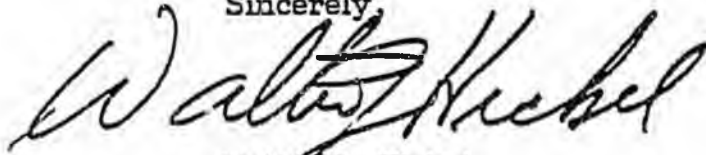
All of the above substantive changes, except for the phased-in changes in school term length in secs. 2 and 3, would take effect July 1, 1993. The phased-in changes in school term length would take effect July 1, 1994. See secs. 23 and 24.

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

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

I urge your support of this important legislation.

Sincerely,



Walter J. Hickel
Governor

FISCAL NOTE

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

STATE OF ALASKA
 1993 LEGISLATIVE SESSION

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

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

COMPONENT SERIAL NO. 171

Expenditures/Revenues:

(Thousands of Dollars)

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

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact \$ 0

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

Additional fiscal information: See attached.

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

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