

1 IN THE HOUSE

BY MESSRS. JOSEPHSON, RADER,
METCALF, STRANDBERG, GUESS,
LOTTSELDT AND SASSARA

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HOUSE BILL NO. 27

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to the causes for revoca-
tion of a teacher's certificate, and to the
procedures for a hearing before revocation."

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

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* Section 1. AS 14.20.090 is repealed and re-enacted to read:

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Sec. 14.20.090. CAUSES FOR REVOCATION. The department

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may revoke a certificate for any of the following causes:

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(1) incompetency, which is defined as the ina-

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bility or the unintentional or intentional failure to perform
one's teaching duties in a satisfactory manner;

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(2) immorality, which is defined as the commission

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of an act which, under the laws of the state, constitutes a
crime involving moral turpitude;

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(3) substantial noncompliance with the school laws

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of the state or the regulations of the department.

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* Sec. 2. AS 14.20 is amended by adding a new section to read:

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Sec. 14.20.185. PROCEDURE AND HEARING. (a) The com-

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missioner shall notify in writing a teacher whose certificate

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is to be revoked. The teacher may, within 10 days immediately

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following receipt of the notification from the commissioner,

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notify the commissioner in writing that he requests a hearing.

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The teacher may require in the notification that: the hear-

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ing be either public or private; the hearing be under oath or

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affirmation; he be represented by counsel with the right to

1 cross-examination; and that he have the right and privilege
2 to subpoena any person who has made allegations detrimental
3 to his character or which are used as a basis for the revoca-
4 tion of his certificate.

5 (b) Upon receipt of a notification requesting a hearing,
6 the commissioner shall immediately arrange for a hearing,
7 and shall notify the teacher in writing of the date, time, and
8 place of the hearing. The commissioner and two members of the
9 state board of education shall serve as the hearing board. A
10 written transcript, tape, or similar recording of the pro-
11 ceedings shall be kept. A transcribed copy shall be furnished
12 to the teacher for cost, upon his request. The final decision
13 of the hearing board requires a majority vote. The hearing
14 board shall vote by roll call and the vote shall be recorded
15 in the record of the hearing. A written notification of the
16 decision of the hearing board shall be furnished to the
17 teacher within 10 days.