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Referred: Health, Welfare
and Education and Judiciary

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METCALF, STRANDBERG, GUESS
LOTTSELDT AND SASSARA.

1 IN THE HOUSE

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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-
7 tion of a teacher's certificate, and to the
8 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 AS 14.20.090 is repealed and re-enacted to read: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
11 may revoke a certificate for any of the following causes:

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(1) incompetency, which is defined as the ina-
14 bility or the unintentional or intentional failure to perform
15 the teacher's customary duties in a satisfactory manner;

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

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(3) substantial noncompliance with the school laws
20 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-
23 missioner shall notify in writing a teacher whose certificate
24 is to be revoked. The teacher may, within 10 days immediately
25 following receipt of the notification from the commissioner,
26 notify the commissioner in writing that he requests a hearing.
27 The teacher may require in the notification that: the hear-
28 ing be either public or private; the hearing be under oath or
29 affirmation; he be represented by counsel with the right to

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

(b) Upon receipt of a notification requesting a hearing, the commissioner shall immediately arrange for a hearing, and shall notify the teacher in writing of the date, time, and place of the hearing. In determining the place of hearing, the commissioner shall attempt to minimize the costs of and inconvenience to parties and witnesses expected to be heard. A member of the State Board of Education, an employee of the Department of Law, and a member of the teaching profession in Alaska shall constitute the hearing board. A written transcript, tape, or similar recording of the proceedings shall be kept. A transcribed copy shall be furnished to the teacher for cost, upon his request. The final decision of the hearing board requires a majority vote. The hearing board shall vote by roll call and the vote shall be recorded in the record of the hearing. A written notification of the decision of the hearing board shall be furnished to the teacher within 10 days.