

Original sponsor: Croft

Offered: 4/5/74
Referred: Rules

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 290

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the suspension or revocation of
7 teachers' certificates."

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

9 * Section 1. AS 14.20.030 is amended to read:

10 Sec. 14.20.030. CAUSES FOR REVOCATION AND SUSPENSION. The depart-
11 ment may revoke or suspend a certificate only for the following reasons
12 [CAUSES]:

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

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

19 (3) substantial noncompliance with the school laws of the
20 state or the regulations of the department; or

21 (4) recommendation of the Professional Teaching Practices
22 Commission under sec. 470(4) of this chapter.

23 * Sec. 2. AS 14.20.040 is repealed and re-enacted to read:

24 Sec. 14.20.040. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.
25 The Administrative Procedure Act (AS 44.62) applies to proceedings by
26 the department under sec. 30(1) - (3) of this chapter, and revocations
27 and suspensions under sec. 30 of this chapter are final and reviewable
28 in accordance with AS 44.62.560 - 44.62.570.

29 * Sec. 3. AS 14.20.470(4) is amended to read:

1 (4) subject to approval by the commissioner of education,
2 suspend or revoke [RECOMMEND TO THE DEPARTMENT SUSPENSION OR REVOCATION
3 OF] the certificate of a member of the teaching profession for violation
4 of ethical or professional standards or contractual obligations;

5 * Sec. 4. AS 14.20.470 is amended by adding a new subsection to read:

6 (b) A decision issued by the commission with the approval of the
7 commissioner of education under (a)(4) of this section is final.

8 * Sec. 5. AS 14.20 is amended by adding a new section to read:

9 Sec. 14.20.475. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.
10 The Administrative Procedure Act (AS 44.62) applies to regulations and
11 proceedings under secs. 370 - 510 of this chapter.

12 * Sec. 6. AS 44.62.330(a) is amended by adding new paragraphs to read:

13 (38) Professional Teaching Practices Commission

14 (39) Department of Education with regard to proceedings to
15 suspend or revoke a teacher's certificate.