

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 31

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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
11 commissioner, or the Professional Teaching Practices Commission subject
12 to the approval of the commissioner, [DEPARTMENT] may revoke or suspend
13 a certificate only for the following reasons [CAUSES]:

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

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

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

22 (4) upon a determination by the Professional Teaching
23 Practices Commission of a violation of ethical or professional standards
24 or contractual obligations.

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 AS 14.20.040 is repealed and re-enacted to read:

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

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

2 (4) subject to approval by the commissioner of education,
3 suspend or revoke [RECOMMEND TO THE DEPARTMENT SUSPENSION OR REVOCATION
4 OF] the certificate of a member of the teaching profession for one of
5 the reasons set out in sec. 30 of this chapter;

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

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

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

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

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

14 (40) the Department of Education and the Professional
15 Teaching Practices Commission with regard to proceedings to revoke or
16 suspend a teacher's certificate under AS 14.20.030 - 040 and
17 AS 14.20.470(4).