

BY THE HESS COMMITTEE

1 IN THE SENATE

2

SENATE BILL NO. 548

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the composition of the Profes-  
7 sional Teaching Practices Commission."

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

9 \* Section 1. AS 14.20.390 is amended to read:

10 Sec. 14.20.390. APPOINTMENT AND QUALIFICATIONS. The commission  
11 consists of nine members appointed by the governor and confirmed by a  
12 majority of the members of the legislature in joint session. Each  
13 member [, IN ADDITION TO HAVING BEEN ACTIVELY ENGAGED IN THE TEACHING  
14 PROFESSION FOR AT LEAST FIVE YEARS IMMEDIATELY PRECEDING APPOINTMENT,]  
15 shall be a citizen of the United States and a resident of the state,  
16 and except for the member who is a member of a school board, shall  
17 have engaged in the teaching profession for at least five years imme-  
18 diately preceding appointment.

19 \* Sec. 2. AS 14.20.400 is amended to read:

20 Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission  
21 consists of the following members:

- 22 (1) five classroom teachers;  
23 (2) one elementary school principal;  
24 (3) one superintendent;  
25 (4) one secondary school principal [REPRESENTATIVE OF THE  
26 OFFICE OF THE COMMISSIONER];  
27 (5) one member of a school board [REPRESENTATIVE OF AN  
28 ALASKA INSTITUTION OF HIGHER LEARNING].

29 \* Sec. 3. AS 14.20.400 is amended by adding a new subsection to read:

1 (b) In addition to the members listed in (a) of this section,  
2 the commission shall have one alternate member. The alternate  
3 member's only duty is to sit as provided under AS 14.20.472.

4 \* Sec. 4. AS 14.20.410(a) is amended to read:

5 (a) Members of the commission shall be selected as follows:

6 (1) the five classroom teachers from lists of names submit-  
7 ted by recognized Alaska teachers' organizations, each list not to  
8 exceed 12 names; however, in lieu of one of the five, one classroom  
9 teacher may be selected from a list of not more than four names signed  
10 and submitted by not less than 25 teachers who have no affiliation  
11 with an [ANY] organization qualified to submit nomination lists, with  
12 the limitation that a [NO] teacher may not sign more than one list a  
13 [IN ANY] year;

14 (2) the primary school principal from a list of three names  
15 submitted by the Alaska [PRINCIPALS] Association of Elementary Prin-  
16 cipals, and the secondary school principal from a list of three names  
17 submitted by the Alaska Association of Secondary Principals;

18 (3) the superintendent from a list of three names submitted  
19 by the Alaska Association of School Administrators [SUPERINTENDENTS  
20 ADVISORY COMMISSION];

21 (4) the school board member from a list of three names  
22 submitted by the Alaska Association of School Boards [REPRESENTATIVE  
23 OF THE OFFICE OF THE COMMISSIONER FROM A LIST OF THREE NAMES SUBMITTED  
24 BY THE COMMISSIONER;

25 (5) THE REPRESENTATIVE OF AN ALASKA INSTITUTION OF HIGHER  
26 LEARNING FROM LISTS OF NAMES SUBMITTED BY ALASKA INSTITUTIONS OF  
27 HIGHER LEARNING, EACH LIST NOT TO EXCEED THREE NAMES].

28 \* Sec. 5. AS 14.20.410 is amended by adding a new subsection to read:

29 (d) The alternate member shall be selected on an alternating

1 basis from lists, not to exceed three names, submitted by the Alaska  
2 Association of Elementary Principals and by the Alaska Association of  
3 Secondary Principals.

4 \* Sec. 6. AS 14.20.420(a) is amended to read:

5 (a) The term of office for each member of the commission and for  
6 the alternate member is three years and until a successor is appoint-  
7 ed.

8 \* Sec. 7. AS 14.20.420(d) is amended to read:

9 (d) The commission shall select a chair [CHAIRMAN] from among  
10 its members, excluding the alternate member.

11 \* Sec. 8. AS 14.20.430 is amended to read:

12 Sec. 14.20.430. DISMISSAL. Any member, including the alternate  
13 member, may be removed by the governor for misconduct, malfeasance or  
14 nonfeasance in office, or incapacity.

15 \* Sec. 9. AS 14.20.440 is amended to read:

16 Sec. 14.20.440. REIMBURSEMENT. Members of the commission shall  
17 receive per diem according to law and are to be granted administrative  
18 leave with full pay by their employer for time spent in the perfor-  
19 mance of official duties under AS 14.20.370 - 14.20.510. If a member  
20 is required to spend more than 15 days in a fiscal year in the perfor-  
21 mance of official duties under AS 14.20.370 - 14.20.510, the state  
22 shall reimburse the employer for costs incurred after the 15th day.  
23 In this section "member" includes the alternate member.

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

25 Sec. 14.20.472. DISCIPLINARY ACTION AGAINST ADMINISTRATOR. When  
26 the commission is investigating, hearing, or otherwise considering  
27 allegations of misconduct against a school administrator holding a  
28 certificate under this chapter, or reviewing a decision of the depart-  
29 ment relating to the issuance or denial of a certificate under this

1 chapter to a school administrator, the alternate member under AS 14.-  
2 20.400(b) shall replace one of the members who is a classroom teacher.  
3 Unless one of the members who is a classroom teacher has reason to be  
4 recused from the proceedings, the member to be replaced shall be  
5 selected by lot.

6 \* Sec. 11. TRANSITION PROVISIONS. (a) The member of the commission  
7 who is a school board member under AS 14.20.400(a)(5), as amended by sec. 1  
8 of this Act, shall be appointed upon the expiration of the term of the  
9 member who under current AS 14.20.400(5) represents an institution of  
10 higher learning. The member of the commission who is an elementary school  
11 principal under AS 14.20.400(a)(2), as amended by sec. 1 of this Act, shall  
12 be appointed upon the expiration of the term of the member who under  
13 current AS 14.20.400(2) is a principal. The member of the commission who  
14 is a secondary school principal under AS 14.20.400(a)(4), as amended by  
15 sec. 1 of this Act, shall be appointed upon the expiration of the term of  
16 the member who under current AS 14.20.400(4) represents the office of the  
17 commissioner.

18 (b) The Alaska Association of Elementary Principals and the Alaska  
19 Association of Secondary Principals shall draw lots to determine which  
20 group shall submit the list of names for the appointment of the first  
21 alternate member.