

HB

85

PROPOSED GOVERNOR'S AMENDMENTS TO HB 85

4/19

~~ADOPTED~~
adopted

Page 2, line 9:

Delete "the reports"

Insert "a report that indicates grounds for denial of a license under AS 14.20.029"

Page 2, lines 9-10:

Delete "this chapter"

Insert "AS 14.20.029"

Page 2, line 12, following "has" :

Insert "received and"

Page 2, lines 12-13:

Delete "received under this section and has determined the applicant's suitability for licensing under this chapter"

Insert "under this subsection"

Page 2, lines 17-18:

Delete "the department, by regulation, requires a criminal history background check before a license may be renewed"

Insert:

- (1) a criminal history background check has not been previously conducted on the licensee;
- (2) the licensee was not employed in a position requiring a license for the entire duration of the previous license period; or
- (3) the licensee has resided out of state for a portion of the previous license period

Page 2, line 27::

Delete "has been"

Insert "is"

Page 3, line 2, following "investigation":

Insert "for an allegation suggesting unfitness to teach"

Page 3, line 6, following "jurisdiction";

Insert "for reasons that would be grounds for denial under AS 14.20.029"

Page 3, lines 15-16:

Delete "this chapter"

Insert "AS 14.20.029"

Page 3, line 17:

Delete "complaint, review procedure, or"

Page 3, line 18, following "agency"

Insert "on grounds that relate to suitability for licensing under AS 14.20.029"

Page 3, lines 29-30:

Delete "are otherwise in the best interests of the public"

Insert "will otherwise protect the physical and mental well-being of students"

Page 5, lines 17-18:

Delete "as defined by the commission in regulation"

Page 7, line 6, following "chapter":

Insert "and the commission finds grounds for discipline under AS 14.20.372"

Page 7, line 7:

Delete "if the commission finds grounds for discipline under AS 14.20.372"

Insert "as appropriate to the finding of grounds for discipline"

Page 8, line 18:

Insert a new subsection to read:

(e) The commission shall stay a hearing on an accusation under this section if the teacher has requested a hearing before the school board or invoked grievance procedures.

STATE OF ALASKA

DEPARTMENT OF EDUCATION Professional Teaching Practices Commission

Tony Knowles, Governor

344 West Third Avenue, Suite 127
Anchorage, Alaska 99501

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"SPONSORS STATEMENT"

I am writing in support of HB 85. This bill enhances the state's ability to protect students and the integrity of educators by strengthening, streamlining, and consolidating licensure and discipline provisions for members of the teaching profession.

The bill incorporates the direction from the Board of Education to change a teacher "certificate" to a "license." The names of the "Professional Teaching Practices Commission" would be changed to "Educator Ethics Commission," to shorten the name and more accurately reflect the commission's functions.

Among the bill's provisions are new sections governing applications and denial of applications for teaching licenses. The current regulatory provision requiring criminal history background checks for applicants would be strengthened and placed in statute. The bill would also compile, for the first time, the grounds for denial of an application or for putting conditions on a teaching license.

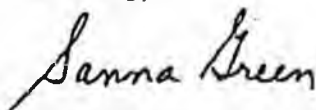
The bill expands the range of available disciplinary sanctions beyond suspension or license revocation, tracking powers currently available to occupational licensing boards, such as being able to summarily suspend a license if the educator poses a clear and immediate danger. The commission also would gain the authority to impose a civil fine against a person who is regulated by state law, but is not required to hold a license. The bill contains provisions that would preclude a person whose license is suspended or revoked from employment as a member of the teaching profession, even if the position does not require a license.

The bill also would streamline current law by consolidating regulatory and statutory grounds for discipline into one statutory provision; allowing reciprocal discipline of an educator who was disciplined in another jurisdiction; and clarifying the procedure for revoking the license of a person convicted of certain sex crimes. In addition, the bill adds misrepresentation for a material fact on an employment application as a ground for discipline.

In rewriting the procedures and requirements for reinstatement of a suspended or revoked license, the bill would expand from one year to five years the waiting period for reinstatement. Finally, the bill contains new provisions to protect the confidentiality of minors and of investigatory files, and provides immunity from liability for persons who participate in good faith in certain investigations and proceedings of the commission or the Department of Education.

Teresa Williams, in the Department of Law, is separately providing a sectional analysis of the bill. I will be happy to answer any questions you may have regarding the bill.

Sincerely,



Sanna Green
Executive Director

STATE OF ALASKA

DEPARTMENT OF EDUCATION *Professional Teaching Practices Commission*

Tony Knowles, Governor

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Georgia Cast

February 17, 1999

The Honorable Fred Dyson, Co-Chair
House, Health Education and Social Services Committee
Alaska State Legislature
State Capitol, Room 104
Juneau, AK 99801-1182

Dear Representative Dyson

I would like to request a hearing in the House Health, Education and Social Services Committee for HB 85, the Governor's teacher licensure bill. The bill has been referred to your committee, and I hope you will give it attention this session.

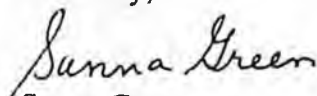
Maintaining and enforcing the code of educator ethics is a critical function of the Professional Teaching Practices Commission (PTPC). The Commission has made recommendations to update its statutory language that are worthy of consideration.

The bill would change the PTPC title to the "Educator Ethics Commission," accurately reflecting the Commission's current role. The bill would also change references to teaching "certificates" to teacher "licenses," again reflecting the current terminology in the teaching profession.

Some of the more important suggested modifications to the statutes include strengthening the PTPC in its disciplinary role for teachers and administrators who have breached the code of educator ethics. New measures include the power to impose fines, and expanding the Commission's range of sanctions beyond license suspension or revocation.

I urge you to consider holding a hearing on this important bill as soon as possible. Thank you for your time and your commitment to children.

Sincerely,



Sanna Green
Executive Director

cc: The Honorable John Coghill, Jr.

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 85
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February 8, 1999

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Brian
Dear Speaker Porter:

Quality education for all Alaska children remains a focus and ongoing effort of my Administration. This bill I transmit today enhances the state's ability to protect students and the integrity of educators by strengthening, streamlining and consolidating licensure and discipline provisions for members of the teaching profession.

The bill incorporates the direction from the Board of Education to change a teacher "certificate" to a "license." The name of the "Professional Teaching Practices Commission" would be changed to "Educator Ethics Commission," to shorten the name and more accurately reflect the commission's functions.

Among the bill's numerous provisions are new sections governing applications and denial of applications for teaching licenses. The current regulatory provision requiring criminal history background checks for applicants would be strengthened and placed in statute. The bill would also compile, for the first time, the grounds for denial of an application or for putting conditions on a teaching license.

The bill expands the range of available disciplinary sanctions beyond suspension or license revocation, tracking powers currently available to occupational licensing boards, such as being able to summarily suspend a license if the educator poses a clear and immediate danger. The commission also would gain the authority to impose a civil fine against a person who is regulated by state law, but is not required to hold a license. The bill contains provisions that would preclude a person whose license is suspended or revoked from employment as a member of the teaching profession, even if the position does not require a license.

BILL ANALYSIS

The Honorable Brian Porter

February 8, 1999

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The bill also would streamline current law by consolidating regulatory and statutory grounds for discipline into one statutory provision; allowing reciprocal discipline of an educator who was disciplined in another jurisdiction; and clarifying the procedure for revoking the license of a person convicted of certain sex crimes. In addition, the bill adds misrepresentation of a material fact on an employment application as a ground for discipline.

In rewriting the procedures and requirements for reinstatement of a suspended or revoked license, the bill would expand from one year to five years the waiting period for reinstatement.

Finally, the bill contains new provisions to protect the confidentiality of minors and of investigatory files, and provides immunity from liability for persons who participate in good faith in certain investigations and proceedings of the commission or the Department of Education.

This bill represents a thorough effort on the part of the Department of Education and Professional Teaching Practices Commission to ensure Alaska educators are of high quality and integrity. I urge your prompt and favorable action on this measure.

Sincerely,



Tony Knowles
Governor

FISCAL NOTE

Bill Version: HB 85

(H) Publish Date: 2/10/99

**STATE OF ALASKA
1999 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) _____ Dept. Affected Education
 Title Professional Teaching Practices Commission BRU Commissions and Boards
 name change to Educator Ethics Commission Component Professional Teaching Practices
 Sponsor Rules Committee Commission
 Requester Governor Component Serial No. 190

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Any fees collected from imposed fines will be deposited into the General Fund.

Prepared by Sanna Green Sanna Green, Executive Director Phone 269-6579
 Division Professional Teaching Practices Commission Date/Time 1/22/99 11:33 AM
 Approved by Commissioner Shirley Holloway, PhD., Commissioner Date 1/25/99
 Agency Education

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