

SCOMM

130:18

Alaska State Legislature

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Trade and Tourism

Member
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Representative Lesil McGuire House District 28

HB 551

"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."

SPONSOR STATEMENT

Children are our most valuable asset and should be allowed to grow and learn in a safe environment free from the influences of drugs and crime. Currently a person who has been convicted of a felony drug offense can apply for and receive a teaching certificate in Alaska. Similarly a person who currently has a certificate can be convicted of a felony drug offense and continue to teach Alaska's children. By allowing this to continue we are setting a bad example for our children in regards to drug use and are putting them at considerable risk.

HB 551 addresses this issue by requiring the Department of Education revoke the teaching certificate of a person convicted of felony drug charges and also disallows a person from being granted such a certificate if they have been convicted of these charges.

While this bill was being drafted it was also noticed that people applying for a limited teaching certificate weren't held to the same standards as regular teachers in regards to their criminal history. HB 551 corrects this oversight by requiring people applying for a limited teaching certificate to submit to a criminal background check prior to receiving the certificate.

By making these simple, but effective changes, HB 551 promotes a positive educational environment while keeping Alaska's children safe.

23-LS1889A
Craver
3/29/04

HOUSE BILL NO.**IN THE LEGISLATURE OF THE STATE OF ALASKA****TWENTY-THIRD LEGISLATURE - SECOND SESSION****BY THE HOUSE JUDICIARY COMMITTEE**

Introduced:
Referred:

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to the issuance of teacher certificates to and revocation of teacher
2 certificates of persons convicted of felony drug offenses and to the issuance of limited
3 teacher certificates to persons convicted of certain crimes involving a minor and felony
4 drug offenses."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * Section 1. AS 14.20.020(f) is amended to read:

7 (f) The department may not issue a teacher certificate to a person who has
8 been convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime,
9 involving a minor under AS 11.41.410 - 11.41.460, or misconduct involving a
10 controlled substance under AS 11.71.010 - 11.71.040, or a law or ordinance in
11 another jurisdiction with elements similar to an offense described in this subsection.

12 * Sec. 2. AS 14.20.025 is amended to read:

13 Sec. 14.20.025. Limited teacher certificates. Notwithstanding
14 AS 14.20.020(b), a person may be issued a limited certificate, valid only in the area of

1 expertise for which it is issued, to teach Alaska Native language or culture, military
2 science, or a vocational or technical course for which the board determines by
3 regulation that baccalaureate degree training is not sufficiently available. A limited
4 certificate may be issued under this section only if the school board of the district or
5 regional educational attendance area in which the person will be teaching has
6 requested its issuance. A person who applies for a limited certificate shall
7 demonstrate, as required by regulations adopted by the board, instructional skills and
8 subject matter expertise sufficient to assure [ENSURE] the public that the person is
9 competent as a teacher. The board may require a person issued a limited certificate to
10 undertake academic training as may be required by the board by regulation and make
11 satisfactory progress in the academic training. To be eligible for a limited teacher
12 certificate, a person shall have submitted fingerprints to the department to be
13 used for a criminal history background check and have been found by the
14 department to be suitable for employment as a teacher under AS 14.20.020(f).

15 * Sec. 3. AS 14.20.030(b) is amended to read:

16 (b) The commissioner or the Professional Teaching Practices Commission
17 shall revoke for life the certificate of a person who has been convicted of a crime, or
18 an attempt, solicitation, or conspiracy to commit a crime, involving a minor under
19 AS 11.41.410 - 11.41.460, or misconduct involving a controlled substance under
20 AS 11.71.010 - 11.71.040, or a law or ordinance in another jurisdiction with elements
21 similar to an offense described in this subsection.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____

Bill Version: _____

HB 551

() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: _____

EED

Title An Act relating to the issuance of
teacher certificates

RDU Teaching & Learning Support

Component Teacher Certification

Sponsor House Judiciary Committee

Requester _____

Component No. 1240

Expenditures/Revenues

(Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual	30.0	30.0	30.0	30.0	30.0	30.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	30.0	30.0	30.0	30.0	30.0	30.0

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						
Receipt Supported Services	30.0	30.0	30.0	30.0	30.0	30.0
TOTAL	30.0	30.0	30.0	30.0	30.0	30.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Sections 1 and 3 describe a new reason for the department to deny issuance of a teacher certificate and for the Professional Teaching Practices Commission to revoke a certificate, for life. Whenever a certificate is denied or revoked, the applicant then may request a hearing on the matter, or take advantage of other due process rights. This legal recourse will result in additional hearings on the certificate denials/revocations and department costs related to the hearings and our attorney's time.

State law required the Teacher Certification unit to be self-supporting. The department may need to adjust the teacher certification fees to accommodate any increases related to this legislation.

Prepared by: Barbara Thompson

Division: Teaching & Learning Support

Approved by: Karen Rehfeld

Agency: Commissioner's Office

Phone 465-8727

Date/Time 4/13/04 8:53 AM

Date 4/13/2004