

Department of Education and Early Development

Alaska State Professional Teaching Practices Commission

Policy Brochure

PTPC (EED)
Revised 2022

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1 CONTRACTUAL ISSUES

Policy on Contract Issues

I. PTPC PROCEDURES ON BREACH OF CONTRACT

A. An educator under contract with a school district who fails to give written notice of intent to terminate the contract, or who leaves the position following such notice without having the written assent of the employer, shall be deemed to have breached the contract and may be subject to disciplinary action including possible revocation of certificates by the PTPC.

B. If the unilateral termination by the educator occurs after June 30th, without persuasive mitigating circumstances, such a violation will result in a minimum one-year suspension of the educator's certificate.

Authority: 4AAC 18.010. Teachers' and administrators' contracts

(12) (d) Contracts may be terminated by mutual consent of both parties upon 30 days' written notice by either party and the written assent of the other party; a teacher failing to give the written notice, or who leaves a position following the notice without having the written assent of the employing board, may be liable to revocation of certificate for breach of contract.

II. PTPC RECOMMENDATIONS TO SCHOOL BOARDS

The Professional Teaching Practices Commission recommends that each school district develop a policy, which addresses:

A. What the school district will do in the event an educator requests to resign from contract or leaves a position with notice, and;

B. What procedures the school district will follow when recruiting an educator currently under contract with another school district, including an educator who has not obtained a written release from that employer.

III. PTPC RECOMMENDATIONS FOR EDUCATORS



A. Signing your teaching contract requires careful thought and commitment. Do not sign a contract with a district while looking for a position elsewhere. Consider the consequences of breaching a contract. PTPC may issue one-year suspensions for breach of contract.

B. Other considerations: giving adequate (at least 30-day) written notice if one must resign during a current contract. Even then, a school district must assent to terminate mutually, and may not provide written assent.

Review other employment contract provisions, and the negotiated agreement.

Provide documented mitigating circumstances if one must resign suddenly. PTPC recognizes documented medical and military mitigating circumstances.

Professional communication regarding seeking a contract elsewhere is encouraged.

C. Resignations of contracts for the following school year should occur before June 30. Resignations after July 1 are treated as resignations from a current contract. PTPC takes no action on unilateral contract resignations before June 30 for the next school year's contract. PTPC may impose the one-year suspension for resignations after July 1 for the current contract.

Revised 2022



2 STATEWIDE TESTING POLICY

Policy on Statewide Testing

Statewide testing programs must be administered equitably and ethically, including security, preparation, and administration. It is the responsibility of certificated individuals who handle the tests, who administer tests, and/or who use the results of the test to follow test security regulations and procedures. Certificated individuals are required to comply with:

20 AAC 10.020 (CODE OF ETHICS OF THE EDUCATION PROFESSION)

(c) In fulfilling obligations to the public, an educator (3) shall cooperate in the statewide student assessment system established under 4AAC 06.710-4 ACC 06.790 by

(A) safeguarding and maintaining the confidentiality of test materials and information; and

(B) adhering to all written rules, policies, procedures, and other requirements established by the department regarding the administration and operation of the statewide student assessment system as set out in 4 AAC 06.761 (test administration) and 4 AAC 06.765 (test security; consequences of breach);

4 AAC 06.765

(f) School and district personnel responsible for test administration shall annually execute an agreement, on a form provided by the department, affirming that they will follow the test procedures required under this section.

Revised 2018

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3 DPS/PTPC

Confidentiality

PTPC POLICY TO ENSURE THE CONFIDENTIALITY OF REPORTS PROVIDED BY THE STATE OF ALASKA DEPARTMENT OF PUBLIC SAFETY

It is the policy of the Professional Teaching Practices Commission that investigative materials provided to the Commission by the Department of Public Safety be kept confidential.

When in the course of a PTPC investigation reports, documents and interview tapes from investigations conducted by the Alaska State Troopers are needed; the Commission will issue an Administrative Subpoena to the Department of Public Safety Commissioner's office. If the report requested contains juvenile and other confidential information, the Department of Public Safety will provide two copies. One copy will not be redacted and for internal use only to determine appropriate action by the Commission. The copy that is not redacted will only be made available upon a court order. A second redacted copy will be provided to the Commission to be given to the respondent as part of the discovery process and for use at disciplinary hearings.

Any investigative materials that are unable to be redacted, such as audiotapes or videotapes, that contain juvenile or confidential information will not be copied and will be for internal use only to determine appropriate action by the Commission, absent a court order, or available to a respondent or the respondent's attorney for viewing only.

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4 BACKGROUND CHECK

Criminal Convictions/or Action Taken Against Their Certificate

Procedure for dealing with applicants whose background check reveals a criminal conviction or who have had action taken against their certificate in another state or have such action pending.

In accordance with AS 14.20.640 the procedure for the applications of individuals who have a fingerprint hit revealing a criminal conviction or have had a certificate revoked, suspended or denied, or have such action pending, in another state shall be as follows:

All applications with fingerprint hits or sanctions against their certificates by other states, or having action pending against their certificate in another state will be denied by the office of certification pending a recommendation from the staff of the Professional Teaching Practices Commission.

All applications with fingerprint hits or sanctions against their certificates by other states, or having action pending against their certificate in another state will be referred to the Professional Teaching Practices Commission for review.

PTPC staff will review the applications, conduct an investigation if necessary, and make a recommendation to the office of certification to approve or deny an application.

An applicant whose certificate is denied shall have the right to appeal PTPC staff's decision to the Commission.

If PTPC staff's decision is appealed, a statement of issues and a notice of defense will be sent to the applicant.

If the applicant files the notice of defense, a hearing officer will be appointed and a hearing held before the Commission. The Commission will review staff's decision and make a final recommendation to the office of certification.

Adopted 2002



5 UNCERTIFIED TEACHER

Policy on Hiring of Uncertified Teachers

AS 14.20.020

“A person may not be employed as a teacher in the public schools of the state unless that person possesses a valid teacher certificate except that a person who has made application to the department for a teacher certificate or renewal of a teacher certificate that has not been acted upon by the department may be employed as a teacher in the public schools of the state until the department has taken action on the application, but in no case may employment without a certificate last longer than three months.”

The Office of Certification provides teacher applicants with evidence when a completed application has been received. It is the Commission’s position that a superintendent is responsible for assuring that individuals hired as teachers meet the requirements of the law by either providing a copy of a valid teacher certificate or evidence that application has been made for a certificate. The hiring of a teacher who has not met these conditions may result in disciplinary action by the Commission pursuant to AS 14.20.030(a) (3).

Adopted 2003