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ALASKA PROFESSIONAL TEACHING PRACTICES COMMISSION

ANNUAL REPORT 2019

ANNUAL REPORT OF THE PROFESSIONAL TEACHING PRACTICES COMMISSION

INTRODUCTION

The Alaska State Professional Teaching Practices Commission (PTPC) submits its report for Fiscal Year 2019. This report cites the activities and services of the PTPC as authorized by Alaska Statutes, Title 14, Chapter 20, Article 5, entitled “The Professional Teaching Practices Act.” Since FY 2016 the PTPC has funded solely by certification fees. This was per legislative intent and is in accordance with AS 14.20.500.

The Commission governs matters of ethical and professional standards of educators and their compliance with state law and contractual obligations.

This report contains a synopsis of activities of the Commission from July 1, 2018 through June 30, 2019. It is prepared on behalf of the Commission by the Executive Director, Melody Mann.

WHAT IS THE PROFESSIONAL TEACHING PRACTICES COMMISSION?

In 1966, the education profession in the State of Alaska was granted the right and responsibility to define and to enforce ethical standards of its members. The Alaska Legislature established and empowered a nine-member Commission to impose sanctions against the certificates of educators who engaged in illegal, immoral, or unethical conduct. The *Professional Teaching Practices Commission* is composed of five teachers, one superintendent, one principal, one representative of the Department of Education & Early Development, and one representative of higher learning. Constituent groups nominate candidates and the governor appoints the Commissioners who are then subject to approval of the Legislature.

Commission staff investigates allegations of misconduct and partners with Department of Law to present cases to the Commission. As a quasi-judicial body, the Commission has the power to impose sanctions against the certificates of those found, by a preponderance of the evidence, to be in violation of the Code of Ethics of the Education Profession.

The Commission has jurisdiction over all certificated members of the education profession, including administrators, student teachers, and instructors in institutions of higher learning. The Commission's order is final in disciplinary matters regarding a teacher. Before the certificate of an administrator is sanctioned, the Commissioner of the Department of Education & Early Development must concur. A final order of the Commission may be appealed to the Superior Court.

Educators are assigned the responsibility of caring for children and are placed in a position of public trust. Education is a profession, that by its very nature, stresses the value, worth, and dignity of all individuals. Educators are tasked with developing each student's potential, and as such, act as role models for students. It is essential, therefore, that educators sustain the highest degree of ethical conduct.

In their commitment to quality education, the members of the Professional Teaching Practices Commission hold their colleagues to the higher ethical standard that is demanded of a profession entrusted with the care and teaching of children.

DISCIPLINARY ACTION

Pursuant to Alaska Statutes 14.20.470, the PTPC has the power to:

1. **Warn.** A warning stipulates that the considered conduct is unethical, and if not corrected, a more serious sanction could be imposed. A warning is private communication with the educator; however, it is a matter of public record.
2. **Reprimand.** In the event of a reprimand, members of the education community are informed of the action, and record of the sanction is placed in the certification file. A reprimand is reported to the NASDTEC Clearinghouse for national distribution.
3. **Suspend.** In the event of a suspension, members of the education community are informed of the action. A suspension may include conditions which must be met before the certificate will be reinstated. A suspension means loss of a certificate for a specific period of time. A suspension is reported to the NASDTEC Clearinghouse for national distribution.
4. **Revoke.** In the event of a revocation, members of the education community are informed of the disciplinary action. Unless a certificate is revoked for life, an educator may reapply for a reinstatement in accordance with Alaska Statutes, at which time the Commission would review the case for another determination. A revocation is sent to the NASDTEC Clearinghouse for national distribution.

AS 14.20.030. Causes for Suspension or Revocation:

The Commissioner or the Professional Teaching Practices Commission may revoke or suspend a certificate for the following reasons:

- 1) *Incompetency*, which is defined as the inability or the unintentional or intentional failure to perform the teacher's customary teaching duties in a satisfactory manner;
- 2) *Immorality*, which is defined as the commission of an act which, under the laws of the state constitutes a crime involving moral turpitude;
- 3) *Substantial noncompliance* with the laws of the state or the regulations of the department; or
- 4) upon the determination by the Professional Teaching Practices Commission that there has been a *violation of ethical or professional standards or contractual obligations*.

COMPLAINTS

Complaints may be submitted to the Commission by members of the education profession or by the public. Notification by a state agency to the Professional Teaching Practices Commission that an educator has committed a crime may also result in action by the PTPC. Pursuant to 20 AAC 10.210(b): *Unless the alleged act would be grounds for discipline under AS 14.20.030, the staff may not investigate school district personnel actions, including hiring, evaluation, transfer, reassignment, or dismissal of staff; or curriculum actions.*

PUBLIC HEARINGS

Complaints may be filed with the Commission by anyone. If the alleged action is a violation of the Code of Ethics of the Education Profession, the laws of the State of Alaska, or the Regulations of the Department of Education & Early Development, Commission staff conducts an investigation.

If there is sufficient evidence to indicate that a violation has occurred, an accusation is written and a hearing is held before the Commission. During the hearing, an administrative law judge from the Office of Administrative Hearings, presides. The hearing is held in accordance with the Alaska Administrative Procedure Act. All hearings are open to the public.

ADMINISTRATIVE REVIEWS

Administrative Reviews are held to evaluate PTPC staff's decisions to dismiss a case. There were 6 Administrative Reviews held this year. In all 6 cases the Commission voted unanimously to uphold PTPC staff's decision to dismiss the cases. An Administrative Review can only be requested by the Complainant.

NATIONAL CLEARINGHOUSE

The National Association of State Directors of Teacher Education and Certification (NASDTEC) maintain a clearinghouse where disciplinary action higher than a warning against an educator in any state (also province in Canada, or U.S. territory) is recorded. This database is not accessible by the general public. This database has recently been made available to school districts for a nominal fee.

INQUIRIES

Applications for Certification

PTPC staff reviewed one hundred fifty-one (151) applications for certification in which there were state or federal fingerprint checks indicating convictions, or in which one of the character questions (background information) was checked "yes." This was an increase of 6 from last year and also slightly below the average of 155 over the last eight years. This includes initial, renewal/reinstatement, and student teaching applications. Eighty-three (83) applicants divulged convictions (or other actions) on their applications and subsequently most of those applications were immediately approved. A handful required a brief follow-up with the applicant before being approved.

Sixty-eight (68) applicants for certification failed to divulge past charges for criminal violations or action taken against their certificate in another state. Of these, fourteen (14) were convicted and did not divulge. The applicants were informed that all convictions must be divulged and an explanation must be provided on any application, now or in the future, that requests that information. This applies even if convictions have been set-aside, resulted in a suspended imposition of sentence, or were from many years ago. Failure to do so in the future could be considered willful misrepresentation and be a cause for revocation. All fifty-three applicants were eventually approved.

Inquiries from other states and Canada

PTPC staff responded to four (4) requests from other states for information regarding candidates for certification who reported that they have held, or do hold, an Alaska education certificate or who were listed on the NASDTEC Clearinghouse as having been sanctioned in Alaska.

FY 2019 IN REVIEW

(July 1, 2018 - June 30, 2019)

The Commission met in general session three times. Thirteen (13) educators were sanctioned in FY 2019. This is slightly below the yearly average of 13.3 educators sanctioned over the last thirteen years.

DISCIPLINARY ACTIONS:

At the **October 1 - 2, 2018** meeting of the Professional Teaching Practices Commission the following action was taken by the Commission:

18-37: Commission issued an order accepting the **Voluntary Surrender** of the Alaska Initial Teaching Certificate of **John Paul Donald Douglas**.

18-49: Commission ordered a **reprimand of Brain P. Mason**, who holds an Alaska Professional Teaching Certificate.

18-56: Commission ordered a **reprimand of Peter Gundunas**, who holds an Alaska Professional Teaching Certificate.

18-57: Commission ordered a **one year suspension of the right to renew** the Alaska Initial Teaching Certificate of **Tina J. Hall** effective **January 19, 2018**.

19-02: Commission ordered a **one year suspension** of the Alaska Initial Teaching Certificate of **Erica J. Williams** effective **July 10, 2018**.

At the **February 1, 2019** meeting of the Professional Teaching Practices Commission the following action was taken by the Commission:

18-21: Commission ordered a **reprimand of Rachel C. Webb**, who holds an Alaska Professional Teaching Certificate.

19-04: Commission ordered a **reprimand of Lori A. Kurka**, who holds an Alaska Professional Teaching Certificate.

19-14: Commission ordered a **one year suspension of the right to renew** the Alaska Initial Teaching Certificate of **Louann Rau** effective **September 18, 2018**.

19-15: Commission ordered a **one year suspension** of the Alaska Initial Teaching Certificate of **Sally Spellman** effective **September 25, 2018**.

At the **April 25, 2019** meeting of the Professional Teaching Practices Commission the following action was taken by the Commission:

18-60: Commission ordered the **revocation for life** the Alaska Limited Type M Teaching Certificate held by **Douglas Scott Edwards**.

19-01: Commission ordered a **reprimand to Lynn E. Sherwood**, who holds the Alaska Professional Teaching Certificate.

19-12: Commission ordered a **one year suspension** of the Alaska Professional Teaching Certificate of **Diane R. Hunt** effective **September 18, 2018**.

19-30: Commission ordered a **one year suspension** of the Alaska Initial Teaching Certificate of **Damiris Martinez** effective **January 26, 2019**.

PRESENTATIONS AND PUBLICATIONS

Presentations

Presentations on professionalism, professional ethics, and the role of the Commission were given to both elementary and secondary pre-service teacher candidates at the University of Alaska Anchorage (UAA), the University of Alaska Fairbanks (UAF), and the University of Alaska Southeast (UAS), as well as early childhood interns at UAA. Presentations were also made to students in the UAA principal endorsement program, the UAS superintendent endorsement program, the NEA-AK Uni-Serve Directors, and to classroom teachers, school counselors, psychologists and NEA-AK members. Executive Director's activities included attending the Alaska ACTE Conference and attending the annual NASDTEC Professional Practices Institute.

Newsletter

The annual newsletter was published in January 2019 and distributed electronically to all school districts (through the superintendent) and to other education stakeholders in Alaska. The annual newsletter was also distributed as part of the Department of Education and Early Development's weekly *Information Exchange Newsletter*. It is also posted to the [PTPC homepage](http://education.alaska.gov/ptpc/) (<http://education.alaska.gov/ptpc/>). Paper copies of the newsletter are available upon request.

PTPC Handbook

The PTPC Handbook for Alaska Educators includes the Alaska statute that created the Commission, the Code of Ethics, and Complaint Screening Guidelines, the investigative procedures of the Commission, Alaska Statutes and Regulations, the Complaint Form. Find the Handbook at the [PTPC Homepage](http://education.alaska.gov/ptpc/) (<http://education.alaska.gov/ptpc/>). PTPC newsletters and annual reports are also available on the Web site.

STATUTES AND REGULATIONS

DISTRIBUTION OF HANDBOOK (20 AAC 10.310)

Copies of the Alaska State Professional Teaching Practices Commission's Handbook for Alaska Educators shall be conspicuously displayed and available, at every education institution in the state whose employees are members of the teaching profession under AS 14.20.370.

TEACHING PROFESSION (AS 14.20.370)

Teachers required by state law to be certificated, instructors in institutions of higher learning, school administrators, school program administrators, and school counselors are within the teaching profession.

EFFECT OF THE CODE OF ETHICS (AS 14.20.480)

Members of the teaching profession are obligated to abide by the professional teaching standards adopted by the Professional Teaching Practices Commission.

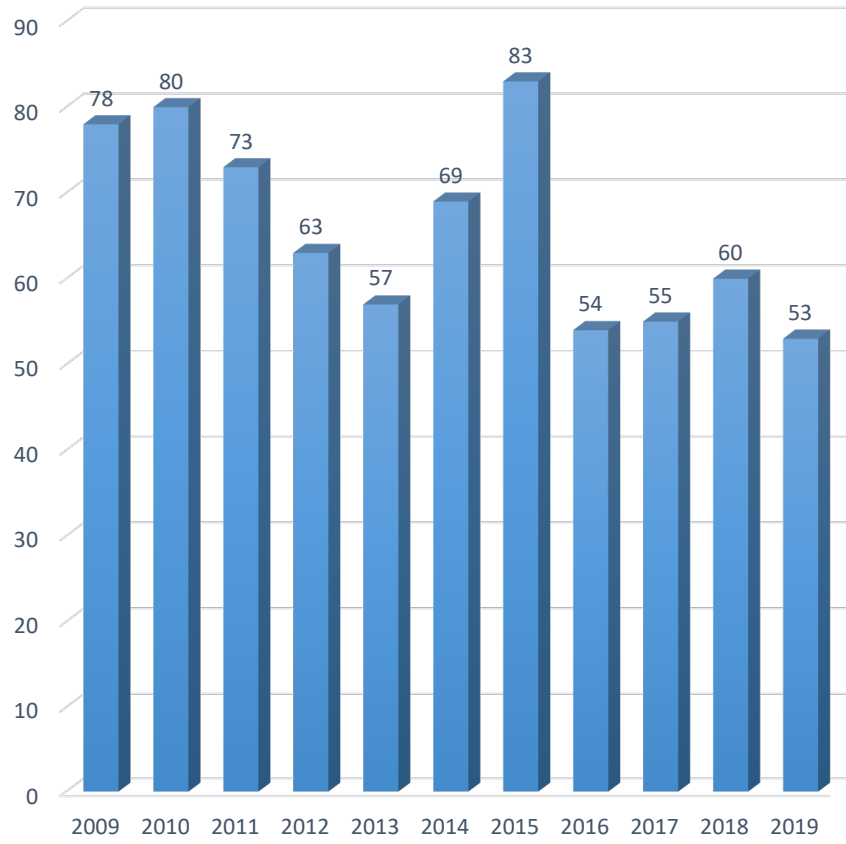
CODE OF ETHICS (20 AAC 10.020)

The Commission staff provides copies of the Code of Ethics of the Education Profession upon requests from any Alaskan.

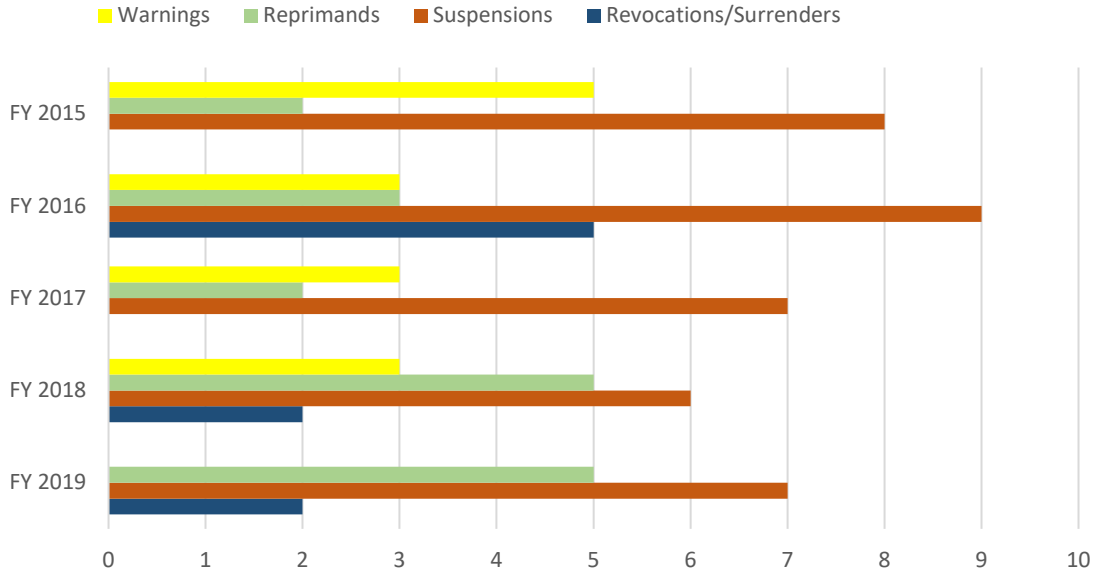
MANDATORY REPORTING (20 ACC 10.020 (b)(4))

The Code of Ethics requires that knowledge of physical abuse of a student or sexual conduct with a student by an educator must be reported to the Commission.

YEAR BY YEAR COMPARISONS
PTPC CASES INVESTIGATED BY YEAR



SANCTIONS ORDERED BY YEAR



	FY 2019	FY 2018	FY 2017	FY 2016	FY 2015
Warnings		3	3	3	5
Reprimands	5	5	2	3	2
Suspensions	7	6	7	9	8
Revocations/Surrenders	2	2		5	

FY2019 Financial Report (July 1, 2018 –June 30, 2019)

	Authorization	Actual Disbursements	Encumbrances	Authorization Balance
Personal Services	\$154,400.00	\$143,701.86	\$0.00	\$10,698.14
Travel	\$16,700.00	\$13,893.93	\$460.03	\$2,806.07
Contractual Services	\$85,100.00	\$26,385.88	\$19,974.55	\$38,739.57
Commodities	\$2,600.00	\$4,699.86	\$0.00	\$-2,099.86
Totals	\$258,800.00	\$188,681.53	\$19,974.55	\$50,143.92

Personal Services: Salaries (including benefits)

Travel: Executive Director, Commissioners

- Conferences
- Commission Meetings
- Presentations
- Investigations

Contractual: Interagency Services

- Department of Administration
- Department of Education and Early Development
- Department of Law
- Postage
- Print/Copy/Graphics
- Telecommunications

Commodities:

- Business Supplies
- Equipment and Furniture
- Information Technology Equipment

2019 PTPC Commission Members

MEMBER	DATE APPOINTED	REAPPOINTED	TERM EXPIRES
David DeVaughn Teacher Representative North Pole (FNSBSD)	03/01/2013	03/01/2016	03/01/2019
Maureen van Wagner , Chair Teacher Representative Anchorage (ASD)	03/01/2014	03/01/2017	03/01/2020
Kent Runion , Secretary Teacher Representative Valdez (VCS)	11/18/2016	03/01/2018	03/01/2021
Diane Kardash , Vice Chair Higher Education Representative (UAF)	05/26/2017	03/01/2018	03/01/2021
Tony Graham Principal Representative Soldotna (KPBSD)	03/01/2018		03/01/2021
Janine Todd Teacher Representative Delta Junction (DGS)	07/12/2018	03/01/2019	03/01/2022
Tamara Van Wyhe Department Representative Copper Center (DEED)	01/08/2019	03/01/2019	03/01/2022
Chris Reitan Superintendent Representative Craig (CCS)	02/26/2019		03/01/2020
Lem Wheelles Teacher Representative Anchorage (ASD)	5/21/2019		03/01/2022
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Melody Mann Executive Director 550 West 7 th Avenue, Suite 1240 Anchorage, AK 99501 melody.mann@alaska.gov 907-269-6579	06/01/2018		06/30/2019