

HOUSE BILL NO. 254

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE JOHNSTON

Introduced: 2/17/20

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to teacher certification; relating to educator preparation programs;**
2 **relating to the duties and powers of the Department of Education and Early**
3 **Development and the state Board of Education and Early Development; relating to**
4 **teacher qualifications and performance standards; establishing the Alaska Educator**
5 **Standards Commission in the Department of Education and Early Development; and**
6 **eliminating the Professional Teaching Practices Commission."**

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

8 * **Section 1.** AS 14.20.015(a) is amended to read:

9 (a) The department shall issue a preliminary teacher certificate to an out-of-
10 state teacher who meets the requirements of this section. To be eligible for a
11 preliminary teacher certificate, a person shall

12 (1) have received at least a baccalaureate degree from an institution of
13 higher education accredited by a recognized regional or national accrediting

1 association or approved by the commissioner;

2 (2) hold a valid teacher certificate issued by another **jurisdiction**
3 [STATE];

4 (3) have submitted fingerprints to the department to be used for a
5 criminal history background check and been found by the department to be suitable for
6 employment as a teacher under AS 14.20.020(f);

7 (4) have paid the fee required by the **commission** [DEPARTMENT]
8 under AS 14.20.020(c);

9 **(5) have completed training regarding alcohol and drug related**
10 **disabilities required under AS 14.20.680, training regarding sexual abuse and**
11 **sexual assault awareness and prevention required under AS 14.30.355, training**
12 **regarding teen dating violence and abuse awareness and prevention required**
13 **under AS 14.30.356, and training regarding suicide awareness and prevention**
14 **required under AS 14.30.362.**

15 * **Sec. 2.** AS 14.20.015(b) is amended to read:

16 (b) An out-of-state teacher who has **fewer than three years of full-time**
17 **teaching experience and has** been issued a preliminary teacher certificate under this
18 section shall pass the competency examination designated by the **commission**
19 [BOARD] under AS 14.20.020(i) within **two years** [ONE YEAR] after the date the
20 preliminary teacher certificate was issued. If the teacher does not pass the
21 examination, the department shall immediately revoke the teacher's preliminary
22 teacher certificate.

23 * **Sec. 3.** AS 14.20.015(c) is amended to read:

24 (c) The preliminary teacher certificate issued under this section **and any**
25 **subsequent teacher certificate issued under this chapter** must contain the same
26 endorsements as those on the current valid teacher certificate issued by the other state.

27 * **Sec. 4.** AS 14.20.015(f) is amended to read:

28 (f) A preliminary teacher certificate and any endorsements issued under this
29 section are valid for **up to four** [THREE] years and may not be renewed. The
30 department may not issue a provisional certificate or a temporary certificate to a
31 teacher who has held a preliminary teacher certificate.

1 * **Sec. 5.** AS 14.20.015 is amended by adding a new subsection to read:

2 (g) Neither the department nor the commission may require a person who is
3 eligible for a preliminary teacher certificate under (a) of this section and who is the
4 spouse of an active duty member of the armed forces of the United States to pay a fee
5 under (a)(4) of this section, other than the fees required by the Department of Public
6 Safety related to a criminal history background check required under (a)(3) of this
7 section.

8 * **Sec. 6.** AS 14.20.017(a) is amended to read:

9 (a) The department shall issue a teacher certificate as described in
10 AS 14.20.020, subject to revocation, to a teacher who meets the requirements of this
11 section. To be eligible for a revocable teacher certificate under this section, a person
12 shall

13 (1) have held a valid teacher certificate issued under AS 14.20.020 that
14 expired more than 12 months before the teacher applied for a certificate under this
15 section;

16 (2) have paid the fee required by the commission [DEPARTMENT]
17 under AS 14.20.020(c);

18 (3) have submitted fingerprints to the department to be used for a
19 criminal history background check and been found by the department to be
20 suitable for employment as a teacher under AS 14.20.020(f);

21 (4) have completed training regarding alcohol and drug related
22 disabilities required under AS 14.20.680, training regarding sexual abuse and
23 sexual assault awareness and prevention required under AS 14.30.355, training
24 regarding teen dating violence and abuse awareness and prevention required
25 under AS 14.30.356, and training regarding suicide awareness and prevention
26 required under AS 14.30.362.

27 * **Sec. 7.** AS 14.20.017(b) is amended to read:

28 (b) A revocable teacher certificate issued under this section is valid for **four**
29 **years** [ONE YEAR], during which the teacher shall complete any requirements for the
30 issuance of a regular teacher certificate under AS 14.20.020 that the teacher has not
31 already met. The department shall expedite the procedures required of teachers

1 holding revocable teacher certificates who are seeking certification under
2 AS 14.20.020.

3 * **Sec. 8.** AS 14.20.017(c) is amended to read:

4 (c) A teacher holding a revocable teacher certificate under this section who
5 previously passed the competency examination designated by the commission
6 [BOARD] under AS 14.20.020(i) or who has at least three years' full-time teaching
7 experience is not required to retake the examination before being eligible for a regular
8 certificate under AS 14.20.020. A teacher holding a revocable teacher certificate who
9 did not previously take or pass the competency examination or who does not have at
10 least three years' full-time teaching experience shall take and pass the examination
11 within two years [ONE YEAR] after the date the revocable teacher certificate was
12 issued. If the teacher does not pass the examination, the department shall immediately
13 revoke the revocable teacher certificate.

14 * **Sec. 9.** AS 14.20.017(e) is amended to read:

15 (e) The revocable teacher certificate issued under this section and any
16 subsequent teacher certificate issued under this chapter must contain the same
17 endorsements as those on the teacher's expired teacher certificate.

18 * **Sec. 10.** AS 14.20.017(g) is amended to read:

19 (g) A revocable teacher certificate and any endorsements issued under this
20 section are valid for up to four years [ONE YEAR] and may not be renewed under
21 this section. The department may not issue a provisional certificate or a temporary
22 certificate to a teacher who has held a teacher certificate issued under this section.

23 * **Sec. 11.** AS 14.20.020(b) is amended to read:

24 (b) A person is not eligible for a teacher certificate unless that person has
25 received at least a baccalaureate degree from an institution of higher education
26 accredited by a recognized regional or national accrediting association or approved
27 by the commissioner, has successfully completed an educator preparation
28 program, and, if applicable, has passed the examination or examinations required by
29 (i) of this section. However, this subsection is not applicable to

30 (1) persons employed in the state public school system on
31 September 1, 1962;

(2) persons issued an emergency certificate during a situation that, in the judgment of the commissioner, requires the temporary issuance of a certificate to a person not otherwise qualified.

* **Sec. 12.** AS 14.20.020(c) is amended to read:

(c) The **commission** [BOARD] may establish by regulation additional requirements for the issuance of certificates. The board shall require teachers to submit fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check. The board shall submit the fingerprints and fees to the Department of Public Safety for a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400. The **commission** [DEPARTMENT] shall establish by regulation the fees to be charged for each certificate and for other charges assessed against teachers as part of certification. In establishing the fees to be charged, the **commission** [DEPARTMENT] shall establish the fee levels so that the total amount of the fees collected relating to the certification of teachers approximately equals, when added to the other fees collected from teachers, the actual regulatory costs for certifying and disciplining teachers in the state. The **commission** [DEPARTMENT] shall annually review each fee level to determine whether the regulatory costs are approximately equal to fee collections. If the review indicates that fee collections and regulatory costs are not approximately equal, the **commission** [DEPARTMENT] shall calculate fee adjustments to the fees for certification of teachers and adopt regulations under this subsection to implement the adjustments. In January of each year, the **commission** [DEPARTMENT] shall report on all fee levels and revisions for the previous year under this subsection to the office of management and budget. The **commission** [DEPARTMENT] shall consider the [BOARD'S] recommendations **of the department and the board** concerning the fee levels and regulatory costs before revising fee schedules to comply with this subsection. In this subsection, "regulatory costs" means costs of the **commission and the** department that are attributable to regulation of the teaching profession, including the portion of the expenses of the board that are attributable to the regulation of the teaching profession [AND THE EXPENSES OF THE PROFESSIONAL TEACHING

1 PRACTICES COMMISSION].

2 * **Sec. 13.** AS 14.20.020(d) is amended to read:

3 (d) The **commission** [BOARD] may by regulation establish various classes of
4 certificates.

5 * **Sec. 14.** AS 14.20.020(e) is amended to read:

6 (e) The annual estimated balance in the account maintained by the
7 commissioner of administration under AS 37.05.142 may be used by the legislature to
8 make appropriations to the department to carry out the purposes of this section and to
9 support the activities of the **commission** [PROFESSIONAL TEACHING
10 PRACTICES COMMISSION] under AS 14.20.460, 14.20.470, and 14.20.500.

11 * **Sec. 15.** AS 14.20.020(h) is amended to read:

12 (h) A person is not eligible for a teacher certificate unless the person has
13 completed three semester hours in Alaska studies and three semester hours in
14 multicultural education or cross-cultural communications **or has completed an**
15 **educator preparation program offered by a school district in the state that**
16 **includes multicultural education or cross-cultural communication and a history**
17 **of education in the state.** However, the commissioner may issue a provisional
18 certificate, valid for no longer than **four** [TWO] years, to **a person** [AN
19 APPLICANT] who has not completed the **coursework** [SEMESTER HOURS]
20 required under this subsection at the time of application.

21 * **Sec. 16.** AS 14.20.020(i) is amended to read:

22 (i) Beginning on July 1, 1998, a person is not eligible for an initial regular
23 teacher certificate unless the person has taken and successfully completed a **basic**
24 competency examination or examinations designated, at the time the person took the
25 test, by the **commission or submits proof satisfactory to the department that the**
26 **person has at least three years' full-time teaching experience under a valid**
27 **teaching certificate issued by another jurisdiction** [BOARD]. The **commission**
28 [BOARD] shall review nationally recognized examinations that are designed to test
29 the competency of new teachers and shall designate those examinations that it finds
30 adequately test the skills and abilities of new teachers. For each examination
31 designated under this subsection, the **commission** [BOARD] shall establish the

1 minimum acceptable level of performance.

2 * **Sec. 17.** AS 14.20.022(a) is amended to read:

3 (a) Notwithstanding AS 14.20.020, a person may be issued a subject-matter
4 expert limited teacher certificate, valid only in the subject-matter in which the person
5 has expertise, upon compliance with the requirements of this section. **Except as**
6 **provided in (i) of this section, a** [A] subject-matter expert teacher may only be
7 employed to teach subjects in which the person has satisfied the education or
8 experience requirements set out in (b)(1) of this section.

9 * **Sec. 18.** AS 14.20.022(b) is amended to read:

10 (b) To be eligible for a subject-matter expert limited teacher certificate, a
11 person shall

12 (1) **except as provided in (i) of this section,** hold at least a
13 baccalaureate degree from an institution of higher education accredited by a
14 recognized regional or national accrediting association or approved by the
15 commissioner and

16 (A) have majored or minored in the subject that the person will
17 be teaching; or

18 (B) have at least **two years'** [FIVE YEARS] experience in the
19 subject matter that the person will be teaching;

20 (2) have submitted fingerprints and the fees required by the
21 Department of Public Safety under AS 12.62.160 for criminal justice information and
22 a national criminal history record check to the department; the department must have
23 submitted the fingerprints and fees to the Department of Public Safety for a report of
24 criminal justice information under AS 12.62 and a national criminal history record
25 check under AS 12.62.400 and the person must have been found by the department to
26 be suitable for employment as a teacher under AS 14.20.020(f); [AND]

27 (3) be currently enrolled in an approved post-baccalaureate **educator**
28 **preparation** [TEACHER EDUCATION] program at a regionally accredited
29 institution meeting the requirements of AS 14.20.020(b) that provides for completion
30 of the regular teacher certificate education requirements within **three** [TWO] years
31 after receipt of a subject-matter expert limited teacher certificate under this section;

1 and

2 (4) have completed training regarding alcohol and drug related
 3 disabilities required under AS 14.20.680, training regarding sexual abuse and
 4 sexual assault awareness and prevention required under AS 14.30.355, training
 5 regarding teen dating violence and abuse awareness and prevention required
 6 under AS 14.30.356, and training regarding suicide awareness and prevention
 7 required under AS 14.30.362.

8 * **Sec. 19.** AS 14.20.022(d) is amended to read:

9 (d) A subject-matter expert limited teacher certificate is valid for one school
 10 year and may be renewed twice, each for one [ADDITIONAL] school year, upon a
 11 showing of substantial progress toward [TOWARDS] completion of the educator
 12 preparation [TEACHER EDUCATION] program required under (b)(3) of this
 13 section.

14 * **Sec. 20.** AS 14.20.022(g) is amended to read:

15 (g) The commission [DEPARTMENT] shall adopt regulations necessary to
 16 implement this section.

17 * **Sec. 21.** AS 14.20.022 is amended by adding a new subsection to read:

18 (i) The department may waive the requirements under (b)(1) of this section for
 19 a person who achieves a passing score on a subject-matter examination approved by
 20 the commission.

21 * **Sec. 22.** AS 14.20.025 is amended to read:

22 **Sec. 14.20.025. Limited teacher certificates.** Notwithstanding
 23 AS 14.20.020(b), the department [A PERSON] may issue [BE ISSUED] a limited
 24 certificate, valid only in the area of expertise for which it is issued, to teach Alaska
 25 Native language or culture, military science, or a vocational or technical course for
 26 which the commission [BOARD] determines by regulation that baccalaureate degree
 27 training is not sufficiently available. The department may issue a [A] limited
 28 certificate [MAY BE ISSUED] under this section only if the school board of the
 29 district or regional educational attendance area in which the person will be teaching
 30 has requested its issuance. A person who applies for a limited certificate shall
 31 demonstrate, as required by regulations adopted by the commission [BOARD],

1 instructional skills and subject matter expertise sufficient to ensure the public that the
 2 person is competent as a teacher. The commission [BOARD] may require a person
 3 issued a limited certificate to undertake academic training as may be required by the
 4 commission [BOARD] by regulation and make satisfactory progress in the academic
 5 training.

6 * **Sec. 23.** AS 14.20.030 is amended to read:

7 **Sec. 14.20.030. Causes for revocation and suspension.** (a) The commissioner
 8 or the commission [PROFESSIONAL TEACHING PRACTICES COMMISSION]
 9 may revoke or suspend a certificate only for the following reasons:

10 (1) incompetency, which is defined as the inability or the unintentional
 11 or intentional failure to perform the teacher's customary teaching duties in a
 12 satisfactory manner;

13 (2) immorality, which is defined as the commission of an act that
 14 [WHICH], under the laws of the state, constitutes a crime involving moral turpitude;

15 (3) substantial noncompliance with the school laws of the state or the
 16 regulations of the department or the commission; or

17 (4) upon a determination by the commission [PROFESSIONAL
 18 TEACHING PRACTICES COMMISSION] that there has been a violation of ethical
 19 or professional standards or contractual obligations.

20 (b) The commissioner or the commission [PROFESSIONAL TEACHING
 21 PRACTICES COMMISSION] shall revoke for life the certificate of a person who has
 22 been convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime,
 23 involving a minor under AS 11.41.410 - 11.41.460 or a law or ordinance in another
 24 jurisdiction with elements similar to an offense described in this subsection.

25 (c) The commissioner or the commission [PROFESSIONAL TEACHING
 26 PRACTICES COMMISSION] shall request the chief administrative law judge
 27 (AS 44.64.020) [,] to appoint an administrative law judge employed by the office of
 28 administrative hearings to preside at a hearing conducted under this section.
 29 AS 44.64.060 and 44.64.070 do not apply to the hearing.

30 * **Sec. 24.** AS 14.20.130 is amended to read:

31 **Sec. 14.20.130. Employment contracts.** An employer may, after January 1,

1 issue contracts for the following school year to employees regularly qualified in
 2 accordance with the regulations of the commission [DEPARTMENT]. The contract
 3 for a superintendent may be for more than one school year but may not exceed three
 4 consecutive school years.

5 * **Sec. 25.** AS 14.20.149(b) is amended to read:

6 (b) The certificated employee evaluation system must

7 (1) establish district performance standards for the district's teachers
 8 and administrators that are based on professional performance standards adopted by
 9 the commission [DEPARTMENT] by regulation;

10 (2) require at least two observations for the evaluation of each
 11 nontenured teacher in the district each school year;

12 (3) require at least an annual evaluation of each tenured teacher in the
 13 district who met the district performance standards during the previous school year;

14 (4) permit the district to limit its evaluations of tenured teachers who
 15 have consistently exceeded the district performance standards to one evaluation every
 16 two school years;

17 (5) require the school district to perform an annual evaluation for each
 18 administrator;

19 (6) require the school district to prepare and implement a plan of
 20 improvement for a teacher or administrator whose performance did not meet the
 21 district performance standards, except if the teacher's or administrator's performance
 22 warrants immediate dismissal under AS 14.20.170(a); and

23 (7) provide an opportunity for students, parents, community members,
 24 teachers, and administrators to provide information on the performance of the teacher
 25 or administrator who is the subject of the evaluation to the evaluating administrator.

26 * **Sec. 26.** AS 14.20.149(g) is amended to read:

27 (g) The department or the commission may request copies of each school
 28 district's certificated employee evaluation system and changes the district makes to the
 29 system.

30 * **Sec. 27.** AS 14.20.150(a) is amended to read:

31 (a) Except as provided in (c) or (d) of this section, a teacher acquires tenure

rights in a district when the teacher

(1) possesses a valid teaching certificate that authorizes the teacher to be employed as a certificated teacher or as an administrator under regulations adopted by the commission [DEPARTMENT];

(2) has been employed as a teacher in the same district continuously for three full school years;

(3) receives, in the third year of any three-year period of continuous employment with the district, an evaluation under the district's evaluation system stating that the teacher's performance meets the district performance standards; and

(4) on or before October 15 of the school year,

(A) accepts a contract for employment as a teacher in the district for a fourth consecutive school year; and

(B) performs a day of teaching services in the district during that school year.

* **Sec. 28.** AS 14.20.150(d) is amended to read:

(d) A teacher who has acquired tenure in a school district in the state and who loses tenure in the district because of a break in service may reacquire tenure in that school district under this subsection if the break in service was not the result of a dismissal under AS 14.20.170 or nonretention under AS 14.20.175 and did not last longer than one year. A break in service that begins on or after the last day of a school district's instructional days for a school year but before the first instructional day of the next school year will be considered to have lasted no longer than one year if the teacher is employed on the first instructional day of the school year that begins more than 12 but not more than 16 months after the beginning of the break in service. A previously tenured teacher reacquires tenure in the school district under this subsection when the teacher

(1) possesses a valid teaching certificate that authorizes the teacher to be employed as a certificated teacher or as an administrator under regulations adopted by the commission [DEPARTMENT];

(2) has been employed as a teacher in the district continuously for one full school year after a break in service that does not exceed the time limits set out in

1 this subsection;

2 (3) receives, under the district's evaluation system, an acceptable
3 evaluation from the district; and

4 (4) on or before October 15 of the school year,

5 (A) accepts a contract for employment as a teacher in the
6 district for a second consecutive school year; and

7 (B) performs a day of teaching services in the district during
8 that school year.

9 * **Sec. 29.** AS 14.20.170(a) is amended to read:

10 (a) A teacher, including a teacher who has acquired tenure rights, may be
11 dismissed at any time only for the following causes:

12 (1) incompetency, which is defined as the inability or the unintentional
13 or intentional failure to perform the teacher's customary teaching duties in a
14 satisfactory manner;

15 (2) immorality, which is defined as the commission of an act that,
16 under the laws of the state, constitutes a crime involving moral turpitude; or

17 (3) substantial noncompliance with the school laws of the state, the
18 regulations or bylaws of the department or the commission, the bylaws of the district,
19 or the written rules of the superintendent.

20 * **Sec. 30.** AS 14.20.175(b) is amended to read:

21 (b) A teacher who has acquired tenure rights is subject to nonretention for the
22 following school year only for the following causes:

23 (1) the school district demonstrates that

24 (A) the district has fully complied with the requirements of
25 AS 14.20.149 with respect to the tenured teacher;

26 (B) the teacher's performance, after completion of the plan of
27 improvement, failed to meet the performance objectives set out in the plan; and

28 (C) the evaluation of the teacher established that the teacher
29 does not meet the district performance standards;

30 (2) immorality, which is defined as the commission of an act that,
31 under the laws of the state, constitutes a crime involving moral turpitude; or

(3) substantial noncompliance with the school laws of the state, the regulations or bylaws of the department or the commission, the bylaws of the district, or the written rules of the superintendent.

* **Sec. 31.** AS 14.20.210 is amended to read:

Sec. 14.20.210. Authority of school board or department to adopt bylaws.

A school board or the department may adopt teacher tenure bylaws not in conflict with the regulations of the commission, the department, or state law.

* **Sec. 32.** AS 14.20.215(7) is amended to read:

(7) "teacher" means an individual who, for compensation, has primary responsibility to plan, instruct, and evaluate learning of elementary or secondary school students in the classroom or an equivalent setting and also includes individuals holding other positions as determined by the commission [DEPARTMENT] by regulation.

* **Sec. 33.** AS 14.20.215 is amended by adding new paragraphs to read:

(8) "commission" means the Alaska Educator Standards Commission;

(9) "educator preparation program" means a degree or nondegree program under AS 14.20.450 leading to certification of teachers, administrators, and special service providers that is offered by an institution of higher education, school district, corporation, government agency, or other entity.

* **Sec. 34.** AS 14.20.380 is amended to read:

Sec. 14.20.380. Creation of a commission. The Alaska Educator Standards

[THERE IS A COMMISSION OF PROFESSIONAL EDUCATORS KNOWN AS THE PROFESSIONAL TEACHING PRACTICES] Commission is established in the department.

* **Sec. 35.** AS 14.20.390 is amended to read:

Sec. 14.20.390. Appointment and qualifications. The commission consists of 11 [NINE] members [APPOINTED BY THE GOVERNOR AND CONFIRMED BY A MAJORITY OF THE MEMBERS OF THE LEGISLATURE IN JOINT SESSION]. Each member must [, IN ADDITION TO HAVING BEEN ACTIVELY ENGAGED IN THE TEACHING PROFESSION FOR AT LEAST FIVE YEARS IMMEDIATELY PRECEDING APPOINTMENT, SHALL] be a citizen of the United

1 States and a resident of the state.

2 * **Sec. 36.** AS 14.20.400 is amended to read:

3 **Sec. 14.20.400. Composition of the commission.** The commission consists of
4 the following members:

5 (1) the deputy commissioner of education and early development;

6 (2) one member of the board;

7 (3) the following nine members, each appointed by the governor
8 and confirmed by a majority of the members of the legislature in joint session:

9 (A) four [FIVE] classroom teachers;

10 (B) two principals [(2) ONE PRINCIPAL];

11 (C) [(3)] one superintendent;

12 (D) [(4) ONE REPRESENTATIVE OF THE OFFICE OF THE
13 COMMISSIONER; (5)] one administrator [REPRESENTATIVE] of an
14 [ALASKA] institution of higher learning in the state;

15 (E) one district human resources director.

16 * **Sec. 37.** AS 14.20.410(a) is amended to read:

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

18 (1) the member of the board from the membership of the board;

19 (2) the four [FIVE] classroom teachers from lists of names submitted
20 by recognized Alaska teachers' organizations, each list not to exceed 12 names;
21 however, in lieu of one of the four [FIVE], one classroom teacher may be selected
22 from a list of not more than four names signed and submitted by not fewer [LESS]
23 than 25 teachers who have no affiliation with any organization qualified to submit
24 nomination lists, with the limitation that no teacher may sign more than one list in any
25 year; the governor shall select teachers who represent elementary, secondary, and
26 multi-grade classrooms and, when possible, the geographic diversity of the state;

27 (3) [(2)] the two principals [PRINCIPAL] from lists [A LIST OF
28 THREE NAMES] submitted by the Alaska Association of Secondary School
29 Principals and the Alaska Association of Elementary School Principals, each list
30 not to exceed three names [PRINCIPALS ASSOCIATION]; the governor shall
31 select one principal from an urban school district and one principal from a rural

1 **school district, when possible;**

2 (4) [(3)] the superintendent from a list of three names submitted by the
3 **Alaska Superintendents Association** [SUPERINTENDENTS ADVISORY
4 COMMISSION];

5 (4) THE REPRESENTATIVE OF THE OFFICE OF THE
6 COMMISSIONER FROM A LIST OF THREE NAMES SUBMITTED BY THE
7 COMMISSIONER];

8 (5) the **administrator** [REPRESENTATIVE] of an [ALASKA]
9 institution of higher learning **in the state** from lists of names submitted by [ALASKA]
10 institutions of higher learning **in the state**, each list not to exceed three names;

11 **(6) the district human resources director from lists of names**
12 **submitted by school districts in the state; in this paragraph, "school district" has**
13 **the meaning given in AS 14.30.350.**

14 * **Sec. 38.** AS 14.20.450 is amended by adding a new subsection to read:

15 (b) The commission shall approve educator preparation programs that meet
16 standards adopted by the commission in regulation. The process for review and
17 approval of a program must include a procedure for revocation of approval. The
18 commission may approve an educator preparation program for a period not to exceed
19 seven years. A change to an approved educator preparation program must be approved
20 by the commission in advance.

21 * **Sec. 39.** AS 14.20.460 is amended to read:

22 **Sec. 14.20.460. Duties of commission.** The commission shall

23 (1) establish procedures [,] and adopt regulations to implement the
24 purposes of AS 14.20.370 - 14.20.510;

25 (2) conduct investigations and hearings on alleged violations of ethical
26 or professional teaching performance, contractual obligations, and professional
27 teaching misconduct;

28 (3) **establish standards and adopt** [REVIEW THE] regulations **for**
29 [OF THE DEPARTMENT AS THEY RELATE TO] teacher certification and
30 **discipline** [RECOMMEND NECESSARY CHANGES];

31 (4) review the decisions of the department regarding the issuance or

denial of certificates and in its discretion recommend reversal of decisions;

(5) establish standards and adopt regulations for approval of educator preparation programs consistent with AS 14.20.450(b);

(6) review for approval and monitor educator preparation programs.

* **Sec. 40.** AS 14.20.470 is amended to read:

Sec. 14.20.470. Powers of commission. (a) The commission may

(1) study proposals developed by regular committees of any existing professional organization whose members are within the teaching profession;

(2) subpoena witnesses, place **witnesses** [THEM] under oath, and maintain written records;

(3) warn or reprimand members of the teaching profession, if [IN THE JUDGMENT OF] the commission **determines the** [SUCH] action is warranted;

(4) suspend or revoke the certificate of a member of the teaching profession for one of the reasons set out in AS 14.20.030 except that in the case of an administrator, the commissioner must concur;

(5) make any recommendation to the board or to school boards that will promote an improvement in the teaching profession;

(6) request assistance through any of the investigative processes of any existing professional teaching organizations when analyzing charges of breach of ethical or professional teaching practices;

(7) appoint an executive secretary, delegate those ministerial functions to the executive secretary as the commission may decide and set the executive secretary's compensation with a starting salary not exceeding range 26, step B of the pay plan for state employees in AS 39.27.011(a).

(b) A decision issued by the commission with the approval of the commissioner under (a)(4) of this section is final.

* **Sec. 41.** AS 14.20.500 is amended to read:

Sec. 14.20.500. Support. In addition to available state funds, the commission shall also be financed by members of the **teaching** profession in accordance with regulations adopted by the **commission**, [DEPARTMENT] including, if necessary, an

1 increase in the fees for certificates.

2 * **Sec. 42.** AS 14.20 is amended by adding a new section to read:

3 **Sec. 14.20.505. Definitions.** In AS 14.20.370 - 14.20.510,

4 (1) "commission" means the Alaska Educator Standards Commission;

5 (2) "educator preparation program" means a degree or nondegree
6 program under AS 14.20.450 leading to certification of teachers, administrators, and
7 special service providers that is offered by an institution of higher education, school
8 district, corporation, government agency, or other entity.

9 * **Sec. 43.** AS 14.20.510 is amended to read:

10 **Sec. 14.20.510. Short title.** AS 14.20.370 - 14.20.510 shall be known as the

11 **Alaska Educator Standards** [PROFESSIONAL TEACHING PRACTICES] Act.

12 * **Sec. 44.** AS 37.05.146(c)(40) is amended to read:

13 (40) receipts of the **Alaska Educator Standards** [PROFESSIONAL
14 TEACHING PRACTICES] Commission from professional certification fees;

15 * **Sec. 45.** AS 39.25.120(c)(7) is amended to read:

16 (7) the principal executive officer of the following boards, councils, or
17 commissions:

18 (A) Alaska Public Broadcasting Commission;

19 (B) **Alaska Educator Standards** [PROFESSIONAL
20 TEACHING PRACTICES] Commission;

21 (C) Parole Board;

22 (D) Board of Nursing;

23 (E) Real Estate Commission;

24 (F) Alaska Royalty Oil and Gas Development Advisory Board;

25 (G) Alaska State Council on the Arts;

26 (H) Alaska Police Standards Council;

27 (I) Alaska Commission on Aging;

28 (J) Alaska Mental Health Board;

29 (K) State Medical Board;

30 (L) Governor's Council on Disabilities and Special Education;

31 (M) Advisory Board on Alcoholism and Drug Abuse;

(N) Statewide Suicide Prevention Council;

(O) State Board of Registration for Architects, Engineers, and
Land Surveyors;

(P) Alaska Health Care Commission;

(Q) Board of Pharmacy;

* **Sec. 46.** AS 44.62.330(a)(23) is amended to read:

(23) Department of Education and Early Development and Alaska
Educator Standards [PROFESSIONAL TEACHING PRACTICES] Commission
with regard to proceedings to revoke or suspend a teacher's certificate under
AS 14.20.030 - 14.20.040 and 14.20.470(a)(4) [AS 14.20.470(a)(4)];

* **Sec. 47.** AS 47.17.020(f) is amended to read:

(f) If a law enforcement agency determines that a child has been abused or
neglected and that (1) the harm was caused by a teacher or other person employed by
the school or school district in which the child is enrolled as a student, (2) the harm
occurred during an activity sponsored by the school or school district in which the
child is enrolled as a student, or (3) the harm occurred on the premises of the school in
which the child is enrolled as a student or on the premises of a school within the
district in which the child is enrolled as a student, the law enforcement agency shall
notify the chief administrative officer of the school or district in which the child is
enrolled immediately after the agency determines that a child has been abused or
neglected under the circumstances set out in this section, except that if the person
about whom the report has been made is the chief administrative officer or a member
of the chief administrative officer's immediate family, the law enforcement agency
shall notify the commissioner of education and early development that the child has
been abused or neglected under the circumstances set out in this section. The
notification must set out the factual basis for the law enforcement agency's
determination. If the notification involves a person in the teaching profession, as
defined in AS 14.20.370, the law enforcement agency shall send a copy of the
notification to the Alaska Educator Standards [PROFESSIONAL TEACHING
PRACTICES] Commission.

* **Sec. 48.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 TRANSITION. (a) A person who is a member of the Professional Teaching Practices
3 Commission on the day before the effective date of this Act is a member of the Alaska
4 Educator Standards Commission on the effective date of this Act and may continue to serve
5 the remainder of the member's term, notwithstanding secs. 35 - 37 of this Act. The governor
6 shall make appointments under sec. 35 of this Act to fill vacancies and expired terms on the
7 Alaska Educator Standards Commission that occur on or after the effective date of this Act in
8 accordance with secs. 36 and 37 of this Act.

9 (b) Notwithstanding secs. 38 and 39 of this Act, an educator preparation program that
10 is approved by the state Board of Education and Early Development and accredited by the
11 Council for the Accreditation of Educator Preparation on the effective date of this Act will
12 continue to be an approved program until the program's accreditation expires.

13 * **Sec. 49.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 **APPLICABILITY; RENEWAL OF TEACHER CERTIFICATES.** (a)
16 AS 14.20.015(a)(5), enacted by sec. 1 of this Act, AS 14.20.017(a)(4), enacted by sec. 6 of
17 this Act, and AS 14.20.022(b)(4), enacted by sec. 18 of this Act, apply to preliminary teacher
18 certificates, revocable teacher certificates, and subject-matter expert limited teacher
19 certificates issued on or after the effective date of this Act. A preliminary teacher certificate,
20 revocable teacher certificate, or subject-matter expert limited teacher certificate issued before
21 the effective date of this Act may not be renewed on or after the effective date of this Act
22 unless the teacher has completed the training required under AS 14.20.015(a)(5), enacted by
23 sec. 1 of this Act, AS 14.20.017(a)(4), enacted by sec. 6 of this Act, or AS 14.20.022(b)(4),
24 enacted by sec. 18 of this Act.

25 (b) AS 14.20.017(a)(3), enacted by sec. 6 of this Act, applies to revocable teacher
26 certificates issued on or after the effective date of this Act. A revocable teacher certificate
27 issued before the effective date of this Act may not be renewed on or after the effective date
28 of this Act unless the teacher has satisfied the criminal history background check
29 requirements under AS 14.20.017(a)(3), enacted by sec. 6 of this Act.