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PROFESSIONAL TEACHING PRACTICES COMMISSION

## ***INTRODUCTION***

The Alaska State Professional Teaching Practices Commission (PTPC) submits its report for Fiscal Year 2011. 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.” The PTPC is funded through the Department of Education and Early Development’s general fund.

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, 2010 through June 30, 2011. It is prepared on behalf of the Commission by the Executive Director, Patricia Truman and Secretary, Atiya Barlow.

### ***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 education. Constituent groups nominate candidates, the governor appoints the Commissioners upon the 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 and instructors in higher education. The Commission’s order is final in disciplinary matters regarding a teacher. Before the certificate of an administrator is sanctioned, the Commissioner 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.

Cover Photo (*Rainbow on the Tundra*) by: Mark Jones

## ***WHAT IS APPROPRIATE DISCIPLINARY ACTION?***

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

1. **Warning**. A warning stipulates that the considered conduct is unethical, and if not corrected, a more serious sanction would be imposed. A warning is a private communication with the educator; however, it is still 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. **Suspension**. 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. **Revocation**. 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:**

- (a) The Commission 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*.

## ***PROFESSIONAL TEACHING PRACTICES 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, of 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 a hearing officer, appointed by the governor, presides. The hearing is held in accordance with the Alaska Administrative Procedure Act. All hearings are open to the public.

## ***EXAMPLES OF ALLEGATIONS CONSIDERED***

- *Sexual Harassment of Staff:* Sexual harassment of colleagues.
- *Sexual Misconduct with Students:* Inappropriate comments of a sexual nature, romantic involvement with students, kissing or inappropriate touching of students, sexual contact with students.
- *Drug-Alcohol Related Offenses:* Drinking with or providing alcoholic beverages to students, appearing at work while under the influence of alcohol or other drugs, unlawful possession or sale of controlled substances.
- *Inappropriate Discipline:* Misuse of corporal punishment, use of excessive force.
- *Incompetency:* Due to either inefficiency or incapacity, the educator has failed to demonstrate minimal standards of competent performance.
- *Criminal conduct, Non-Drug Related:* Unlawful conduct that may include convictions for such offenses as assault, battery, trespass, petty or grand theft, murder, forgery, insurance fraud, solicitation for prostitution, sale of child pornography.
- *Fraudulent Certificates/Applications:* Failure to acknowledge criminal records on applications for certification, submission of fraudulent scores for certificate exams, submission of false transcripts.
- *Miscellaneous Issues:* Racial slurs, or derogatory comments to students, promoting prejudice among students, false and malicious comments about colleagues, showing “R” rated movies or other non-approved films to students, diversion of school funds, altering student records or test scores.
- *Contract Violation:* Leaving a position without the concurrence of the employing district.

***FY 2011 IN REVIEW***  
***(July 1, 2010-June 30, 2011)***

The Commission met three times in general session.

**DISCIPLINARY SANCTIONS:**

**10-07.** The Commission issued the order of Revocation for Life of the Alaska Teacher Certificate of Rosemary E. Owens.

**10-46.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Roy E. Thomas.

**10-67.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Sharon Sherk.

**10-80.** The Commission issued an order of reprimand to Michael Nakoneczny.

**11-24.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Adam Bode.

**11-25.** The Commission issued an order of reprimand to Hans Werner.

**11-30.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Casey A. Spurlock.

**11-32.** The Commission issued a 7.5 months suspension of the Alaska Teacher Certificate of Heath Day.

**11-38.** The Commission issued an order of reprimand to Adelina C. San Ramon.

**11-40.** The Commission issued an order of Revocation for Life of the Alaska Teacher Certificate of Christopher A. More.

**11-41.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Dawn Simon.

**11-42.** The Commission issued a one-year suspension of the Alaska Teacher Certificate of Brittney Seabury.

## **BACKGROUND CHECKS**

PTPC staff reviewed two hundred thirty-one (231) applications for certification in which there were fingerprint checks indicating convictions. Two hundred nine (209) applicants who had revealed convictions on their applications for certification and/or provided the requested details were approved for certification.

Twenty-two (22) applicants for certification failed to divulge past convictions for criminal violations. The applicants were informed that all convictions must be divulged and details provided on any application that requests that information, even convictions that have been set-aside or had a suspended imposition of sentence. Failure to do so in the future could be considered willful misrepresentation and a cause for revocation.

## **BACKGROUND CHECKS FROM OTHER STATES AND CANADA**

PTPC staff responded to fourteen (14) requests from other states and Canada for information regarding candidates for certification who reported that they have held, or do hold, an Alaska teaching certificate.

## **NON-COMPLIANCE**

PTPC staff reviewed one hundred thirty-four (134) non-compliance reports from the Office of Certification. Non-compliance reports inform the Commission of districts who employ uncertified educators in a certified position.

## **ADMINISTRATIVE REVIEWS**

Thirteen (13) administrative reviews were held to evaluate PTPC staff's decisions to dismiss.

## **NEWSLETTER**

The annual newsletter was published and distributed to all educators and other interested parties.

## **PRESENTATIONS AND ACTIVITIES**

Presentations on professionalism, professional ethics, and the role of the Commission were given to pre-service teacher candidates at the University of Alaska Anchorage, the University of Alaska Fairbanks, and Alaska Pacific University as well as University of Alaska Anchorage Administrative Interns and University of Alaska Fairbanks Rural Administrators. Presentations were also made to the Alaska Transition to Teaching (AKT2) candidates and Statewide Mentors. Staff presented during professional development in-services in the Mat-Su Borough School District and for the NEA Leadership Academy. Executive Director's activities included sitting on the Teacher Quality Committee, coordinating the Alaska Teacher of the Year Program, interviewing candidates for AKT2, serving on the Blue Ribbon panel, and attending four national conferences.

## **CODE OF ETHICS**

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

## **NATIONAL CLEARINGHOUSE**

The National Association of State Directors of Teacher Education and Certification (NASDTEC) maintains a clearinghouse where disciplinary action against an educator in any state and Canada is recorded.

## **PTPC WEB SITE**

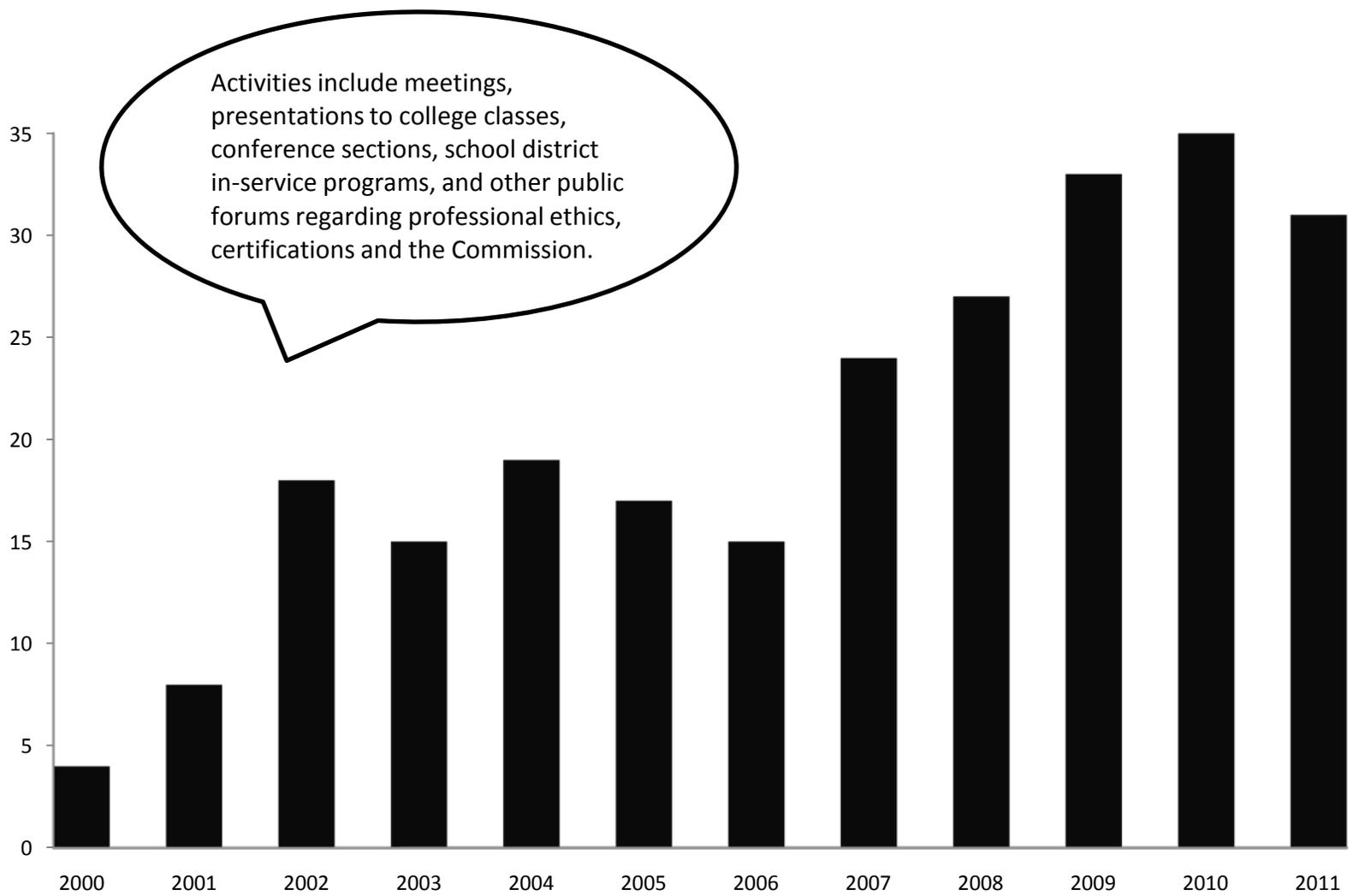
The PTPC Handbook for Alaska Educators, which includes the Alaska statute that created the Commission, the Code of Ethics, the complaint form, and the investigative procedures of the Commission, can be found at [www.eed.state.ak.us/ptpc/](http://www.eed.state.ak.us/ptpc/). PTPC newsletters and annual reports are also available on the Web site.

Commission staff is available to provide presentations on the Code of Ethics of the Education Profession and the role of the Commission. The presentation includes discussions regarding professionalism and professional responsibilities.

Contact Patricia Truman the Executive Director of the Professional Teaching Practices Commission at **907-269-6579** or [patricia.truman@alaska.gov](mailto:patricia.truman@alaska.gov)

**FY 2011 FINANCIAL REPORT**  
**July 1, 2009 - June 30, 2010**

	Authorization	Actual Disbursements	Encumbrances	Authorization Balance
<b>Personal Services</b>	\$203,100.00	\$203,234.00		\$-134.00
<b>Travel</b>	\$16,700.00	\$15,953.00		\$747.00
<b>Contractual</b>	\$59,900.00	\$27,063.00	\$28,881.00	\$3,956.00
<b>Commodities</b>	\$2,600.00	\$1,424.00		\$1,176.00
<b>Totals</b>	\$282,300.00	\$247,674.00	\$28,881.00	\$5745.00



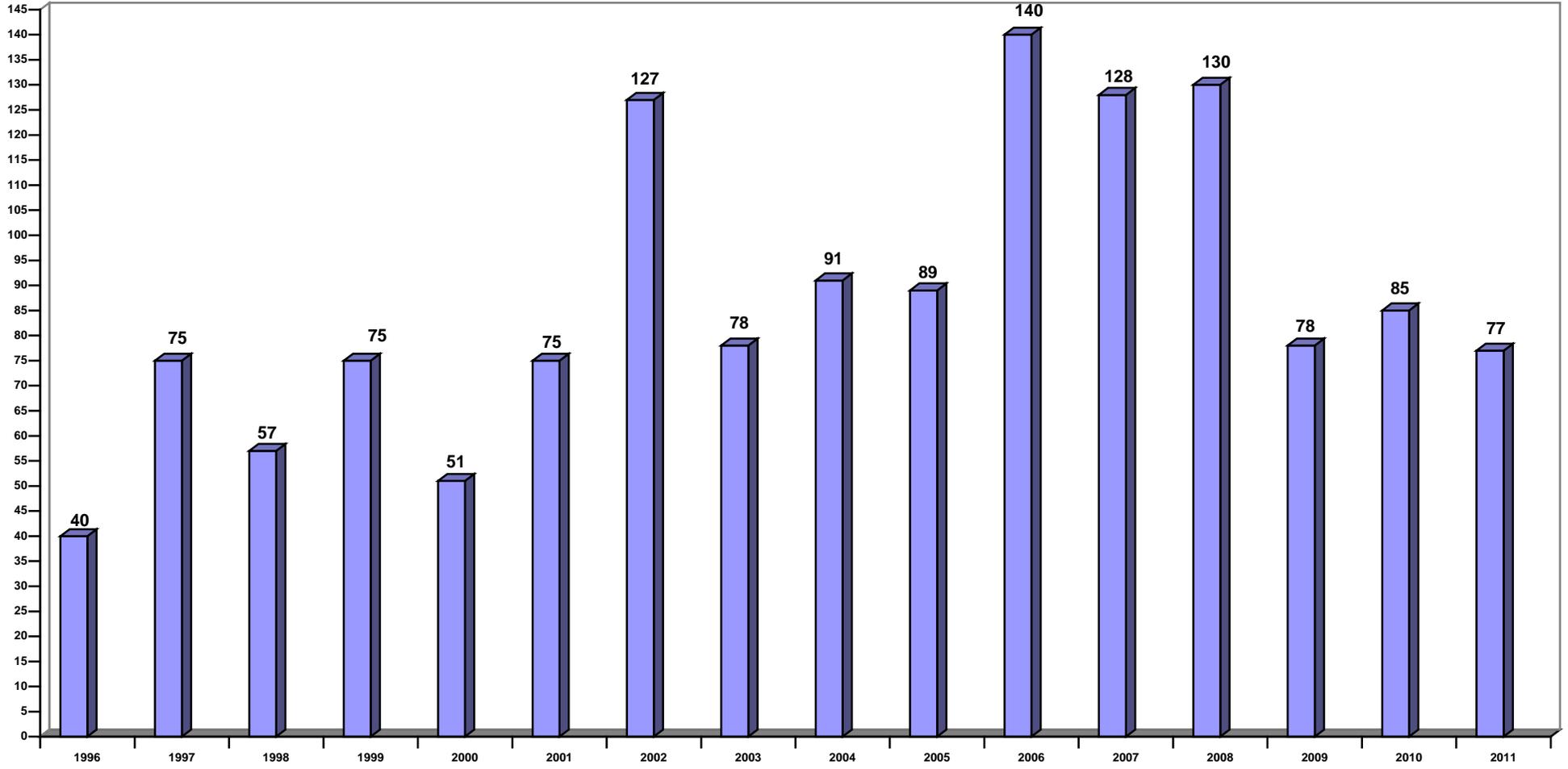
## EXECUTIVE DIRECTOR'S ACTIVITIES

**PROFESSIONAL TEACHING PRACTICES COMMISSION**

**Final Orders**

*Frequency of Sanctions Invoked*

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>Sexual Harassment of Staff</b>	1													0		1	
<b>Sexual Misconduct with Students</b>	3	4	2	2			2	2	1	3	1	2	1	2	3	2	3
<b>Drug, Alcohol Offenses</b>		1									3	2		0	1	1	
<b>Criminal Conduct, Non-Drug</b>		1	1	1		1				2			2	1	1		
<b>Fraudulent Certificates/Applications</b>	1	1				2	1				2	1		0			
<b>Contract Violations</b>				2	5	3	2	2	5	3	2	1	3	3	6	3	7
<b>Financial Misconduct</b>			1		1						1			0			
<b>Professional Misconduct</b>	2					1	1	2	3	4	3	2	1	4	1	7	2



**PTPC CASES BY YEAR**

**PROFESSIONAL TEACHING PRACTICES COMMISSION****FY '11**

<b><u>MEMBER</u></b>	<b><u>DATE APPOINTED</u></b>	<b><u>REAPPOINTED</u></b>	<b><u>TERM EXPIRES</u></b>
<i>Cindy Lou Aillaud</i> Teacher Representative P.O. Box 1245 Delta Junction, AK. 99737	10/26/2006	3/1/2010	3/1/2013
<i>Dr. Steve Atwater</i> Superintendent Representative 148 North Binkley Soldotna, AK. 99669		3/1/2010	3/1/2013
<i>Linda L. Black</i> Higher Education 4101 University Drive Anchorage, AK. 99508	3/1/2006	3/1/2009	3/1/2012
<i>Jill M. Exe</i> Teacher Representative P.O. Box 33 Kaktovik, AK. 99747	3/1/2009		3/1/2012
<i>Eric Fry</i> DEED Representative P.O. Box 110500 Juneau, AK. 99811	3/1/2010		3/1/2013
<i>Jeffrey A. Hebard</i> Teacher Representative 1192 Bemis Court Fairbanks, AK. 99559	5/1/2006	3/1/2010	3/1/2013

