

Bill Walker, Governor

**Alaska State Professional Teaching Practices Commission**  
1016 W. 6<sup>th</sup> Avenue, Suite 302  
Anchorage, Alaska 99501  
**ADOPTED MINUTES**

October 3, 2016

**Call to Order** – Chair Melody Mann called the meeting to order at 8:07 AM on Monday, October 3, 2016.

**Members Present:** Chair Melody Mann, Vice Chair Maureen van Wagner, David DeVaughn, Paul Prussing (via audio conference), David Legg, David Piazza, Francie Roberts, and James A. Seitz, Executive Director. Since 7 members were in attendance, there was a quorum.

**Members Absent:** Martin Laster

**Agenda Approval** – Maureen van Wagner moved and David DeVaughn seconded to approve the agenda as presented. Maureen van Wagner asked to add a fourth discussion item to the agenda regarding member’s addresses in the newsletter. The motion with the changes passed unanimously.

**Public Comment** – No one was present for public comment.

**DEED Report** – Sondra Meredith, DEED

Certification News: At the last state board meeting, the board adopted changes to the Retired Certificate and it now requires 3 years of teaching experience in the State of Alaska to receive one. Possessing a Retired Certificate allows the retired teacher to substitute up until 120 days, beginning sometime in November 2016. Districts should look for a regularly certified teacher before they choose a retired teacher.

Four Mandatory Trainings will be required to receive a new certification as of June 2017: Sexual Abuse Awareness and Prevention, Suicide Awareness and Prevention, FAS-FAE Awareness and Prevention, Dating Violence Awareness and Prevention. Information is on the DEED website and there are forms for the districts to utilize. All courses will be provided by E-learning. New to state teachers who arrive certificated will not be required to complete the training.

Teacher Qualifications The Alaskan highly qualified requirements were repealed with the passage of ESSA. Alaska will transition to a new system, with the actual endorsement determining whether teachers are teaching in their field. Teachers can add endorsements utilizing the PRAXIS exams and two years teaching in the field. Some of the past challenges for teachers, because of all the different HQ requirements due to the wide variety of content within the broad areas of Social Studies and Science, will be simplified.

ESSA requires the State of Alaska to come up with a definition of an Effective Teacher. Once the definition is determined, the districts will be reporting to DEED the number of effective teachers employed.

Teacher Evaluations The Student Data component is no longer a stand-alone item in teacher evaluations and districts have the option to utilize this data as a supporting item in the evaluation.

**Approval of Minutes** – It was moved by David Piazza and seconded by Maureen van Wagner to approve the April 25, 2016 meeting minutes as presented. The motion passed unanimously.

### **Executive Director’s Reports**

- a. FY 2016 Annual Report – In early September copies were sent electronically to all superintendents and other Alaska education stakeholders. It is also posted on the PTPC website.
- b. Financial Report (included in Annual Report) – There was a \$25,000 surplus in our budget this past fiscal year. Paul Prussing reported that DOE is looking at the PTPC budget and trying to hone it more carefully to make teacher certifications payments match PTPC budgetary needs. The Commission discussed funding contingency plans for PTPC hearings, which occur occasionally. Excess money will roll over from year to year and the balance would cover the hearings. Hearings can be expensive.
- c. Case Report – The board was provided a summary of cases the PTPC office investigated since the last meeting. Jim Seitz reports the number of cases was down markedly from the previous year but this can be confusing, as sometimes there are groups of related cases.
- d. Activity Report – The director provided a review of presentations made since the last meeting.

**Executive Session** – A motion was made by David DeVaughn and seconded by David Legg to move into Executive Session as permitted by AS 44.62.310(b). A roll call vote was taken and the motion passed unanimously. The Commission moved into executive session at 8:58 a.m.

**AS 44.62.310(b)** If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

A motion was made by Maureen van Wagner and seconded by David DeVaughn to move out of Executive Session at time 10:10 AM. A roll call vote was taken and the motion passed unanimously.

### **Action Items**

#### **a. PTPC Cases**

PTPC Case No. 16-23: The commission accepted the Stipulated Agreement issuing a **warning** to an educator, who currently holds a professional teaching certificate.

Moved: Maureen van Wagner

Seconded: David DeVaughn

### **AYE**

- David DeVaughn

- David Piazza
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

- Frances Roberts

Motion Passed

PTPC Case No.16-44: Commission accepted the Stipulated Agreement ordering a **one year suspension** of the teaching certificate of **Sherilyn J. Benson** effective March 25, 2016.

Moved: David Piazza                      Seconded: Frances Roberts

**AYE**

- David DeVaughn
- David Piazza
- Frances Roberts
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

Motion Passed Unanimously

PTPC Case No.16-45: Commission accepted the Stipulated Agreement issuing a **warning** to an educator, who currently holds a professional teaching certificate and an administrative certificate.

Moved: David DeVaughn                      Seconded: David Piazza

**AYE**

- David DeVaughn
- David Piazza
- Frances Roberts
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

Motion Passed Unanimously

PTPC Case No.16-50: Commission accepted the Stipulated Agreement issuing a **warning** to an educator, who currently holds a professional teaching certificate.

Moved: David Legg      Seconded: Maureen van Wagner

**AYE**

- David DeVaughn
- David Piazza
- Frances Roberts
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

Motion Passed Unanimously

PTPC Case No.17-01: Commission accepted the Stipulated Agreement ordering a **one year suspension** of the initial teaching certificate of **Joshua D. Doty** effective July 19, 2016.

Moved: Frances Roberts      Seconded: David DeVaughn

**AYE**

- David DeVaughn
- David Piazza
- Frances Roberts
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

Motion Passed Unanimously

PTPC Case No.17-02: Commission accepted the Stipulated Agreement issuing a **warning** to an educator, who currently holds an initial teaching certificate.

Moved: David Piazza      Seconded: Maureen van Wagner

**AYE**

- David DeVaughn
- David Piazza
- Frances Roberts
- David Legg
- Paul Prussing
- Maureen van Wagner
- Melody Mann

**NAY**

Motion Passed Unanimously

## **b. Code of Ethics Revisions**

Executive Director Jim Seitz reported that changing regulations is a lengthy process, which includes a public comment period. The public comment period will ensue between this meeting and the January 2017 meeting. The PTPC has the statutory authority to promulgate regulations, specifically the Code of Ethics of the Education Profession for the State of Alaska.

The Board decided to move through the proposals item by item.

Proposal #1 – add the words “gender identification” to update the list of protected classes in keeping with current practices. Though the PTPC Board was concerned whether the field of education had begun to incorporate this type of language, the determination was made to move forward with the proposal.

Proposal #2 – This proposal deals with romantic/sexual relationships with former students. Former means students who have recently graduated from high school. The Executive Director provided the commission with data from 16 other states about how they handle this issue. A commissioner was interested to learn why the specific questions in the survey were included.

The PTPC discussed the term former students and what that means. Does a former student only mean one who was in a class of the educator? Could it mean a student in the building? The majority of commission members felt the timeframe should be one year after graduation for no contact with a student.

Members felt placing the proposal in section (b)(4) was more appropriate than in section (b)(7). Social media issues should be incorporated in the wording. A suggestion was made to change the words to “sexual conduct with a former student” to be more specific as to the type of behaviors being addressed in this section.

Proposal #9 – The definition of student has not been included in the Code of Ethics. The PTPC accepted the proposals but felt the definition also needed to include college students. Alaska Code AS 14.03.070 defines School Age as “a child who is six years of age on or before September 1 following the beginning of the school year, and who is under the age of 20 and has not completed the 12th grade, is of school age.” The commission wanted the definition to include this idea.

Proposal #3 - There were four proposed wording options. The PTPC preferred choice D with adding the last phrase of Option C starting with “in 4 AAC 06.761(Test administration) and 4 AAC 06.765 (Test security; consequences of breach).”

Proposal #4 – PTPC recommends adding gender identification to the protected classes.

Proposal #5 - The consensus of the commission was that this section applies to certificated employees and not classified employees and therefore supported the changes to make this evident.

Proposal #6 – The clarification of what may not be falsified should include employment application which had not been specified in the past. The commission supported this change.

Proposal #7 – This proposal adds a new section about regarding educators speaking disparagingly of others outside the education profession. After a lot of discussion, the PTPC rejected this proposal. The Executive Director may attempt to craft a substitute.

Proposal #8 – The PTPC felt this proposal strengthened the definition of sexual conduct. The commission discussed the phrase “discussion outside the approved school curriculum of material of a sexual nature” and determined to leave the wording in for public comment period.

Proposal #10 - This proposal adds definitions to words commonly used in the Code of Ethics. The definition of colleague should eliminate the specific examples that were presented and was sufficient with just the first two lines. Instructors in higher education should be included in the definition of an educator and the definition could be simplified by stating an “individual holding an Alaska Recognized Educational Certificate.” The PTPC felt the following could be helpful to drafting this section. AS 14.20.370. Teaching Profession “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.”

Proposal #11 – The PTPC Code of Ethics will now specifically include jurisdiction over student teachers.

Proposal #12 - Ethics Code 20 AAC 10.020(d)(2) contains the wording “just and equitable treatment” which can be difficult to prove. The Executive Director has looked at the wording in other states and found the Alaska Ethics Code to be exactly the same as other states. The commission determined to retain the code as published.

Francie Roberts moved to accept the proposals as presented and discussed, which is to include changes as proposed in discussion. The Executive Director is then directed to begin the process. Maureen Van Wagner seconded. A voice vote was taken. Motion passed unanimously.

David Legg departed at 1:45 PM

### **Discussion Items**

- a. Breach of Contract- The PTPC discussed the June 30<sup>th</sup> Breach of Contract date. The commission discussed the pros and cons of adjusting the date. A commissioner wanted clarification why most breach of contracts were suspensions and just a few were warnings.
- b. Conduct unbecoming of an educator – The Executive Director wondered to what level criminal activity outside the classroom should be considered. Executive Director Seitz suggested the PTPC look at the current code and make sure it covers issues that are pertinent. When does the conduct outside the classroom impact the effectiveness of the educator inside the classroom?
- c. Non-compliance Report – Executive Director Seitz submitted a report on Alaskan educators teaching without a current certificate. He feels the PTPC should be interested in the topic because the new educators do not have a background check until their certification process is complete. Superintendents have difficulty tracking the process of new employees because there is a disconnect from Juneau DEED and the district. Communication would be improved if the district and the employee and Juneau were communicating about this. Adding a check box to the certification form to indicate what district is employing the new applicant could help to ameliorate this problem. The PTPC felt that zero days were an acceptable number of days for a lapsed certificate. But 30 days would be allowable for new employees.
- d. Annual Report Page 11 – A commissioner was concerned about her home address being published in the document. The Executive Director will remove the addresses from the Internet document. A question was raised whether it is a Standard Practice for Boards and Commissions members to publish their address.

## **Informational Items**

- a. Travel to annual PPI Conference was not approved by the State of Alaska (Governor's Office) due to travel restrictions in place because of the State's budget situation. The travel was supported by the DEED Commissioner's Office and funding would not have come out of State general funds. Executive Director Jim Seitz will be traveling to the conference in late October in Des Moines, Iowa, at his own expense.
- b. Rebecca Himschoot has resigned her PTPC seat and the PTPC is awaiting appointment of a commissioner by the Governor.
- c. Commissioner Martin Laster is on leave from the University of Alaska this semester.
- d. Upcoming Meetings. The next scheduled meetings are January 26-27, 2017 and April 24-25, 2017.

**Adjournment** – Maureen Van Wagner moved and Paul Prussing seconded the motion to adjourn. Melody Mann adjourned the meeting at 3:05 PM, October 3, 2016

Submitted by Francie Roberts, secretary  
Alaska Professional Teaching Practices Commission