

Alaska State Professional Teaching Practices Commission
1016 W. 6th Avenue, Suite 302
Anchorage, Alaska 99501
APPROVED MINUTES

April 24, 2017

Call to Order – Chair Melody Mann called the meeting to order at 8:15 AM on Monday, April 24, 2017.

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

Members Absent: David Legg (David Legg arrived later), Martin Laster (Martin Laster has submitted his resignation.)

Agenda Approval – David DeVaughn moved and David Piazza seconded to approve the agenda as presented. Jim Seitz wanted to added OAH information to the end of the Discussion part of the Agenda. The agenda as amended was unanimously approved.

Public Comment – No one was present for public comment.

DEED Report – No Report

Approval of Minutes – It was moved by David Piazza and seconded by David DeVaughn to approve the January 26-27, 2017 meeting minutes as presented. The motion passed unanimously.

David Legg joined the meeting at 8:23 AM.

Executive Director's Reports

- a. Financial Report – Currently the PTPC finances are on track to complete the fiscal year with a surplus.
- b. Case Report – The board was provided a summary of cases the PTPC office investigated since the last meeting. Director Seitz explained resolution of Case 17-03. Discussion was held about the possibility of three hearings at the next meeting.
- c. Activity Report – Executive Director Seitz provided the commissioners with a summary of his activities since the last meeting. Commissioners discussed how to educate peers as to the purpose of the PTPC. Director Seitz explained ways he was attempting to spread information.

Executive Session – A motion was made by David DeVaughn and seconded by Francie Roberts to move into Executive Session as permitted by AS 44.62.310(b) for purposes of discussing the cases as listed and to discuss the evaluation of the Executive Director. The motion passed unanimously. The Commission moved into executive session at 8:44 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 David Devaughn and was seconded by Maureen van Wagner to move out of Executive Session at time 10:43 AM. The motion passed unanimously. The Board took a break until 10:56 AM.

Action Items

a. PTPC Cases

PTPC Case No. 17-19: The commission accepted the Stipulated Agreement ordering a **thirty-day suspension, with conditions**, of the teaching certificate of **Troy M. Zimmerman** effective **May 27, 2017**.

Moved: David DeVaughn Seconded: Kent Runion

AYE

- David DeVaughn
- David Piazza
- Paul Prussing
- Melody Mann
- Frances Roberts
- Kent Runion
- David Legg

NAY

- Maureen van Wagner

Motion Passed

PTPC Case No. 17-21: The commission accepted the Stipulated Agreement to **reprimand Rodney Wayne Boggs**, who holds a provisional administrative certificate.

Moved: David Piazza Seconded: David DeVaughn

AYE

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

- David Legg

NAY

Motion Passed Unanimously

PTPC Case No.17-24: Commission accepted the Stipulated Agreement ordering a **one-year suspension** of the teaching certificate of **Michelle A. Medlin** effective **January 10, 2017**.

Moved: Francie Roberts Seconded: Maureen van Wagner

AYE

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

NAY

RECUSED

- David Piazza

Motion Passed

PTPC Case No.17-30: Commission accepted the Stipulated Agreement ordering a **one-year suspension** of the teaching certificate of **Audrey Leary** effective **January 13, 2017**.

Moved: David Piazza Seconded: Kent Runion

AYE

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

NAY

Motion Passed Unanimously

- b. **Travel to PPI conference October 18-20, 2018 in Phoenix, AZ.** David Devaughn moved and Francie Roberts seconded a motion to approve funding for the annual Professional Practices Institute for Director Seitz. This would include travel (air fare), hotel, per diem, and conference registration. Discussion ensued about the benefits of the conference for PTPC business. Motion passed unanimously by voice vote.

Discussion Items

- a. Evaluation of teachers outside of their endorsement area – The commission has no say over hiring actions or evaluations unless it falls under other sections of the Code of Ethics. The commissioners felt that this issue, per se, did not fall under the Code of Ethics.
- b. Possible amendment (addition) to the list of crimes of moral turpitude:
1. “(CC) unlawfully furnishing marijuana, or products containing marijuana, to a minor.”

The commissioners discussed the addition of this item to the moral turpitude section. The majority of participants originally felt this was worth considering adding to the code in the future. One option was to incorporate this into (AA), which is unlawfully furnishing alcohol to a minor. Discussion about the meaning of moral turpitude and its definition followed. David Legg questioned the need for the specific list of moral turpitudes from A – BB in the code, as they are already legal crimes and asked that the commission consider condensing that section.

The Commission took a break at 11:30 AM. The Commission went back on record at 12:15 PM.

- c. Breach of Contract – The commission discussed someone signing a contract in March then backing out in May due to a better offer from another district. The pros and cons of the way the commission’s current policy on breach of contract sanctions was discussed. The commission also discussed whether letters of intent are a binding contract. Rural housing conditions for educators and how it relates to contracts was also considered.
- d. Conduct unbecoming of an educator – criminal activity outside of the classroom
- a. Approving certificates for educators with felony convictions
 - b. Moral turpitude; 20 AAC 10.035(1) – Pages 32, 33, 34-35 (handouts)
 - c. Marijuana, etc. – Pages 1-31, 36-38, 39-41 (handouts)
- e. Meeting dates for 2017 -18 - The dates chosen for next school year meetings are: October 2-4, 2017, January 29-30, 2018, and April 26-27, 2018.
- f. Commission officers for 2017-2018 - The commission determined to continue with the same officers for the next year: Melody Mann, Chair, Maureen van Wagner, Vice Chair and Francie Roberts, Secretary.
- g. 2017 PTPC Newsletter Distribution - To save money and due to the lack of an administrative assistant, the PTPC Newsletter has been sent via electronic means and fewer printed copies will be sent out. Director Seitz has chosen a variety of recipients to disseminate the electronic version.

Information Items

- a. Recognition of Commissioner Marty Laster’s service to the PTPC. The commission honored Commissioner Laster’s service to the PTPC. Several commissioners spoke thanking Marty for all his time. Marty spoke about his time on the PTPC, protecting students and teachers.

Discussion Items

- a. New Code of Ethics Posters – New code of ethics posters will be printed in the future covering the changes to the Code of Ethics. The cost to print is only \$200 to print 1000 17” x 22” copies. The cost of mailing to is about \$4 a poster, so about \$2000 to get it to 500 schools. One commissioner suggested a QR code on the PTPC website and also a PDF version available.
- b. Hearings – Administrative law judges oversee PTPC hearings. The Chief Administrative Law Judge has offered the PTPC an hour or two of training to assist the commissioners with the hearing procedures. Director Seitz will follow up with scheduling the training for the body. The cost would be \$192 per hour.

The Commission took a break at 1:30 PM. The Commission went back on record at 1:37 PM.

Commissioner David Legg left at 1:38 PM.

- c. Conduct unbecoming of an educator - The board discussed whether educators utilizing marijuana outside of the work day was an example of moral turpitude, even though the use of the substance is legal in the State of Alaska. Kent Runion pointed out that in small towns, the violation of a “community standards” may be different from the legal standards. The PTPC discussed the definition of moral turpitude in the Ethics Codes. The PTPC assists DEED with the issuance of teaching certificates. The PTPC director investigates the specifics of reported felony activity for the potential educator. Director Seitz inquired about granting teaching certificates to people who had felony convictions. Any crime against a child is a barrier crime to becoming an educator.
- d. NASDTEC Survey – Results of the Director Seitz marijuana survey were presented.

Information Items

- b. Status of pending changes to Code of Ethics –The Department of Law is reviewing the code but to date it has not been finalized. Once it is approved, it will go to the Lieutenant Governor’s office and the changes to the Code of Ethics should be signed into law later in the late summer.
- c. Legislative Update – At their invitation, Director Seitz presented to both the House and Senate Education Finance subcommittees information about the PTPC. Senator Dunleavy pointed out HB156 which was signed into law last session. Director Seitz brought it the commission’s attention. SB96 is currently in the senate finance committee. This bill has 3 three sections which would impact the PTPC, if passed. DEED is required to give administrative support to the PTPC in Section 13. Section 14 requires PTPC to use the administrative services from DEED. Section 22 removes the power of the Commission to appoint an Executive Secretary (aka Executive Director). Director Seitz will continue to follow the bill. Chair Mann and Director Seitz will send a letter to the appropriate senators opposing section 22.
- d. Sanction data for last 6 years – Sanction data for the past six years was presented to the commission.
- e. Information about Commissioners on website – Director Seitz posted updated commissioner information on the PTPC website that designated what seat each Commissioner holds (teacher, principal, superintendent, higher education, DEED) as well as the hometown of each Commissioner. Specific contact information (emails or mailing addresses) is not included.

- f. Commission representative from higher education – Marty Laster has resigned and there has yet to be appointment to the position. Three nominations from UA President Johnsen have been submitted to the Governor’s office.
- g. Confirmations - The PTPC is waiting for Maureen van Wagner and David Piazza to be confirmed by the legislature for a second 3 year term.
- h. More Confirmations - The PTPC is waiting for Kent Runion to be confirmed by the legislature to complete the term of Rebecca Himschoot.
- i. Travel Reimbursements – Commissioners should send receipts to Chuck Leshner at DEED (prepaid envelope in binder). chuck.lesser@alaska.gov Also cc Paul Prussing, and he will help.
- j. PTPC Office relocation The PTPC office will move to the Atwood Building, probably in July 2017.

David DeVaughn moved and Maureen van Wagner second to adjourn. Motion passed and Melody Mann adjourned the meeting at 3:15 PM.

Submitted by Francie Roberts, Secretary