BREACH OF CONTRACT:

Authority: 4 AAC 18.010. Teachers’ and administrators’ contracts
(12) (d) Contracts may be terminated by mutual consent of both parties upon 30 days’ written notice by either party and the written assent of the other party; a teacher failing to give the written notice, or who leaves a position following the notice without having the written assent of the employing board, may be liable to revocation of certificate for breach of contract.

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PTPC NEWSLETTER

Winter 2019

WHAT’S NEW IN THE CODE?
The Code of Ethics has recently undergone significant revisions in 2017 and 2018. Major highlights include: student teachers are now required to abide by the Code of Ethics; the Code of Ethics explicitly prohibits sexual contact between educators and recently graduated students for up to one year after graduation from high school; the definition of sexual conduct has been expanded; and a new section is added to Crimes of Moral Turpitude. All the changes are highlighted in the complete Code of Ethics on the following pages.

The Commission debated, amended and revised the wording of the proposed changes before they went out for public comment. The Commission considered all the public comments then debated, amended and revised the proposed language changes. After voting in general session, approved proposals were sent to the Department of Law for review. Minor wording changes were made before being signed into law by the Lieutenant Governor.

The revisions to the Code of Ethics were made by the Commission to further enhance the professional and ethical standards for educators and to ensure the public’s trust in Alaska’s education professionals.

THE CODE IN 4 + PARTS

a) Authority
b) Obligations to Students
c) Obligations to the Public
d) Obligations to the Profession
   + Moral Turpitude
   + Definitions

Members of the teaching profession (as defined in AS 14.20.370) are obligated to abide by the code of ethics and professional teaching standards adopted by the Professional Teaching Practices Commission.
State of Alaska

Code of Ethics of the Education Profession

20 AAC 10.020. CODE OF ETHICS AND TEACHING STANDARDS.

(a) The following code of code of ethical standards governs an individual holding a teaching, administrative, or special services certificate issued under 4 AAC 12, an individual authorized as a student teacher under 4 AAC 30.020, and all other members of the teaching profession. A violation of this section is grounds for discipline as provided in AS 14.20.030.

(b) In fulfilling obligations to students, an educator:
    (1) may not deliberately distort, suppress, or deny access to curricular materials or educational information in order to promote the personal view, interest, or goal of the educator;
    (2) shall make reasonable effort to protect students from conditions harmful to learning or to health and safety;
    (3) may not engage in:
        (A) physical abuse of a student or sexual conduct with a student and shall report to the commission knowledge of such an act by an educator; or
        (B) sexual conduct with a former student whom the educator taught, supervised, or exercised authority over, including in coaching or other school-sponsored activity; the restrictions against sexual conduct in this subparagraph apply to an educator for one year after the student has graduated from or ceased to attend high school, and an educator shall report to the commission knowledge of such an act by an educator;
    (4) may not expose a student to unnecessary embarrassment or disparagement;
    (5) may not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, gender identification, or sexual orientation; shall make reasonable effort to assure that a student is protected from harassment or discrimination on these grounds; and may not engage in a conduct of a course that would encourage a reasonable student to develop a prejudice on these grounds;
    (6) may not use professional relationships with students for private advantage or gain;
    (7) shall keep in confidence information that has been obtained in the course of providing professional service, unless disclosure serves a compelling professional purpose or is required by law;
    (8) shall accord just and equitable treatment of all members of the teaching profession as set out in AS 14.20.370;
    (9) may not engage in:
        (A) use of drugs or alcohol that impairs the educator’s competence or the safety of students or colleagues;
        (B) physical or mental disability that impairs the educator’s competence or the safety of students or colleagues;
    (10) may not interfere with a colleague’s exercise of political or citizenship rights and responsibilities.

(c) In fulfilling obligations to the public, an educator:
    (1) may not deliberately misrepresent the educator’s or another’s professional qualifications;
    (2) may not engage in:
        (A) physical abuse of a student or sexual conduct with a student and shall report to the commission knowledge of such an act by an educator; or
        (B) sexual conduct with a former student whom the educator taught, supervised, or exercised authority over, including in coaching or other school-sponsored activity; the restrictions against sexual conduct in this subparagraph apply to an educator for one year after the student has graduated from or ceased to attend high school, and an educator shall report to the commission knowledge of such an act by an educator;
    (3) shall cooperate fully and honestly in investigations and hearings of the commission;
    (4) may not engage in:
        (A) use of drugs or alcohol that impairs the educator’s competence or the safety of students or colleagues;
        (B) physical or mental disability that impairs the educator’s competence or the safety of students or colleagues;
    (5) may not solicit or accept, directly or indirectly, anything of value from any person or organization that the educator may influence or that may influence the educator’s professional judgments;
    (6) shall provide, upon the request of the affected party, who must be a member of the teaching profession as set out in AS 14.20.370, a written statement of specific reasons for recommendations that led to the denial of increments, significant changes in employment, or termination of employment;
    (7) may not deliberately misrepresent the educator’s or another’s professional qualifications;
    (8) may not falsify a document, or make a misrepresentation on a matter related to:
        (A) licensure;
        (B) employment, including an employment application;
        (C) employment evaluation;
        (D) test results; or
        (E) professional duties;
    (9) may not intentionally make a false or malicious statement about a colleague’s professional performance or conduct;
    (10) may not intentionally file a false or malicious complaint with the commission;
    (11) may not seek reprisal against any individual who has filed a complaint, provided testimony or given other assistance in support of a complaint filed with the commission;
    (12) may not offer a gratuity, gift, or favor to obtain special advantage;
    (13) shall conduct professional business through appropriate channels;
    (14) may not engage in:
        (A) use of drugs or alcohol that impairs the educator’s competence or the safety of students or colleagues;
        (B) physical or mental disability that impairs the educator’s competence or the safety of students or colleagues;
    (15) may not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
    (16) may not engage in:
        (A) sexual harassment of students;
        (B) discrimination in employment practice, assignment, or personnel evaluation;
        (C) may not engage in:
            (1) conduct that is wrong in itself even if no statute were to prohibit the conduct; and
            (2) use of drugs or alcohol that impairs the educator’s competence or the safety of students or colleagues;
    (17) may not use institutional privileges for private gain, to promote political candidates, or for partisan political activities;
    (18) may not act in a manner that may tend to undermine the integrity or the public regard of the profession;
    (19) shall make reasonable effort to protect students from conditions harmful to learning or to health and safety;
    (20) shall conduct professional business through appropriate channels;

(d) In fulfilling obligations to the profession, an educator:
    (1) may not:
        (A) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (B) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (C) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (D) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (E) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (F) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (G) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (H) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (I) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (J) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (K) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (L) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (M) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (N) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (O) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (P) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (Q) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (R) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (S) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (T) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (U) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (V) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (W) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (X) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (Y) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
        (Z) possess a teaching certificate issued under 4 AAC 12.020 unless the educator is a student;
    (2) shall take reasonable precautions to distinguish between the educator’s personal views and those of any educational institution or organization with which the educator is affiliated;
    (3) shall cooperate in the statewide student assessment system established under 4 AAC 06.710-4 AAC 06.790 by:
        (A) safeguarding and maintaining the confidentiality of test materials and information; and
        (B) adhering to all written rules, policies, procedures, and other requirements established by the department regarding the administration and operation of the statewide student assessment system as set out in 4 AAC
        06.710 (test administration) and 4 AAC 06.765 (test security; consequences of breach);
    (4) may not accept a gratitude, gift, or favor that might influence or appear to influence professional judgment, and may not offer a gratitude, gift, or favor to obtain special advantage; and
    (5) may not knowingly withhold or misrepresent material information in communicating with the school board regarding a matter before the board for its decision; and
    (6) may not use or allow the use of district resources for private purposes not related to the district programs and operation.

(EFL 1/30/75, Register 53; am 8/1/80, Register 75; am 6/16/84, Register 90; am 8/5/90, Register 115; am 7/21/94, Register 119; am 7/28/94, Register 131; am 4/8/99, Register 150; am 10/25/2000, Register 156; am 9/27/17, Register 223; am 8/2/2018, Register 227)

Authority:

20 AAC 10.035. MORAL TURPITUDE. For the purpose of AS 14.20.030(a)(2), “moral turpitude” means conduct that is wrong in itself even if no statute were to prohibit the conduct; and

(a) a crime involving moral turpitude includes:
    (1) homicide;
    (2) manslaughter;
    (3) assault;
    (4) stalking;
    (5) kidnaping;
    (6) sexual assault;
    (7) sexual abuse of minor;
    (8) unlawfulexploitation of a minor;
    (9) robbery;
    (10) extortion;
    (11) coercion;
    (12) theft;
    (13) burglary;
    (14) arson;
    (15) counterfeiting;
    (16) forgery;
    (17) criminal impersonation;
    (18) bribery;
    (19) perjury;
    (20) unsworn falsification;
    (21) interference with official proceedings;
    (22) witness tampering;
    (23) jury tampering;
    (24) terrorist threatening;
    (25) possession or distribution of child pornography;
    (26) unlawful distribution or possession for distribution of a controlled substance;