



Kaltag Elementary and Secondary School

Photo by Marti MacKinnon

# **ALASKA PROFESSIONAL TEACHING PRACTICES COMMISSION**

## **ANNUAL REPORT 2023**

# ***ANNUAL REPORT OF THE PROFESSIONAL TEACHING PRACTICES COMMISSION***

## INTRODUCTION

The Alaska State Professional Teaching Practices Commission (PTPC) submits its report for Fiscal Year 2023. 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.” Since FY 2016 the PTPC has been funded by certification fees. This was per legislative intent and is in accordance with AS 14.20.500.

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, 2022, through June 30, 2023. It is prepared on behalf of the Commission by the Executive Director, Melody Mann.

## 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 learning. Constituent groups nominate candidates, and the governor appoints the Commissioners who are then subject to 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, student teachers, and instructors in institutions of higher learning. The Commissions’ order is final in disciplinary matters regarding a teacher. Before the certificate of an administrator is sanctioned, the Commissioner of the Department 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.

## DISCIPLINARY ACTION

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

1. **Warn.** A warning stipulates that the considered conduct is unethical, and if not corrected, a more serious sanction could be imposed. A warning is private communication with the educator; however, it is 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. **Suspend.** 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. **Revoke.** 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:

The Commissioner 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*.

## COMPLAINTS

Complaints may be submitted to the Commission by members of the education profession or by the public. Notification by a state agency to the Professional Teaching Practices Commission that an educator has committed a crime may also result in action by the PTPC. Pursuant to 20 AAC 10.210(b): *Unless the alleged act would be grounds for discipline under AS 14.20.030, the staff may not investigate school district personnel actions, including hiring, evaluation, transfer, reassignment, or dismissal of staff; or curriculum actions.*

## 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, the laws of the State of Alaska, or the Regulations of the Department of Education & Early Development, Commission staff investigates.

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, an administrative law judge from the Office of Administrative Hearings presides. The hearing is held in accordance with the Alaska Administrative Procedure Act. All hearings are open to the public. There were four (4) Administrative Hearings this year. All hearings ended in Decisions and Orders for sanctions of educators. Specific information of the sanctions can be found under *Disciplinary Actions*.

## ADMINISTRATIVE REVIEWS

Administrative Reviews are held to evaluate PTPC staff's decisions to dismiss a case. There were four (4) Administrative Reviews held this year. Three of four cases the Commission voted unanimously to uphold PTPC staff's decision to dismiss the cases. One case was overturned to be investigated further. An Administrative Review can only be requested by the Complainant.

## NATIONAL CLEARINGHOUSE

The National Association of State Directors of Teacher Education and Certification (NASDTEC) maintain a clearinghouse where disciplinary action higher than a warning against an educator in any state (also province in Canada, or U.S. territory) is recorded. This database is not accessible by the public. This database has recently been made available to school districts for a nominal fee.

## INQUIRIES

### Applications for Certification

PTPC staff reviewed one hundred thirty-seven (137) applications for certification in which there were state or federal fingerprint checks indicating criminal charges, or in which one of the character questions (background information) was checked "yes." This was a decrease of seven (7) from last year and below the average of 152 over the last ten years. This includes initial, renewal/reinstatement, and student teaching applications. Sixty (60) applicants divulged convictions (or other actions) on their applications and subsequently those applications were approved or required a brief follow-up with the applicant before being approved.

Seventy-seven (77) applicants for certification failed to divulge past charges for criminal violations or action taken against their certificate in another state. Sixty (60) were not convicted. Of these, seventeen (17) were convicted and did not divulge. The applicants were informed that all convictions must be divulged, and an explanation must be provided on any application, now or in the future, that requests that information. This applies even if convictions have been set-aside, resulted in a suspended imposition of sentence, or were from many years ago. Failure to do so in the future could be considered willful misrepresentation and be a cause for revocation. Sixteen applicants were eventually approved after providing a written explanation. One applicant was denied certification due to an active suspended license in another jurisdiction. The applicant was told to reapply upon reinstatement in that jurisdiction.

### Inquiries from other states and Canada

PTPC staff responded to five (5) requests from other states for information regarding candidates for certification who reported that they have held, or do hold, an Alaska education certificate or who were listed on the NASDTEC Clearinghouse as having been sanctioned in Alaska.

FY 2023 IN REVIEW

*(July 1, 2022 - June 30, 2023)*

The Commission met in general session three times, and one special meeting. Eighteen (18) educators were sanctioned in FY 2023. This is above the yearly average of 13.3 educators sanctioned over the last fifteen years.

DISCIPLINARY ACTIONS:

At the **October 6-7**, 2022, PTPC meeting the Commission took the following actions:

PTPC Case 21-02: The Commission ordered the **revocation** of the Professional Teaching Certificate of **Lon D. Gillas**.

PTPC Case 22-15: The Commission ordered the **surrender** of the Professional Administrative and Teaching Certificates of **Joshua R. Hinds**.

OAH-22-0364-PTP/PTPC Case 22-12: The Commission ordered the **six-month suspension** of the Initial Teaching Certification of **Samantha Hinton**, effective November 6, 2021.

PTPC Case 22-20: The Commission ordered the **warning** of an educator.

PTPC Case 22-22: The Commission ordered the **reprimand** of the Professional Administrative and Teaching Certificates of **Regis B. Stirling**.

PTPC Case 22-29: The Commission ordered the **surrender** of the Professional Teaching Certificates of **James D. Doering**.

At the **December 15-16**, 2022, Special PTPC meeting the Commission took the following action:

OAH Case #21-2165-PTP/PTPC Case 21-22: The Commission orders the **reprimand** of the Administrative and expired Initial Teaching Certificates of **Prophetess Hayden**. Completion of an ethics course will be required for any Alaska certificates to be renewed.

At the **February 2-3**, 2023, PTPC meeting the Commission took the following actions:

OAH-22-0370-PTP or PTPC Case 21-25: The Commission ordered the **revocation** of the Professional Teaching and Administrative Certificates of **Lester W. McCormick**.

PTPC Case 22-16: The Commission ordered the one-year **suspension** of the Special Services Teaching Certification of **Molly K. Vaughan**, effective January 7, 2022.

PTPC Case 22-26: The Commission ordered the **surrender** of the Teaching Certificate of **Bryan P. Collison**.

PTPC Case 23-02: The Commission ordered the **warning** of an educator.

PTPC Case 23-10: The Commission ordered the one-year **suspension** of the Special Services Teaching Certification of **Alyse M. Smith**, effective September 26, 2022.

PTPC Case 23-16: The Commission ordered the one-year **suspension** of the Initial Teaching Certification of **Billy D. McAfee**, effective September 26, 2022.

PTPC Case 23-18: The Commission ordered the one-year **suspension** of the Professional Teaching Certification of **Sonja L. Mills**, effective October 23, 2022.

At the **April 19-21**, 2023, PTPC meeting the Commission took the following actions:

PTPC Case 22-24: The Commission ordered the one-year **suspension** of the Professional Teacher and Administrative Certifications of **Paul J. Gilbert**, effective February 7, 2022.

PTPC Case 23-19: The Commission ordered the one-year **suspension with conditions** of the Professional Teacher Certification of **John W. Vlaun**, effective August 21, 2022.

PTPC Case 23-25: The Commission ordered the one-year **suspension** of the Professional Teacher Certification of **James D. Bagnaschi**, effective January 12, 2023.

OAH-21-1763-PTP or PTPC Case 21-11: The Commission ordered the **revocation** of the Professional Teacher Certificate of **Reine A. Loebs**.

## PRESENTATIONS AND PUBLICATIONS

### Presentations

Virtual and in person presentations on professionalism, professional ethics, and the role of the Commission were given to many educator groups around the state. Staff made eleven (11) presentations to at the DEED Superintendent's Fly In, University of Alaska administrative interns, UAS superintendent endorsement program, the Alaska Staff Development Network principals' program, UAF student interns, the Alaska Special Education Conference, the House Education Committee and various staff groups in Matanuska-Susitna, Northwest Arctic school districts.

### Newsletter

Newsletters are not required to be published by PTPC. A newsletter was produced in summer of 2022. They were distributed electronically to all school districts (through the superintendent) and to other education stakeholders in Alaska. These newsletters were also distributed as part of the Department of Education and Early Development's weekly *Information Exchange Newsletter*. They are also posted to the [PTPC homepage](http://education.alaska.gov/ptpc/) (<http://education.alaska.gov/ptpc/>). Paper copies of the newsletter are available upon request.

### PTPC Handbook

The PTPC Handbook for Alaska Educators includes the Alaska statute that created the Commission, the Code of Ethics, and Complaint Screening Guidelines, the investigative procedures of the Commission, Alaska Statutes and Regulations, the Complaint Form. Find the Handbook at the [PTPC Homepage](http://education.alaska.gov/ptpc/) (<http://education.alaska.gov/ptpc/>). The Handbook was revised in 2023.

## STATUTES AND REGULATIONS

### DISTRIBUTION OF HANDBOOK (20 AAC 10.310)

Copies of the Alaska State Professional Teaching Practices Commission's Handbook for Alaska Educators shall be conspicuously displayed and available, at every education institution in the state whose employees are members of the teaching profession under AS 14.20.370.

### TEACHING PROFESSION (AS 14.20.370)

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.

### EFFECT OF THE CODE OF ETHICS (AS 14.20.480)

Members of the teaching profession are obligated to abide by the professional teaching standards adopted by the Professional Teaching Practices Commission.

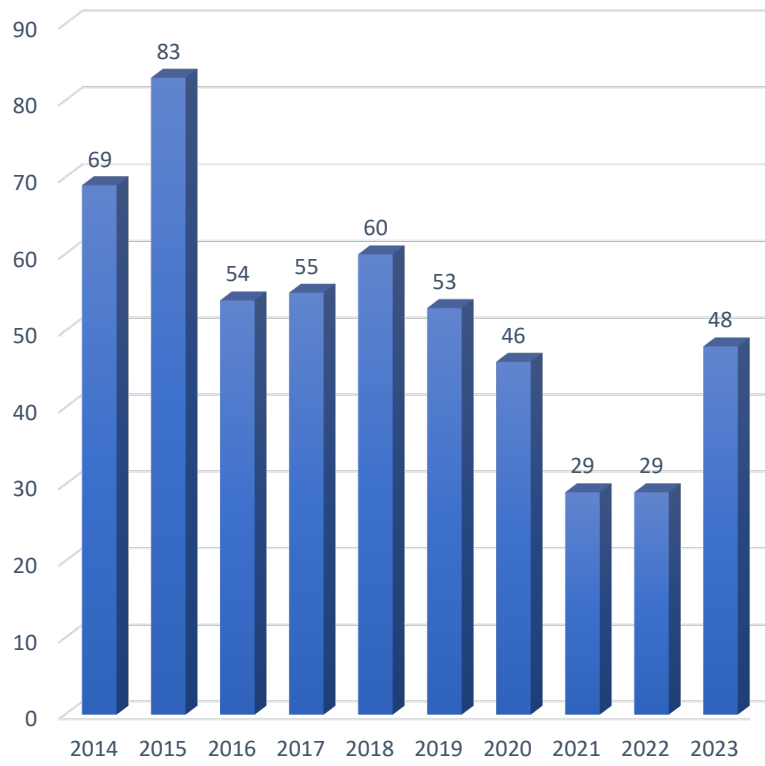
### CODE OF ETHICS (20 AAC 10.020)

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

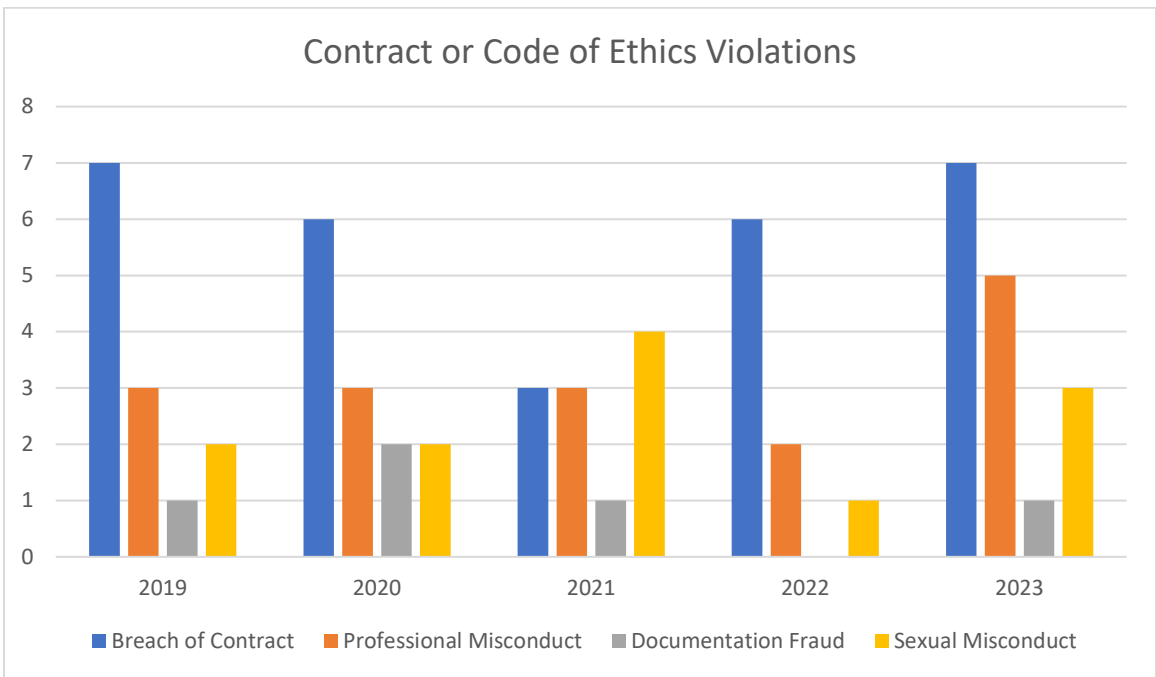
### MANDATORY REPORTING (20 AAC 10.020 (b)(4))

The Code of Ethics requires that knowledge of physical abuse of a student or sexual conduct with a student by an educator must be reported to the Commission.

## YEAR BY YEAR COMPARISON



## PTPC CASES INVESTIGATED BY YEAR





**FY 2023 Financial Report (July 1, 2022 –June 30, 2023)**

|                             | <b>Authorization</b> | <b>Actual Disbursements</b> | <b>Encumbrances</b> | <b>Authorization Balance</b> |
|-----------------------------|----------------------|-----------------------------|---------------------|------------------------------|
| <b>Personal Services</b>    | \$166,475.34         | \$166,475.34                | \$0.00              | \$0.00                       |
| <b>Travel</b>               | \$6,380.00           | \$6,038.00                  | \$0.00              | \$342.00                     |
| <b>Contractual Services</b> | \$198,243.40         | \$194,731.87                | \$0.00              | \$3,511.53                   |
| <b>Commodities</b>          | \$301.26             | \$301.26                    | \$0.00              | \$0.0                        |
| <b>Totals</b>               | <b>\$371,400.00</b>  | <b>\$367,546.47</b>         | <b>\$0.00</b>       | <b>\$3,853.53</b>            |

Personal Services: Salaries (including benefits)

Travel: Executive Director, Commissioners

- Conferences
- Commission Meetings
- Presentations
- Investigations

Contractual: Interagency Services

- Department of Administration
- Department of Education and Early Development
- Department of Law
- Postage
- Print/Copy/Graphics
- Telecommunications

Commodities:

- Business Supplies
- Equipment and Furniture
- Information Technology Equipment

### Current PTPC Members

| MEMBER   | DATE APPOINTED | REAPPOINTED | TERM EXPIRES |
|--|----------------|-------------|--------------|
| <i>Adam Reid</i> , Vice Chair<br>Teacher Representative<br>Anchorage (ASD)                                     | 04/01/2020     | 03/01/2022  | 03/01/2025   |
| <i>Danette Peterson</i><br>Teacher Representative<br>Fairbanks (FNSBSD)  | 03/08/2021     |             | 03/01/2024   |
| <i>Stephanie Green</i><br>Teacher Representative<br>Matanuska-Susitna (MSBSD)                                  | 03/01/2023     |             | 03/01/2026   |
| <i>Mary Carlson</i><br>Higher Education<br>Representative (UAF)  | 06/22/2022     |             | 03/01/2024   |
| <i>Kimberly Bergey</i><br>Principal Representative<br>Yukon Koyukuk (YKSD)                                     | 06/25/2021     |             | 03/01/2024   |
| <i>Emma Melkerson</i><br>Teacher Representative<br>Juneau (JBSD)   | 03/01/2022     |             | 03/01/2025   |
| <i>Deborah Riddle</i><br>Division Operations Manager,<br>Innovation and Education<br>Excellence, Juneau (DEED) | 07/20/2021     | 03/01/2022  | 03/01/2025   |
| <i>Jamie Burgess</i> , Secretary<br>Superintendent Representative<br>Nome (NPS)                                | 04/01/2020     | 03/01/2023  |              |
| <i>Lem Wheelles</i> , Chair<br>Teacher Representative<br>Anchorage (ASD)                                       | 5/21/2019      | 03/01/2022  | 03/01/2025   |

---

|   |            |  |            |
|---|------------|--|------------|
| <i>Melody Mann</i><br>Executive Director<br>550 West 7 <sup>th</sup> Avenue, Suite<br>1240<br>Anchorage, AK 99501<br><a href="mailto:melody.mann@alaska.gov">melody.mann@alaska.gov</a><br>907-269-6579 | 06/01/2018 |  | 06/30/2024 |
|---|------------|--|------------|