

CONTRACTUAL OBLIGATIONS

The Professional Teaching Practices Commission has a duty under Sec. 14.20.460

“(2) To conduct investigations and hearings on alleged violations of ethical or professional teaching performance, contractual obligations and professional teaching misconduct;”

PTPC Contract Policy was formed to uniformly address investigations of alleged breach of contract.

CONTRACT POLICY

I. PTPC PROCEDURES ON BREACH OF CONTRACT

A. An educator under contract with a school district who fails to give written notice of intent to terminate the contract, or who leaves the position following such notice without having the written assent of the employer, shall be deemed to have breached the contract and may be subject to disciplinary action including possible revocation of certificates by the PTPC.

B. If the unilateral termination by the educator occurs after June 30th, without persuasive mitigating circumstances, such a violation will result in a minimum one-year suspension of the educator’s certificate.

Authority: 4AAC 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.

II. PTPC RECOMMENDATIONS TO SCHOOL BOARDS

The Professional Teaching Practices Commission recommends that each school district develop a policy, which addresses:

A. What the school district will do in the event an educator requests to resign from contract or leaves a position with notice, and;

B. What procedures the school district will follow when recruiting an educator currently under contract with another school district, including an educator who has not obtained a written release from that employer.

III. PTPC RECOMMENDATIONS FOR EDUCATORS

A. Signing your teaching contract requires careful thought and commitment. Do not sign a contract with a district while looking for a position elsewhere. Consider the consequences of breaching a contract. PTPC may issue one-year suspensions for breach of contract.

B. Other considerations: giving adequate (at least 30-day) written notice if one must resign during a current contract. Even then, a school district must assent to terminate mutually, and may not provide written assent.

Review other employment contract provisions, and the negotiated agreement.

Provide documented mitigating circumstances if one must resign suddenly. PTPC recognizes documented medical and military mitigating circumstances.

Professional communication regarding seeking a contract elsewhere is encouraged.

C. Resignations of contracts for the following school year should occur before June 30. Resignations after July 1 are treated as resignations from a current contract. PTPC takes no action on unilateral contract resignations before June 30 for the next school year's contract. PTPC may impose the one-year suspension for resignations after July 1 for the current contract.

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