

**BEFORE THE ALASKA PROFESSIONAL TEACHING PRACTICES COMMISSION**

In the Matter of )  
 )  
LESTER MCCORMICK ) OAH No. 22-0370-PTP  
 ) Agency No. 21-25  
\_\_\_\_\_ )

**DECISION AND ORDER OF REVOCATION**

**I. Introduction**

In 2019 Lester McCormick accepted a position as the school counselor at Fort Yukon School in Fort Yukon, Alaska, an Athabascan community of approximately 550 residents located just north of the Arctic Circle. Due to an unexpected vacancy, midway during the school year he also became the acting school principal, and he continued to hold both positions through his tenure at Fort Yukon School, which ended at the close of the 2020-2021 school year. After an investigation triggered by the filing of a complaint by a teacher at the school, the Executive Director of the Professional Teaching Practices Commission (Commission) issued an Accusation alleging that Mr. McCormick violated the Alaska Code of Ethics and Teaching Standards under 20 AAC 10.020(b)(9) and (c)(7) by baselessly awarding students credits they did not earn, unethically assigning students grades although he was not the teacher of record, purportedly creating individualized classes in lieu of using a curriculum approved by the School Board, and allowing at least three students to graduate without earning the state’s required number of credits to receive a diploma.

Based on the evidence and arguments of the parties presented during a day-long hearing held on February 2, 2023, the Commission has unanimously decided that Mr. McCormick breached his ethical duties to “accord just and equitable treatment to all students,” and that he “knowingly withheld or misrepresented material information in communicating with the school board regarding a matter before the board for its decision.” As a result of these violations, the Commission revokes Mr. McCormick’s teaching and administrative certificates and orders him to immediately remove his application from the online Alaska Teacher Placement site.

**II. Facts<sup>1</sup>**

Lester McCormick has been in the education profession for more than 40 years and holds both administrative and teaching certificates with endorsements in history (grades 7-12), general science, social studies, administration, and superintendent (grades K-12).<sup>2</sup> The specific issues that led to the Accusation and hearing in this case occurred during his 2019-2021 employment

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<sup>1</sup> The facts set forth below have been established by at least a preponderance of the evidence.  
<sup>2</sup> Accusation.

with the Yukon Flats School District. For context, his earlier employment history – and misrepresentations about that history – are first briefly addressed below.

**A. Mr. McCormick’s professional history – and misrepresentations about it on the Alaska Teacher Placement site**

Prior to arriving in Fort Yukon in 2019, Mr. McCormick spent several decades working as a teacher, superintendent, and counselor at schools in Oregon, Washington, Montana, Alaska, and Idaho.<sup>3</sup> He did not remain at any job longer than three years.

Candidates interested in applying for a position with a school within Alaska must do so through the online site Alaska Teacher Placement (ATP), and submit the requisite information, including prior work experience, education, and accomplishments. On his ATP application, Mr. McCormick’s claimed reasons for moving on from each school have included, “Tribal Board terminated contract for failure to terminate an employee and lack of proper licensure,” “Board desire to see a change in leadership de (sic) to improper endorsement,” “Changing direction of the new board, differing priorities,” and “Philosophical differences with educational/personnel practices...”<sup>4</sup>

At the time of the hearing in February 2023, Mr. McCormick’s application was posted on ATP. The application includes a section titled Disclosures, which asks, “Are you currently the subject of any certificate or licensing investigation or have you ever had any adverse action taken on any certificate or license?” Mr. McCormick responded in the affirmative and listed several issues, including the following:

1. “2021, a letter of complaint was filed against me after school was out of the school year (sic). The complaint has/had yet to be finalized with results. It’s broad in nature and covers issues with both district, housing, payroll, grading early graduation and other matters.”
2. “In May, 2016, Montana a falsified document was submitted on my behalf, in a hearing without legal representation I lost and wrote an appeal the decision (sic), it is subject to the appeal process.”
3. “In May, 2017 Idaho, a similar hearing took place and I was found to be not be in error of violations of Ethics and Teacher Education Standards and therefore able to retain all licenses and endorsements.”

But none of these responses are accurate. The 2021 “letter of complaint” references the grievance currently before the Commission in this hearing and decision, and does not involve “district, housing, or payroll.”

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<sup>3</sup> Ex. 15.

<sup>4</sup> *Id.*

As to the remaining two issues, testimony and evidence presented at the hearing revealed significant license discipline that was markedly different than what is described in the ATP application.

In the case of his Montana licensure, the outcome of the 2016 investigation and hearing was a revocation of Mr. McCormick's licenses by the Board of Public Education. That matter arose when, in 2015, Mr. McCormick's application for superintendent licensure included a letter of recommendation with a forged signature and seal from Lewis and Clark College.<sup>5</sup> Deeming this "immoral conduct," the Board of Public Education found good cause to revoke his Teacher's and Administrator's licenses in 2016.<sup>6</sup> Additionally, when he inquired at the time, Mr. McCormick was sent a letter informing him there was no administrative appeal process available.<sup>7</sup>

As to his Idaho licensure, a 2017 hearing before the Professional Standards Commission of the State of Idaho found Mr. McCormick to be in violation of Idaho Code and State Board of Education rules regarding honesty and integrity based on the Commission's finding that he had submitted a forged document to Montana accrediting authorities.<sup>8</sup> When Mr. McCormick explained that his brother, who had a history of mental illness and/or substance abuse, allegedly forged the document as a "joke" the Idaho Commission found the story "implausible" and furthermore, found that Mr. McCormick's failure to be forthcoming about his lack of an Idaho superintendent's credential might jeopardize the District's ability to be reimbursed for his position.<sup>9</sup>

## **B. Mr. McCormick's tenure at Fort Yukon School**

### *1. 2019-2020 school year*

After the 2017 hearing before the Idaho PTC, there was a two-year gap in Mr. McCormick's employment history before he was hired at Fort Yukon. He began the 2019-2020 school year as school counselor, then also became the acting principal at the beginning of the second semester. This coincided with the start of the of the COVID-19 pandemic, which had an especially significant impact on remote villages off the road system with compromised access to health facilities. Many families felt it was safer to keep their children at home, but the District

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<sup>5</sup> Ex. 13, p. 13.

<sup>6</sup> *Id.*

<sup>7</sup> Ex. 13, p. 14.

<sup>8</sup> Ex. 14, p. 2.

<sup>9</sup> *Id.* at 3-4.

worked quickly to provide schools support and resources for alternative ways to offer classes that met Department of Education academic standards.<sup>10</sup> In Fort Yukon, for example, since limited internet made online, at-home learning unavailable to many families, teachers also offered packets of course work for students to pick up and turn in for credit.

2. *2020-2021 school year*

a. Mr. McCormick's alternative "plan"

Despite the additional resources and assistance available to him and his school during the pandemic, when the 2020-2021 school year began Mr. McCormick already had his own plan for addressing student attendance and academic performance issues at Fort Yukon, a historically underperforming school. He felt he could best help students that were further compromised by the challenges of COVID-19 by hastening their transition out of school and into the workforce. Involving only Timothy Johnson and John Biafore, both of whom he referred to as "his master teachers," he decided individualized courses would be offered to as many students as the three could manage.<sup>11</sup> After each student was chosen for their program - although no criteria for selecting participants was articulated - Mr. Biafore would apparently go to the student's home and ask the parents for their permission for their child's participation in Mr. McCormick's program. At the hearing in this matter, no details were provided about what the parents were told or how the agreements were memorialized. No parent testified about having been asked or informed about any individualized class plan for his or her child, nor did either "master teacher" testify about the arrangements as Mr. McCormick described them.

Presuming permission was received, without following any formal procedure for creating a class or establishing a syllabus or communicating the curriculum to the School Board, Mr. McCormick and the "master teachers" would invent a course that appealed to the student. These included classes titled Credit Recovery, Cultural Art, Alaska Sportsman, Athabasican (sic) Art, Technical Computer Terms, Technical Math, Technical English, Alaska Studies, and Photography.<sup>12</sup> Mr. McCormick provided the Commission virtually no information about the content of the classes, except that the student in the "weekend photography class" put in the requisite 67.5 hours of classwork to earn .5 credits by "flying to different towns to take pictures." He claimed all the information regarding these classes was stored "at the school" and insisted that

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<sup>10</sup> Alaska Department of Education & Early Development, Novel Coronavirus Disease (COVID-19), Teaching and Learning Support, <https://education.alaska.gov/safeschools/infectiousdisease>.

<sup>11</sup> There is a certification for a "Master teacher," but it seemed Mr. McCormick was using this term informally.

<sup>12</sup> McCormick test., Ex. 7.

recovering the files was the Executive Director’s responsibility.<sup>13</sup> He acknowledged that there were curriculum materials “in a closet” that the School Board had approved but he dismissed the idea of even opening these materials.

b. Discovery of grading irregularities

When the students and teachers returned after winter break in January 2021, they learned that the seniors in the school had graduated in December and would not be returning.<sup>14</sup> This was very surprising to many, as just a month prior these students had not had enough credits to graduate.<sup>15</sup> Similarly, some juniors were also told they had met their graduation requirements, although at least one had asked to stay enrolled because she was only 16 years old and did not feel adequately prepared, academically or otherwise, and she wanted to pursue a career in medicine.<sup>16</sup>

By this time, as recounted by witnesses at the hearing, at least some teachers found the school be described an increasingly tense and uncomfortable workplace under Mr. McCormick’s leadership.<sup>17</sup> As the pandemic restrictions began to lift, Mr. McCormick became steadily more abrasive, sowing seeds of discord and distrust amongst his staff, and stifling those who questioned him.<sup>18</sup> Teachers were beginning to hear of students getting credit for courses not offered at the school and some were noticing disconcerting attendance and grading irregularities in PowerSchool, the database the school used to store student information.<sup>19</sup>

As the semester came to a close Ms. Mahoney, the high school English teacher, was quite alarmed to discover that she was listed in PowerSchool as the teacher of record for several students that never attended her classes yet had received grades.<sup>20</sup> She was also listed as the instructor for classes she had never taught, like Life Sciences and Reading 180, but which had students listed with grades assigned.<sup>21</sup>

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<sup>13</sup> Mr. McCormick acknowledged that he received the grievance in this matter in May 2021, when he was still living in Fort Yukon and employed as the school principal and had full access to all records and files stored on the premises. He had no explanation for why he did not provide any of the relevant materials to the Executive Director.

<sup>14</sup> O’Quinn test.

<sup>15</sup> Mahoney, O’Quinn test.

<sup>16</sup> Mahoney test.

<sup>17</sup> O’Quinn, Mahoney test.

<sup>18</sup> Cheek, O’Quinn, Mahoney test.

<sup>19</sup> Mahoney, O’Quinn test. PowerSchool is an application commonly utilized by schools, and to enter every user must use a logon name and password. Each student is linked to teacher of record at a designated time, which confers on that teacher both significant responsibility and legal liability. But for extremely limited exceptions, only the teacher of record may assign the student a grade.

<sup>20</sup> Mahoney test.

<sup>21</sup> *Id.*

Other teachers had similar experiences. Mr. O’Quinn failed one of his 5<sup>th</sup> grade students who never attended school during the pandemic, but at the end of the year he saw the student had been passed to 6<sup>th</sup> grade. He also observed that Mr. McCormick, who did not teach any classes, was listed in PowerSchool as the teacher of record for classes not being offered at the school.<sup>22</sup>

Helen Cheek supervised the classes at the Career and Technical Education (CTE) building, where trade skills were taught in simulated work situation and attendance was kept by requiring students to punch timecards upon arrival.<sup>23</sup> As she wasn’t trained in PowerSchool, she reported that Mr. McCormick assured her he’d “take care of all the necessary reporting” within program.<sup>24</sup> But the timecards were never collected, and at the end of the semester Ms. Cheek was alarmed to learn that students who had never attended classes were now listed as having excellent attendance and receiving passing grades.<sup>25</sup>

Questions and concerns were not limited to teachers. Georgianna Engler, the retired Fort Yukon School secretary of nearly 37 years, was concerned when her grandson announced he was going to be graduating in May 2021 despite only being a junior. This was surprising to her as, although she was working at the school at the time, she hadn’t heard about his being accelerated. Furthermore, during the pandemic her grandson caught COVID-19 and for a long time was too sick to complete any coursework. Even when he recuperated, she never saw him finishing the packets of homework sent home by the school or completing the assigned book reports. Ms. Engler reviewed her grandson’s transcript and saw grades and classes she questioned, including multiple work study credits, although he had only held a single job.<sup>26</sup> She also asked the English teacher, Ms. Mahoney, about English credits on his transcript, and she confirmed her grandson had never been in her class.<sup>27</sup>

c. Mr. McCormick’s explanations of grading irregularities

When questioned about these irregularities at the hearing in this matter, Mr. McCormick testified that he had no insight as to the attendance discrepancies, as “he hated attendance” and doubted he entered any such statistics into PowerSchool. He opined that perhaps support staff was at fault, although his office assistant was a new hire who had received limited training on

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<sup>22</sup> O’Quinn test.

<sup>23</sup> Cheek test.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Engler test.

<sup>27</sup> *Id.*

how to operate the program. As for the changing grades and classes being assigned to at least one teacher without her knowledge, his explanations were multifold.

First, Ms. Mahoney had students in her classes that spilled over into the class of another teacher, and she was supposed to have provided that other teacher course material for the class.<sup>28</sup> That's why she had students on her roster that she didn't recognize, although it was not made clear why such a huge misunderstanding between Mr. McCormick and Ms. Mahoney could have occurred. Second, he asserted that the computer department had identified a grade associated with Read 180 that was tracked back to a login from Ms. Mahoney's computer.<sup>29</sup> She, therefore, assigned at least one grade to a student for a class she never taught. No explanation was given as to why Ms. Mahoney would have been motivated to fabricate a grade for a student in a class she hadn't taught. Additionally, Mr. McCormick had no explanation why February 2021 PowerSchool records indicated he logged on shortly before a BioScience class was created within the program, and then again in May of 2021 when grade for a student in that class was changed to "pass."<sup>30</sup>

By Mr. McCormick's account, the main reason for so many unrecognized classes and grades in PowerSchool was that, amongst the school's educators, only his "master teachers" were aware of his ongoing individualized curriculum plans.<sup>31</sup> Mr. McCormick vehemently denied that any students were surprised by their grades, accelerated credit accrual, or advanced graduation dates, as their grades and credits were earned fairly. All the unique classes Mr. Biafore and Mr. Johnson taught were approved by the parents, he claimed. Therefore, any irregularities in PowerSchool were either a mistake, should be attributed to other people, or frankly, were simply insignificant given that his plan boosted Fort Yukon graduation rates and allowed students to quickly earn credits and graduate from high school and move into the work force, despite many having just grade school reading levels.<sup>32</sup>

d. Year-end consequences of Mr. McCormick's actions

As the 2020-2021 academic year ended, Mr. McCormick's plan began to unravel. In May he conferred the diplomas to the Fort Yukon 2021 graduating class, and by doing so he asserted to the School Board that every graduate had fulfilled the necessary requirements to earn a high

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<sup>28</sup> McCormick test.

<sup>29</sup> Ex. 10.

<sup>30</sup> Ex. 11.

<sup>31</sup> McCormick test.

<sup>32</sup> Mr. O'Quinn, a Reading Specialist, testified that some graduates were reading at lower than a 4<sup>th</sup> grade level.

school degree.<sup>33</sup> Shortly thereafter Ms. Mahoney filed grievance against him with the Commission alleging student grade and attendance manipulation and falsification within PowerSchool. Dr. Debbe Lancaster was hired as the new Superintendent and, after reviewing the transcripts of the 13 graduates – which was more than the total number of students in the senior class – she discovered that at least three students had not earned the requisite credits (either overall or in specific subject areas) under 4 AAC 06.075, the State regulation regarding high school graduation requirements.<sup>34</sup>

In July 2021 letters were sent to the affected students informing them that their May 2021 diplomas were invalid.<sup>35</sup>

When asked about these discrepancies, Mr. McCormick asserted that a single student had graduated with fewer credits than required by regulation, but she had “slipped through the cracks” as she had transferred into Fort Yukon from Nenana and her transcript was not provided in a timely manner.<sup>36</sup> Regarding the other students, however, he maintained he had reviewed every transcript scrupulously, as did staff, all students and parents, and again, that any missing credits had been rightfully earned through his individualized program as documented in student files stored in the Fort Yukon School building.<sup>37</sup>

### **III. Procedural History**

On March 31, 2022, Melody Mann, Executive Director of the Commission, having investigated the grievance filed by Ms. Mahoney, filed an Accusation initiating disciplinary action against Mr. McCormick’s teaching and administrative certificates.<sup>38</sup> The Accusation was based on the following allegations:

- Changing complainant teacher’s grades and giving students who never attended school grades in the complainant teacher’s classes.
- Giving credit to a student for attending a “weekend” photography workshop without providing PTPC staff proof of a syllabus, assignments, or grades to justify how the student earned .5 credit high school credits, which would be 67.5 hours of instruction.

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<sup>33</sup> 4 AAC 06.075

<sup>34</sup> Lancaster test. While four students were affected one has since passed away.

<sup>35</sup> Ex. 4, pp. 1-2, Ex. 6, pp. 1-6, Ex. 5, pp. 1-2. While there was conflicting testimony regarding the number of graduates, Ms. Mahoney and Mr. Timothy Johnson both submitted credible statements that there were 13.

<sup>36</sup> McCormick test., Ex. 6, pp. 2-5.

<sup>37</sup> McCormick test., Ex. 16, p. 2.

<sup>38</sup> The introductory paragraph of the April 27, 2022 Accusation only initiated a disciplinary proceeding against Mr. McCormick’s teaching certificate, while the Prayer for Relief mentioned both his administrative and teaching certificates. On January 23, 2023, an Amended Accusation was filed clarifying this discrepancy, listing the administrative and teaching certificates in both the introduction and the Prayer for Relief.



- Entering grades, but not listing any assignments, for courses he assigned to himself in PowerSchool.
- Graduating at least three (3) students who did not earn the state's required credits to graduate.

The Executive Director requested that the Commission suspend Mr. McCormick's professional teaching and administrative certificates for two years or take other appropriate action within its lawful authority.<sup>39</sup>

A Notice of Defense requesting a hearing was timely filed by Mr. McCormick, and the case was referred to the Office of Administrative Hearings on April 27, 2022. At a case planning conference in May 2022 the parties agreed on Scheduling Order that included a December 2022 due date for witness and exhibit lists, a prehearing conference set for January 23, 2023, and a hearing date of February 2, 2023.

On January 23, 2023, the telephonic prehearing conference convened as scheduled at 1:00 p.m. Alaska time. Mr. McCormick joined the call at 1:30 p.m. and asked that the hearing be continued as he was currently handling some family issues. He also explained that he had gathered "key documents" to present in his defense but had not timely submitted a witness or exhibit list since the initial case planning conference in May as he had been "traipsing around Europe, the world, doing things." His request to continue to the hearing was denied, but he was granted an extension until the close of business the following day, January 24, 2023, to submit his exhibits and witness and exhibit lists, and the prehearing conference was rescheduled for January 25, 2023. On January 24, 2023, nothing was received from Mr. McCormick. On January 25, 2023, the telephonic prehearing conference convened as scheduled at 11:00 a.m. Mr. McCormick was contacted at his phone number on record, but he could not be reached. A voicemail was left reminding him of the conference, but at no point did he join the call.

Administrative Law Judge Danika Swanson presided over the hearing on February 2, 2023, before Commissioners Melkerson, Burgess, Reid, Bergey, Riddle, Stafford, Carlson and Chair Wheelles. Mr. McCormick represented himself, and an Assistant Attorney General from the Department of Law represented the Executive Director. Mr. McCormick testified on his own behalf. He submitted no exhibit or witness lists.<sup>40</sup> Testifying for the Executive Director was Melody Mann herself, as well as Halie Mahoney, Helen Cheek, Jimmie O'Quinn, Superintendent

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<sup>39</sup> Ex. 1.

<sup>40</sup> At the hearing Mr. McCormick contended that he had submitted witness and exhibit lists, but none were received.

Debbe Lancaster and Georgianna Engler. All exhibits submitted by the Executive Director were admitted.

At the close of the hearing the Commissioners moved into deliberative session and began deliberating, ultimately reaching the following conclusion regarding this matter on February 3, 2023.

#### **IV. Discussion**

##### **A. Applicable Law/Legal Framework**

The Alaska Professional Teaching Practices Commission has been charged by the legislature to develop criteria of professional practices for the teaching profession.<sup>41</sup> Members of the profession are required to abide by the professional teaching standards this Commission has adopted, including 20 AAC 10.020, the Code of Ethics and Teaching Standards.<sup>42</sup> The legislature has also empowered this Commission with disciplinary authority to enforce its standards, and AS 14.20.030 and AS 14.20.470 identify the range of disciplinary sanctions that may be imposed, from the suspension or revocation of the certificate of a member of the teaching profession to a warning or reprimand.<sup>43</sup>

The Executive Director's January 2023 Amended Accusation accuses Mr. McCormick of violating the Code's obligations to fairly treat all students,<sup>44</sup> and to not knowingly withhold or misrepresent material information in communicating with the school board.<sup>45</sup> As the party seeking to impose a disciplinary sanction, the Executive Director has the burden of proving, by a preponderance of the evidence, that Mr. McCormick has violated the Code of Ethics and Teachings Standards and if so, what sanction is appropriate.<sup>46</sup>

##### **B. The Division met its burden of proving that Mr. McCormick violated the Code of Ethics and Teaching Standards**

1. *Failing to accord just and equitable treatment to all students as they exercise their educational rights and responsibilities. (20 AAC 10.020(b)(9)).*

The Accusation filed by the Executive Director of the Commission alleges Mr. McCormick violated two separate subsections of the Code, beginning with 20 AAC 10.020(b)(9),

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<sup>41</sup> AS 14.20.450.

<sup>42</sup> AS 14.20.480.

<sup>43</sup> AS 14.20.470.

<sup>44</sup> 20 AAC 10.020(b)(9).

<sup>45</sup> 20 AAC 10.020(c)(7).

<sup>46</sup> Cases before the PTPC are governed by the Administrative Procedure Act. Alaska Statute 44.62.460(e)(1) provides that "unless a different standard is stated in applicable law, the petitioner has the burden of proof by a preponderance of the evidence[.]"

“failing to accord just and equitable treatment to all students as they exercise their educational rights and responsibilities.” This standard ensures that the same opportunities are available to all, and that the civil rights of students are protected, reflecting core tenets long embraced by the teaching profession, memorialized in in law, and upheld by the courts.

Mr. McCormick has more than four decades of experience in the teaching profession. He holds certificates not only in teaching, but also in administration, and at least since 1999 he has worked as a school principal, Dean of Students, Superintendent, and Assistant Superintendent.<sup>47</sup>

Given this history, therefore, he unquestionably knew that implementing a covert plan to fast track students through Fort Yukon School was highly unethical. Far from treating all students equally, he applied seemingly baseless selection criteria in choosing students who would participate in the classes he and his two “master teachers” invented. Neither “master teacher” testified, and no credible evidence was presented that the courses were even offered, much less met any state hour or content mandates, or were approved by the School Board or the Department of Education.

Instead, the persuasive testimony of teachers O’Quinn, Mahoney and Cheek indicated that Mr. McCormick’s explanation of individually tailored classes was simply a smokescreen for his actual agenda of raising the 2020-2021 graduation rate through manipulating the grades and attendance records of certain students within PowerSchool. The specialized classes he created in PowerSchool were just ambiguous descriptors that he used as a means to award credits. This culminated in students receiving diplomas prematurely, without having fulfilled the necessary graduation requirements.

There could hardly be a more blatant example of failing to accord just and equitable treatment to all students as they exercise their educational rights and responsibilities. In his position of authority as the principal at Fort Yukon, a predominantly Native school of less than 100 students in rural Alaska, Mr. McCormick taught the children that cheating is not only acceptable but rewarded. Students who dutifully completed the necessary coursework and earned the requisite number of credits to rightfully be awarded a high school diploma walked across the stage on graduation day along with those who had not. Mr. McCormick squandered an opportunity to model to the youth of this remote village the essential character traits of honesty, fairness, and perseverance.

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<sup>47</sup> Ex. 15.

3. *Knowingly withhold or misrepresent material information in communicating with the school board regarding a matter before the board for its decision (20 AAC 10.020(c)(7)).*

The second subsection raised in the Accusation is 20 AAC 10.020(c)(7), alleging that Mr. McCormick knowingly withheld or misrepresented material information in communicating with the school board regarding a matter before the board for its decision. Workplace ethics promote openness, partnership, and trust, and matters decided by the board can significantly impact the integrity of the District, the goals of the District's educational programs, and the cultivation of a positive school climate within the community.

The most egregious material mischaracterization Mr. McCormick committed was in May 2021, when he conferred the diplomas to the graduating class and represented to the School Board that every student had fulfilled the necessary requirements to earn a valid degree. This was not the truth. As we have now learned, even setting aside the questionable legitimacy of any classes invented by Mr. McCormick and the manipulation of grades and attendance, at least three transcripts lacked up to five of the requisite 21 credits, including mandated core courses, required under 4 AAC 06.075. With a graduating class of fewer than 20 students, it is inexcusable that he failed to properly review the transcripts long before the graduation date.

Mr. McCormick denied any credit deficiencies in the transcripts except the one for one transfer student whose records purportedly arrived just prior to graduation. But even supposing that were true, even having a single student graduate with an invalid diploma is reprehensible.

Besides misrepresenting the validity of the diplomas, Mr. McCormick did not ask for the Board's opinion regarding his substituting the approved curriculum materials that were onsite for his own COVID-19 response plan for boosting graduation rates. He failed to properly inform the School Board about any individualized classes that were offered and seek the appropriate approval. Mr. McCormick also misled the Board by giving untruthful responses to questions on his ATP application regarding prior investigations of his licenses and certificates.

Through state statute the School Board has the power to oversee the school.<sup>48</sup> Therefore, the information that Mr. McCormick knowingly misrepresented or withheld from the board was material, as it impacted their decisions to recognize the diplomas of the 2021 Fort Yukon

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<sup>48</sup> AS 14.14.090.

graduates, to offer him a contract based at least in part on his ATP application, and affected their ability to decide the curriculum, as he withheld the details of his specialized classes.

### **C. Closing suggestions for District administrators and the Yukon Flats School Board**

Under its broad powers, the Commission may make recommendations to the Yukon Flats School Board that will promote an improvement in the teaching profession.<sup>49</sup> While no express findings are made regarding the Yukon Flats Board or the Superintendent, who are not parties to this matter, it is the Commission’s hope these suggestions may prove helpful.

#### *1. Hiring practices*

One of the many responsibilities of the Yukon Flats School Board and the Superintendent is hiring the teachers and administrators for Fort Yukon School. Hiring qualified educators for teaching and administrative positions at schools in rural Alaska has been historically difficult, and currently even more so due to teacher shortages and stagnant salaries. In the past, this has led to a lowering of hiring standards in rural Alaska, high turnover rates of educators in the schools, and the perpetuation of the reputation of Alaska as a “freebie state” that will “hire anyone.” Those who have suffered have been the students.

Especially due to this protracted loss of consistent, qualified educators in rural Alaska, therefore, it is incumbent on the Superintendent to thoroughly vet each candidate before offering an applicant a contract, and on the School Board to critically review the proffered candidates before approving any hires.<sup>50</sup> A brief glance at Mr. McCormick’s history as an educator would have given any potential employer considerable concern. He has never remained at any position for more than a few years, and his reasons for leaving suggest multiple departures were on less than favorable terms. A few phone calls would have revealed that his descriptions of the investigations involving his licenses and certificates were false and/or misleading.<sup>51</sup> A nominal amount of investigation about Mr. McCormick as a candidate for the counselor or principal positions at Fort Yukon would have shown he was not an appropriate hire.

#### *2. Assisting students who received invalid diplomas*

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<sup>49</sup> AS 14.20.470(5)

<sup>50</sup> See BP 4111. The district shall employ the most highly qualified person available for each open position.

<sup>51</sup> For example, in May 2017 the Idaho PTC determined that Mr. McCormick did not have the credentials to be a superintendent. Ex. 14, p. 5. A month later his contract at the Council School District in Idaho was not renewed because, “Board desire to see a change in leadership de(sic) to improper endorsement,” according to his APT application. Ex. 15, p. 3. Nonetheless, he lists his Council School District position as “Superintendent/HS Principal/Programs,” which should at least provoke questions. *Id.*

The District is strongly urged to make whole the 2021 graduates who later were told that their diplomas were deficient, if it has not done so already. The students should be offered every opportunity to earn their requisite credits through online programs like AK Grad or credit recovery, or to explore options through Job Corps. Additionally, having a significant achievement like graduating from high school suddenly invalidated could be emotionally crushing for an already vulnerable student population. As the District is undoubtedly aware, the suicide rate among Alaska Native adolescents has nearly doubled in recent years and is the leading cause of death in Alaska for adolescents over the age of 15.<sup>52</sup> Accordingly, the District should also make available to these students mental health services to help them regain confidence, hope, and a plan for moving forward.

#### **D. The Commission’s determination as to discipline**

Having found that the Executive Director met her burden of proving both violations alleged in the Amended Accusation, the Commission must now make a determination as to what discipline, if any, to impose. Depending on the severity of the violation and the surrounding circumstances, disciplinary responses can include a warning, reprimand, suspension, or revocation.<sup>53</sup>

In selecting an appropriate sanction, we look to our prior handling of similar cases, in an effort to establish consistency in our impositions of discipline. If there are no cases with sufficiently comparable facts or violations, the default standard is to impose a sanction that is “reasonable.” In the Amended Accusation the Executive Director asked for a two-year suspension of Mr. McCormick’s teaching and administration certificates, “or other appropriate actions.”<sup>54</sup> Mr. McCormick maintained his request for the Commission to take no action.

It was difficult to find similar prior cases, as this matter involves not a single action or oversight, but rather two Code violations that broadly address Mr. McCormick’s egregious behaviors in his role as an educator and administrator. Very few, if any, of his communications with the School Board about material information were open and honest,<sup>55</sup> and his covert plan of manipulating grades and attendance records accorded the students very unfair and disparate

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<sup>52</sup> State of Alaska Epidemiology Bulletin No. 5, September 25, 2020, Department of Health and Social Services, Division of Public Health, Adolescent Suicide Death, AKVDRS Update – Alaska, 2016-2019, [http://www.epi.alaska.gov/bulletins/docs/b2020\\_05.pdf](http://www.epi.alaska.gov/bulletins/docs/b2020_05.pdf).

<sup>53</sup> See AS 14.20.470(a)(3) & (4).

<sup>54</sup> Ex. 1.

<sup>55</sup> 20 AAC 10.020(c)(7).

treatment.<sup>56</sup> This situation exemplifies one of the many reasons for the existence of a Code of Ethics, as a violation of ethical standards by a school administrator can directly affect a school's productivity, communication, morale, and turnover rates.

Before accepting the position at Fort Yukon School, Mr. McCormick spent decades moving between schools in various states, sometimes staying as little as five months. In 2016 Montana revoked his teaching certificates based on his immoral conduct, and the following year the Professional Standards Commission of Idaho opined, "Mr. McCormick testified that he changed jobs on a regular basis to take on new challenges. However, frequent job changes can also be a result of problems that come to light and force a person move on. That is the case here."<sup>57</sup> Presciently, a month later his Idaho employer declined to renew his teaching contract.<sup>58</sup> After a gap of two years on his professional resume, Mr. McCormick moved on to Alaska.

In his position as the Fort Yukon principal, Lester McCormick approached being an administrator with the same lack of integrity, candor, and respect for the profession that he demonstrated throughout his career. Showing little understanding of rural Alaskan communities that have historically been victimized by people in positions of power, he made the profoundly arrogant decision to reject state and District rules, regulations and standards and implemented his own agenda with disastrous consequences. He used his role as an administrator not to heal the community by helping students legitimately earn high school diplomas, allowing them to qualify for scholarships, apply for colleges, or simply achieve a personal milestone, but instead drive students at a low performing school even further backwards. Instead of building cohesion among staff, multiple teachers testified about the tensions and confusion he fostered in part by his hostility, hubris, and lack of transparency. Throughout his tenure, Mr. McCormick seemingly never sought the appropriate approval of the School Board for any of his material administrative decisions.

At the hearing, Mr. McCormick was given an opportunity to rebut the allegations. He appeared largely unprepared and called no witnesses and submitted no exhibits. At one point while the Executive Director was presenting her case, he took a protracted cell phone call. His testimony in his defense consisted largely of a shouted monologue delivered in part in the third person, during which he stoutly defended the genius of his plan for individualized classes and

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<sup>56</sup> 20 AAC 10.020(b)(9).

<sup>57</sup> Ex. 14, p. 4.

<sup>58</sup> Ex. 15, p. 3.

course packets. He commended himself for his “cutting edge” ideas, which he clearly felt represented best practices in teaching.

Regarding verification of his assertions, we concur with the 2017 Idaho PTC decision, that “[a]t every step of his story, Mr. McCormick has an excuse...”<sup>59</sup> In this case, those excuses were many: The syllabi and all coursework for his classes are in the files at Fort Yukon School; the Executive Director should have looked for them. Every student completed all the necessary independent class assignments, the parents just didn’t see it being completed. Any grade or attendance falsifications in PowerPoint were done by other people. All the diplomas met the requisite credit requirements except for the one for the Nenana transfer student and that was the fault of the Nenana school. These excuses are rejected as without merit, and as further evidence of Mr. McCormick’s failure to appreciate the seriousness of his misconduct.

Rural schools have often escaped necessary District oversight due to their remote locations, making it especially important that exceptionally strong, ethical leaders are hired as principals. Mr. McCormick is an example of what can happen when hiring standards are lowered. He is a wholly unscrupulous educator who not only wreaked havoc at Fort Yukon School but has undoubtedly acted with similar misguided narcissism at the positions he has held throughout his career as an educator. When confronted with the aftermath of his actions, Mr. McCormick expressed absolutely no remorse or recognition of the impact of his incompetence. Nothing short of a revocation of his teaching and administrative certificates will ensure that he does not return to work as an educator or administrator to schools in Alaska. We hope the severity of this sanction also sends a strong message to applicants hoping to work in Alaska that despite hiring challenges exacerbated by our demographics we will not tolerate or excuse subpar leadership in our schools.

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<sup>59</sup> Ex. 14, p. 7.



**V. Conclusion and Order**

The Commission finds that Lester McCormick violated the Code of Ethics and Teaching Standards by awarding students credits they did not earn, assigning students grades although he was not the teacher of record, opting not to use a curriculum approved by the School Board, and allowing at least three students to graduate that had not earned the state’s required number of credits to receive a diploma. By its authority under AS 14.20.470(a)(4) the Commission will enter an order revoking his teaching and administrative certificates. Additionally, he is ordered to immediately remove his application from the online Alaska Teacher Placement site.

DATED: February 27, 2023.

PROFESSIONAL TEACHING PRACTICES COMMISSION

By: *Signed* \_\_\_\_\_

Lem Wheelles, Chair

CONCUR: (Sanctions respecting an Administrative Certificate)

Dated this 7 day of March, 2023

*Signed* \_\_\_\_\_ Commissioner of Education and Early Development

REJECT: (Sanctions respecting an Administrative Certificate)

Dated this \_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_ Commissioner of Education and Early Development

[This document has been modified to conform to the technical standards for publication.  
Names may have been changed to protect privacy.]