

20 AAC 10.020 is amended to read:

20 AAC 10.020. Code of ethics and teaching standards. (a) The following code of ethical standards governs all members of the teaching profession, as well as any individual holding an Alaska issued education certificate. This includes Student Teacher Authorizations. A violation of this section is grounds for discipline as provided in AS 14.20.030.

(b) In fulfilling obligations to students, an educator

(4) may not engage in physical abuse of a student or sexual conduct with a student, including up to 1 year after the former student has graduated, and shall report to the commission knowledge of such an act by an educator;

(6) 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 course of conduct that would encourage a reasonable student to develop a prejudice on these grounds;

(c) In fulfilling obligations to the public, an educator

(3) shall cooperate in the statewide student assessment system established under 4 AAC 06.710 - 4 AAC 06.790 by safeguarding and maintaining the confidentiality of test materials and information and by adhering to all rules, policies, procedures, and other requirements established by DEED regarding the administration and operation of the statewide student assessment system as delineated in 4 AAC 06.761 (Test administration) and 4 AAC 06.765 (Test security; consequences of breach).

(d) In fulfilling obligations to the profession, an educator

(1) may not, on the basis of age, race, color, creed, sex, national origin, marital status, political or religious beliefs, physical condition, family, social or cultural background, **gender identification**, or sexual orientation, deny to a colleague a professional benefit, advantage, or participation in any professional organization, and may not discriminate in employment practice, assignment, or personnel evaluation;

(6) shall provide, upon the request of the affected party, **who must be a member of the teaching profession as defined by 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;

(9) may not falsify a document, or make a misrepresentation on a matter related to licensure, **employment (including employment application)**, employment evaluation, test results, or professional duties; (Eff. 1/30/75, Register 53; am 8/10/80, Register 75; am 6/16/84, Register 90; am 8/5/90, Register 115; am 7/21/91, Register 119; am 7/28/94, Register 131; am 4/8/99, Register 150; am 10/25/2000, Register 156; am ___/___/___, Register ___)

Authority: AS 14.20.030 AS 14.20.370 AS 14.20.450
AS 14.20.460 AS 14.20.480

20 AAC 10.900 is amended to read:

20 AAC 10.900. Definitions. In this chapter, (1) “sexual conduct” includes, **but is not limited to**, [SOLICITATIONS FOR SEX;] explicit sexual jokes and stories; **flirtatious or sexually related comments; sexual kidding or teasing; sexual innuendos or comments with double entendre; inappropriate physical touching; soliciting, encouraging, participating, or initiating inappropriate written, verbal, electronic, physical or romantic relationship with**

students, whether consensual or nonconsensual; discussion of the educator's sexual feelings or activities; discussion, outside of a professional teaching or counseling context, of a student's sexual feelings or activities; discussion outside the approved school curriculum of material of a sexual nature; and "sexual penetration" and "sexual contact" as those terms are defined in AS 11.81.900(j);

20 AAC 10.900 is amended by adding a new sections to read:

(4) "student" is any individual enrolled in public or private school, or any individual who is under the age of 20 and has not yet completed the 12th grade. A "student" in higher education is any individual enrolled in at least one course at an institution of higher education.

(5) "colleague" includes any certificated educator as well as individuals who are employed by the school district on a permanent or temporary basis.

(6) "educator" includes any individual holding an Alaska issued education certificate, as well as instructors in higher education.

(7) "members of the profession" includes all members of the teaching profession, as defined in AS 14.20.370, as well as any individual holding an Alaska issued education certificate. (Eff. 8/5/90, Register 115; am 7/28/94, Register 131; am 4/8/99, Register 150; am ___/___/___, Register ___)

Authority: AS 14.20.030 AS 14.20.450 AS 14.20.460
AS 14.20.470 AS 14.20.480