

MEMORANDUM

TO: NWABSD Board of Education
Members

DATE: January 22, 2025

NUMBER: 25-054

FR: Office of the Superintendent

SUBJECT: Approval of Proposed
Revisions to BP 8120
Elections; First Reading

STRATEGIC PLAN/BOARD GOAL:

Track 1: Operational Improvements
Initiative: Optimize Business Practices

ABSTRACT:

Board policy revisions require Board approval.

ISSUE:

At issue is to approve the first reading of the proposed revisions to BP 8120 Elections and open for public comments.

BACKGROUND AND/OR PERTINENT INFORMATION:

The Superintendent/designee presents drafts or suggestions for board policy revisions when the law changes or specific needs occur. Policy revisions shall normally be given two readings prior to adoption by the Board.

This is the first reading of the proposed revisions to BP 8120 Elections within the Advisory School Councils series.

This update includes 2014 AASB revision recommendations on qualifications and procedures.

The Board Policy Committee reviewed the proposed changes, recommends approval and to open for public comments.

ALTERNATIVES:

1. Approve the first reading of the proposed revisions to BP 8120 Elections as presented and open for public comments;
2. Do not approve the first reading of the proposed revisions to BP 8120 as presented;
3. Take no final action.

ADMINISTRATION'S RECOMMENDATION:

The administration recommends the Board approve the first reading of the proposed revisions to BP 8120 Elections as presented and open for public comments.

BP 8120 ELECTIONS

Note: Pursuant to AS 14.08.115 and AS 14.12.035, the school board prescribes the manner of selecting advisory boards. Effective 2014, regional educational attendance areas ("REAAs") may request that advisory school board elections be conducted by the Division of Elections ("Division"). If a request is made, the election will be held on the first Tuesday in October. AS 14.08.071(e). In such a case, the role of the Division is limited and REAAs retain most of the obligations for conducting the election. In addition, the Division will only conduct advisory school board elections in those communities where the Division is already scheduled to conduct an in-person election for the regional school board. The following policy provides optional language for REAAs desiring to have the Division conduct advisory school board elections. That language incorporates the requirements of 6 AAC 27.180, Advisory school board elections.

All qualified and interested individuals are encouraged to serve the district and its students by seeking election to the advisory school council. The district shall be responsible for conducting advisory school council elections for the respective attendance areas.

~~Second-class cities within the district shall be responsible for conducting all phases of Advisory School Council elections for their respective attendance areas. The city council of each second-class city shall certify and forward the election results to the School Board. The 40% election requirement of AS 29.28.040 does not apply to the Advisory School Council Elections.~~

The Superintendent or designee shall make the necessary procedures, forms and staff assignments for the conduct of elections ~~for those portions of the district not organized into second-class cities.~~

Qualifications for Candidates and Voters

An individual is eligible to seek election to the advisory school council if the person meets the voter qualifications set forth below, and has never been convicted of a crime requiring registration on any sexual offender list, or a crime against children.

An individual ~~must qualify with respect to~~ the following ~~elements before he/she may~~ qualifications is eligible to vote in an Advisory School Council election:

- ~~1. The voter or candidate must be~~ is a United States citizen;
- ~~2. The voter or candidate must be at least~~ is 18 years of age ~~on the date of the election or older;~~
- ~~2.3.~~ is a registered voter in the State of Alaska;
- ~~4. The voter or candidate must be~~ has been a resident of the ~~municipality or~~ school attendance area for at least 30 days before the date of the election; and

3-5. _____ is not disqualified from voting due to: a) conviction of a felony involving moral turpitude, assuming voting rights have not been restored; or b) a court finding of incompetency, unless the disability no longer exists.-

Note: The following language should be utilized if the School Board has determined that student members are permitted to serve on advisory school councils.

A district student is eligible for appointment as a Student Advisory School Council Member without meeting the above qualifications.

An individual must qualify with respect to the following elements before he/she may be a candidate for and Advisory School Council seat:

1. The candidate must be qualified to vote in the Advisory School Council Election.
2. The candidate must not have been convicted of any sex-related crime.

Note: The following options may be selected based on district philosophy and needs.

School board members may hold concurrent membership on both the School Board and local Advisory School Council.

Note: The following optional language may be used by regional educational attendance areas that desire to have advisory school board elections conducted by the Division of Elections. The written request must be made by the Superintendent to the Division of Elections at least 150 days before the election date. The request needs to include a list of communities where the advisory school board elections are to be conducted and the name and contact number for each site administrator or designee. The list can only include those communities where the Division is already scheduled to conduct a simultaneous in-person Regional School Board election. In addition, the request must include the district's agreement to do the following: 1) be responsible for all advertising and public notices for the election; 2) printing the advisory school board ballots on colored paper and delivering them to the polling sites; 3) retrieving the voted ballots from the Division representative when the polls close; 4) tallying the ballots and notifying the public of election results; and 5) certifying the election and notifying the candidates of certification. Finally, the Superintendent can request a separate list of voters registered in the precinct for use during the advisory school board election. AS 14.08.071; 6 AAC 27.180.

Election Procedures

The Superintendent may make a timely request that the Division of Elections conduct the advisory school council elections at the same time as the Regional School Board election, occurring annually on the first Tuesday in October. The advisory school council and regional school board elections shall be conducted separately. The Superintendent shall oversee the district's obligations for the advisory school council elections, including

advertising, printing and delivering of ballots, tallying of ballots, and certification of the advisory school council elections.

Legal Reference:

ALASKA STATUTES

14.08.071 Elections, advisory votes

14.08.115 *Advisory school boards in REAA*

14.12.035 *Advisory school boards in borough school districts*

ALASKA ADMINISTRATIVE CODE

6 AAC 27.180 Advisory school board elections

~~*Revised: October 29, 2002*~~

Adopted: March 28, 1995

Revised: October 29, 2002

Revised:

Northwest Arctic Borough School District