

Additions are shown in **highlighted bold italic text**
Deletions are shown in ~~strikethrough text~~

Certificated Personnel

BP 4112.1

CONTRACTS

Note: Pursuant to AS 14.20.130 the School Board may issue contracts after January 1 each year. 4 AAC 18.010 specifies minimum requirements for teacher and administrators contracts. Contracts must be signed by at least two School Board members and the teacher.

After January 1, the Superintendent or designee may issue teacher contracts for the following school year, subject to Board approval. Contracts approved by the Board shall be signed by at least two board members.

Note: AS 14.20.145 grants automatic reemployment rights to teachers who are not dismissed or given notice of nonretention or layoff. Nontenured teachers must be given notice of nonretention or layoff by the end of the school year. Tenured teachers must be given notice of layoff or nonretention before May 15. (See 4117.6)

Reemployment contracts shall be given or mailed to certificated employees who are not dismissed or given notice of nonretention or layoff in accordance with law. If a certificated employee fails to sign and return the contract to the Superintendent or designee within 30 days after receipt of the contract of reemployment, the certificated employee shall be deemed to have declined reemployment and **the Board** shall terminate the employee's services at the expiration of the existing contract. An employee on family leave must comply with the 30-day deadline.

(cf. 4117.4 - Dismissals)
(cf. 4117.6 - Nonretention)
(cf. 4119.21 - Code of Ethics)

Note: Pursuant to 4 AAC 18.021 substitute teachers employed for the remainder of the school term when more than 20 school days remain must be employed under employment provisions for regular teachers.

Legal Reference:

ALASKA STATUTES

14.20.130 *Employment of teachers and administrators*
14.20.145 *Automatic Reemployment*
14.20.158 *Continued contract provisions*
14.20.010 *Teacher certificate required*
14.20.020 *Requirements for issuance of certificate*
14.20.120 *Statement of qualifications*
14.20.215 *Definitions*
14.20.620 - 14.20.650 *Interstate agreement on qualification of educational personnel*
14.30.250 *Teacher qualifications*

ALASKA ADMINISTRATIVE CODE

4 AAC 05.080 *School curriculum and personnel*
4 AAC 12.010-4 AAC 12.900 *Certification of professional personnel*
4 AAC 18.010 *Teachers' and administrators' contracts*
4 AAC 18.021 *Employment of substitute teachers*

**HYDABURG CITY SCHOOL DISTRICT
ADOPTED: 12/07/09**

Additions are shown in ***highlighted bold italic text***

Deletions are shown in ~~strikethrough text~~

All Personnel

BP 4112.5

4212.5

SECURITY CHECK

4312.5

The School Board desires to hire personnel whose background and behavior exemplifies a standard deemed appropriate for individuals working with children. Effort will be made to investigate the background of applicants prior to hire in the District. This investigation will include questions related to an applicant's background and criminal history and may include a fingerprint check.

Falsification of information during the interview or on the application shall be grounds for immediate removal from consideration for a position or dismissal from a currently held position.

Additions are shown in ***highlighted bold italic text***
Deletions are shown in ~~strikethrough text~~

All Personnel

AR 4112.5

4212.5

SECURITY CHECK

4312.5

1. No individual will be appointed to a certificated or permanent classified position or to a volunteer position expected to last more than sixty (60) days until a fingerprint investigation has been completed and the applicant has no recorded offenses. Under emergency circumstances, the Superintendent can waive this requirement to allow someone to work until the results are back.
2. No person who has ever been convicted, or plead guilty or no contest (including forfeiture of bail) to a crime involving violence or sexual abuse will be hired by or allowed to provide volunteer services to, the District.
3. A person who has been convicted, or plead guilty or no contest (including forfeiture of bail) to (1) a felony or (2) a crime involving violence, or (3) a crime or other violation involving a controlled substance, or any other crime or violation (excluding minor traffic violations), may be denied hire by, or may be denied the opportunity to provide volunteer services to, the District.
4. Applications from persons who have been convicted, or plead guilty or no contest (including forfeiture or bail) to any crime or violation provided under paragraph 3 will be considered by the Superintendent on a case by case basis and notice given to the School Board prior to being hired by, or allowed to provide volunteer services to, the District. The Superintendent will take into account relevant factors including but not necessarily limited to the nature of the offense, the person's age at the time the offense was committed, the amount of time that has elapsed since the commission of the offense, the relation between the offense and the position for which employment or volunteer service is being sought, and any demonstrated rehabilitation or failure to rehabilitate. In the absence of unusual mitigating circumstances, however, individuals who have committed crimes involving violence or felony drug offences shall not be employed or allowed to provide volunteer services in a teaching or administrative position or in any capacity in which they would be likely to have other than incidental contact with students
5. If charges are pending, no action will be taken on the individual's application until disposition of the charges.

Additions are shown in **highlighted bold italic text**

Deletions are shown in ~~strikethrough text~~

All Personnel

BP 4112.6

4212.6

PERSONNEL RECORDS

4312.6

Personnel records shall be kept for all current employees and shall include information usually expected in good personnel administration. Records shall be kept for all former employees, including such information as shall seem appropriate to the administration.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 1312.1 - Complaints Concerning Personnel)

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the Superintendent or designee, and those individuals authorized by the Superintendent or Board in accordance with administrative procedures. School Board members may request to review an employee's file at a personnel session of the Board.

Employees shall be notified whenever derogatory information is to be placed in their personnel files. Employees may review and comment on the contents of this personnel file. Personnel records shall be made available for inspection by the employee. Inspection shall take place in the presence of an administrator.

Legal Reference:

ALASKA STATUTES

09.25.120 Inspection and copying of public records

23.40.070 Declaration of Policy (PERA)

14.20.149 Employee Evaluation

ALASKA ADMINISTRATIVE CODE

4 AAC 19.040 Use of the evaluation

Municipality of Anchorage v. Anchorage Daily News, 794 P.2d 584 (Alaska 1990)

City of Kenai v. Kenai Peninsula Newspapers, Inc., 642 P.2d 1316 (Alaska 1982)

Additions are shown in **highlighted bold italic text**
Deletions are shown in ~~strikethrough text~~

All Personnel

BP 4112.61
4212.61
4312.61

EMPLOYMENT REFERENCES

The School Board desires to provide information about District employees to prospective employers to the extent that such information is factual and does not violate an employee's privacy rights.

The Superintendent or designee shall process all requests for references, letters of recommendation, or information about the causes or reasons for separation regarding all District employees other than the Superintendent. No other staff member shall make statements concerning a separated employee's performance or the reason(s) why any individual has left District employment.

(cf. 4112.6 - Personnel Files)
(cf. 4117.5 - Termination Agreements)

Legal References:

ALASKA STATUTES
AS 09.65.160 Job References

Additions are shown in **highlighted bold italic text**

Deletions are shown in ~~strikethrough text~~

All Personnel

BP 4112.8

4212.8

EMPLOYMENT OF RELATIVES

4312.8

In order to preclude situations which could bring about a conflict of interest for members of the administrative staff, an employee shall not be appointed to a position where a member of his/her immediate family maintains supervisory or evaluation responsibilities for the position except by approval of the Board. Immediate family members may be employed at the same department or work location with the approval of the Superintendent or designee.

The School Board recognizes that factors such as remote locations and a lack of qualified job applicants may justify the employment of family members of the Superintendent or Board.

An immediate family member of a Board member may be employed by the District if he/she is the most qualified applicant, has been approved by the Board, and such employment has received the written approval of the Commissioner of Education. An immediate family member of the Superintendent may be employed by the District with written approval of the Board. (AS 14.14.140)

(cf. 9270 - Conflict of Interest)

Legal Reference:

ALASKA STATUTES

14.14.140 Restriction on employment

ALASKA ADMINISTRATIVE CODE

4 AAC 18.031 Employment of members of immediate families of school board members

4 AAC 18.900 Definitions

Additions are shown in **highlighted bold italic text**
Deletions are shown in ~~strikethrough text~~

Certificated Personnel

BP 4113

ASSIGNMENT

The School Board respects the importance of assigning teachers in accordance with law so as to serve the best interests of our students and the educational program. The Superintendent or designee may assign certificated personnel to any position for which their preparation, certification, experience and aptitude qualify them. Teachers shall not be assigned outside the scope of their teaching certificates or their fields of study except as allowed by law.

(cf. 4112.8 - Employment of Relatives)

Legal Reference:

ALASKA STATUTES

14.20.147 Transfer or absorption of attendance area or federal agency school

14.20.148 IntraDistrict teacher assignment

14.20.158 Continued contract provisions

23.40.070 Declaration of policy (PERA)

UNITED STATES CODE, TITLE 20

§ 1119 No Child Left Behind Act of 2001, P.L. 107-110

Additions are shown in **highlighted bold italic text**

Deletions are shown in ~~strikethrough text~~

Certificated Personnel

BP 4115

EVALUATION/SUPERVISION

Note: AS 14.20.149 requires school districts to have a certificated employee evaluation system. The School Board is required to consider information from students, parents, community members, classroom teachers, affected collective bargaining units, and administrators in the design and periodic review of the system. The evaluation must be based on observation of the employee in the employee's work place. In addition, the law mandates a number of requirements for the system including the establishment of district performance standards, a minimum number of evaluations each year, the preparation and implementation of a plan of improvement, and opportunity for students, parents, community members, teachers, and administrators to provide information on the performance of the person being evaluated.

Department of Education and Early Development regulations require a district's certificated employee evaluation system to evaluate a teacher or administrator's performance on applicable professional content standards as exemplary, proficient, basic, or unsatisfactory. In addition, overall performance must be evaluated with these same four ratings. No later than July 1, 2016, a district shall adopt for teachers and administrators standards for performance based on student learning data. 4 AAC 04.205. Beginning July 1, 2016, a district shall report to the department not later than September 15th of each year evaluation results as to tenured and non-tenured teachers, administrators and special service providers and performance levels, as prescribed in 4 AAC 19.055. The Educator Evaluation regulations are found at 4 AAC 19.010-19.099.

The School Board believes that evaluations can provide important information relevant to employment decisions can help staff improve their professional skills, can improve the effectiveness of instruction, and raise student achievement levels. In accordance with the certificated employee evaluation system, the Superintendent or designee shall evaluate certificated personnel annually, including teachers, administrators, and special service providers. The evaluation system shall evaluate whether the certificated employee is exemplary, proficient, basic, or unsatisfactory on applicable content standards and in overall performance. The district's certificated employee evaluation system will incorporate those procedures and mandates required by law.

The District shall provide annual in-service training to all certificated employees subject to the evaluation system. The training will assure inter-rater reliability and address the evaluation procedures, the standards used by the District in evaluating performance, and other information that may be helpful to a thorough understanding of the evaluation system.

A certificated employee has a right to timely comment on the evaluation and may not be retaliated against for doing so.

The certificated employee evaluation system will be periodically reviewed. The district will consider input from students, parents, community members, classroom teachers, affected collective bargaining units, and administrators. The district will make a copy of the evaluation instrument available to the public, including posting on the district's website. The posting will explain how the district has considered the input of these groups in the design of the evaluation system.

Additions are shown in **highlighted bold italic text**
Deletions are shown in ~~strikethrough text~~

Certificated Personnel

BP 4115 (b)

EVALUATION/SUPERVISION (continued)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Nonretention)

(cf. 4315.1 - Competence in Evaluation of Teachers)

Legal Reference:

ALASKA STATUTES

14.20.149 Employee Evaluation

23.40.070 Declaration of policy (PERA)

ALASKA ADMINISTRATIVE CODE

*4 AAC 19.010-4 AAC ~~19.060~~ **19.099** Evaluation of professional employees*

4 AAC 04.200 Professional content and performance standards

4 AAC 04.205 District performance standards

Revised 01/13, 4/21/16

**HYDABURG CITY SCHOOL DISTRICT
ADOPTED: 12/07/09**

Additions are shown in **highlighted bold italic text**
Deletions are shown in ~~strikethrough text~~

Certificated Personnel

BP 4116

NONTENURED/TENURED STATUS

The School Board recognizes that new teachers need training, assistance, and evaluations designed to increase their competency as teachers and to ensure that the best qualified staff is retained by the District.

(cf. 4115 - Evaluation)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Nonretention)

(cf. 4131 - Staff Development)

A nontenured teacher who has been employed by the District continuously for three consecutive school years and who is offered a contract for the next succeeding school year shall achieve tenure in the District at the beginning of the fourth year, provided the teacher performs a day of teaching services in the fourth year.

A teacher who has acquired tenure in the District but loses tenure because of a break in service may reacquire tenure if the break in service was not the result of dismissal or nonretention and did not last longer than one year. A teacher returning from a break in service not lasting longer than one year will reacquire tenure at the beginning of the second consecutive year of reemployment, provided the teacher performs a day of teaching services in the second year.

A teacher who has acquired tenure in another District will acquire tenure in this District if the teacher's break in service was not the result of dismissal or nonretention and did not last longer than one year. A previously tenured teacher who has been employed by the District continuously for two consecutive school years and who is then offered a contract for the next succeeding school year shall achieve tenure at the beginning of the third year, provided the teacher performs a day of teaching services in the third year.

Legal Reference:

ALASKA STATUTES

14.20.010 - .040 Teacher certification

14.20.147 Transfer or absorption of attendance area or federal agency school

14.20.150 Acquisition of tenure rights

14.20.155 Effect of tenure rights

14.20.160 Loss of tenure rights

14.20.165 Restoration of tenure rights

14.20.210 Authority of school board or department to adopt by laws

14.20.215 Definitions

ALASKA ADMINISTRATIVE CODE

4 AAC 12.010 - .900 Certification of professional teachers

4 AAC 18.027 Acquisition of tenure rights: less than full-time teachers

4 AAC 18.900 Definitions

Fairbanks North Star Borough School District v. NEA - Alaska, 817 P.2d 923 (Alaska 1991)

State v. Redman, 491 P.2d 157 (Alaska 1971)