

MEMORANDUM

TO: NWABSD Board of Education
Members

DATE: March 8, 2024

NUMBER: 24-108

FR: Office of the Superintendent

SUBJECT: Approval of Proposed BP
5141.43 Uniform
Investigations; 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 BP 5141.43 Uniform Investigations 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 BP 5141.43 Uniform Investigations to be within the Students series.

This new policy establishes a model investigative policy for professional boundaries violations. It does not supersede current investigatory procedures but provides best practices when conducting investigations under various existing policies.

The Board Policy Committee reviewed the new policy, recommends approval and to open it for public comments.

ALTERNATIVES:

1. Approve the first reading of the proposed BP 5141.43 Uniform Investigations as presented and open it for public comments;
2. Do not approve the first reading of the proposed BP 5141.43 as presented;
3. Take no final action.

ADMINISTRATION'S RECOMMENDATION:

The administration recommends the Board approve the first reading of the proposed BP 5141.43 Uniform Investigations as presented and open it for public comments.

The purpose of this policy is to provide guidance and procedures for conducting fair, thorough, and consistent investigations within the District. This policy is designed to ensure the safety, well-being, and rights of all students, staff, and stakeholders involved in the investigative process. It aims to foster a safe and inclusive learning environment where concerns and allegations are taken seriously, investigated promptly, and resolved appropriately.

By implementing the Administrative Regulation associated with this uniform investigation policy, the district is committed to maintaining a safe, respectful, and inclusive learning environment for all. Through fair and thorough investigations, we strive to address concerns, promote accountability, and protect the rights and well-being of our students and staff.

(cf. 5141.42 – Professional Boundaries of Staff with Students
(cf. 1312 – Public Complaints Concerning the Schools
(cf. 1312.3 – Public Complaints Concerning Discrimination
(cf. 4118 – Certificated Personnel – Suspension/Disciplinary Action
(cf. 4119.11 – All Personnel – Sexual Harassment
(cf. 4144/4244/4344 – Complaints

This policy is designed to supplement and reinforce the mandatory reporting requirements of AS 47.17, the reporting requirements of AS 14.33.210, and the concepts of Professional Boundaries of Staff with Students. This policy is not designed to replace or impact investigations conducted by the Professional Teaching Practices Commission pursuant to AS 14.20.

The associated Administrative Regulation has been developed to assist school administrators when it is necessary to investigate complaints or allegations of misconduct against school staff, including volunteers. These investigations are referred to as administrative investigations.

Legal Reference:

ALASKA STATUTES

AS 14.20 *Teacher and School Personnel*
AS 40.25 *Public Record Disclosure*
AS 47.17 *Child Protection*
AS 14.33.210 *Reporting of Incidents of Harassment, Intimidation, or Bullying*

ALASKA ADMINISTRATIVE CODE

4 AAC 12.210 *Reporting Instances of Prohibited Sexual Conduct*
4 AAC 12.220 *Failure to Report Instances of Prohibited Sexual Conduct*
20 AAC 10.020(b)(4)(A) *Code of Ethics and Teaching Standards*
20 AAC 10.020(b)(4)(B) *Code of Ethics and Teaching Standards*

Adopted: