

OATH OR AFFIRMATION

Before taking office, all School Board members shall take and sign the oath or affirmation required by law.

Each member of the Board, before entering upon the duties of the office shall take and sign the following oath of affirmation: “I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska and that I will honestly, faithfully, and impartially discharge my duties as a school board member to the best of my ability.”

Legal Reference:

ALASKA STATUTES

14.08.091 Administration

14.12.090 Oath

Reviewed 3/2016

Reviewed 8/2020

Reviewed 3/2023

ORIENTATION

The Board invites all Board candidates to attend public Board meetings during the period of their candidacy so that insofar as possible, new members will be prepared to discuss and cast informed votes on matters before the Board from the time they are sworn into office.

The Board and the Superintendent or designee shall help each newly elected member to understand district operations and the Board's functions, policies and procedures as soon after election as possible. Incoming members are encouraged to read the Board's policies and informational materials on the function of the Board and the school system, to visit school facilities, and to meet with the Superintendent or designee and Board president, as needed to become oriented to Board service.

(cf. 9020 – Board Standards)

(cf. 9240 – Board Development)

Legal References:

Alaska Statutes

14.14.160 Cooperation and support of certain association functions.

Reviewed 3/2016

Reviewed 9/2020

Reviewed 3/2023

BOARD Development

The Board believes that continuing in-service training and development for its members is necessary. The Board encourages participation by all members at appropriate school board conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the board establishes these principles and procedures for its guidance:

1. Board members are encouraged to attend the State School Board Conference held in November of each year.
2. All Board members are encouraged to attend any training sessions held in the district each year.
3. Board members are encouraged to attend Legislative Fly-ins, conferences, conventions and meetings as budgeted and as needed.
4. Funds for some conferences, conventions and workshops will be included in the annual budget.
5. Board members attending meetings, conferences of workshops are requested to report back to the board sharing information, recommendations and materials.

(cf. 9020 – Board Standards)

(cf. 9250 – Remuneration, Reimbursement, and Other Benefits)

Legal Reference:

Alaska Statutes

14.14.160 Cooperation and support of certain association functions.

Reviewed 4/2016

Reviewed 9/2020

Reviewed 3/2023

LEGAL PROTECTION

BB 9260

Note: For all districts, Sections 8551-8558 of the Every Student Succeeds Act are designed to provide teachers, principals and other school professionals, including board members, the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment. Section 8556 limits the liability of a school employee or official for acts or omissions when he/she is acting within the scope of employment or district responsibilities and his/her actions were in conformity with federal, state and local laws in an effort to control, discipline, expel or suspend, or maintain order or control in the classroom or school.

Limitations on liability do not apply when the officer or employee: (1) acted with willful or criminal misconduct, gross negligence, recklessness or a conscious or flagrant indifference to the harmed student's right to safety; (2) caused harm by operating a motor vehicle; (3) violated a federal or state civil right law (e.g., sexual harassment, discrimination, IDEA claims); (4) was convicted of a sexual offense, crime of violence or act of terrorism; or (5) was under the influence of alcohol or drugs.

If a civil action is brought against the employee or officer, and the laws' conditions are satisfied, Sections 8556 and 8557 limit the amount of the employee's/officer's liability to a formula based on the percentage of responsibility for the harm, and also limits punitive damages.

The School Board shall provide insurance necessary to protect Board members, officers, and employees from any judgment resulting from suits brought against them alleging their liability while acting within the scope of their employment and/or under the direction of the Board. The insurance shall cover claims in such matters as civil rights actions, negligence, or other act resulting in accidental injury to any person or property damage in or out of the school buildings

(cf. 3530 - Risk Management)

Legal Reference:

ALASKA STATUTES

14.12.115 Indemnification

Every Student Succeeds Act, §§ 8551-8558 (P.L. 114-95)

Adopted AASB 6/22

Reviewed 3/2023

CONFLICT OF INTEREST

BB 9270 (a)

Note: Alaska Statute 29.20.010 requires each municipality to adopt a conflict of interest code. Alaska Statute 39.50.145 authorizes a municipality to exempt municipal officers from state conflict of interest financial reporting requirements. Accordingly, districts should consult local law to determine if additional conflict of interest requirements must be addressed. The following sample bylaw should be revised as appropriate to reflect district philosophy and needs.

In order to instill public confidence in public office and provide public accountability, School Board members shall disclose and avoid conflicts of interest involving any matter pending before the School Board. A conflict of interest exists when a member has a personal or financial interest on a matter coming before the Board that could render the member unable to devote complete loyalty and singleness of purpose to the public interest. School Board members owe the public a duty to act in the best interests of the district.

Decision making. The Board recognizes that when no conflict of interest requires abstention and/or recusal, its members must vote on issues before the Board. If a board member or their family member may benefit personally or financially from a Board decision, that board member must provide full disclosure of the conflict or potential conflict of interest to the Board. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting on the issue. If the Board determines a conflict of interest prohibits participation, the member shall recuse themselves and abstain from deliberations and voting.

Appearance of impropriety. When a situation may create the appearance of impropriety, even where state and federal laws do not require any action, the board member shall fully disclose the circumstances. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting.

Board members who have an actual or potential conflict of interest requiring disclosure shall not seek to influence the decisions of staff or other board members on the underlying matter, or on the member's participation in the matter.

Other duties. School Board members are expected to avoid conflicts of interest in their other duties. This includes:

- a. **Confidential information.** School Board members shall not disclose or use confidential information acquired during the performance of official duties as a means to further their own personal or financial interests or the interests of a family member.
- b. **Gifts.** School Board members shall not accept a gift or economic benefit that would tend to improperly influence a reasonable person or where board members know or should know the gift is offered for the purpose of influencing or rewarding official action.

CONFLICT OF INTEREST (continued)

BB 9270 (b)

- c. **Business dealings with staff.** School Board members shall not engage in financial transactions for private business purposes with district staff whom board members directly or indirectly supervise.
- d. **Compensation for services.** School Board members shall not receive any compensation for services rendered to the district from any source, except compensation for serving on the School Board and reimbursement of expenses incurred as a board member, as allowed by policy and law.

Other legal obligations. School Board members shall comply with state and federal laws pertaining to conflicts of interest. Nothing in this policy restricts or affects board members' duties to comply with those laws.

(cf. 3115 - Relations with Vendors)
(cf. 4112.8 - Employment of Relatives)
(cf. 2300 - Conflict of Interest Code: Designated Personnel)

Legal Reference:

ALASKA STATUTES

14.08.131 Disqualification from voting for conflict of interest
14.14.140 Restriction on employment
11.56.100 - 11.56.130 Bribery and related offenses
29.20.010 Conflict of interest

ADMINISTRATIVE CODE

4 AAC 18.031 Employment of members of immediate families of school board members
4 AAC 18.900 Definitions

Adopted AASB 6/22
Reviewed 3/2023

Code of Ethics

This code of ethics expresses the personal ideals which the School Board believes should guide each school Board member's activities.

In all actions as a school Board member, the member's first commitment is to the well-being of our youth. His/her primary responsibility is to every student in the district.

Board members also have other major commitments to:

- The Community. Each Board member is responsible to all residents of the district and not solely to those who elected him/her; nor solely to any organization to which he/she may belong, or which may have supported his/her election.
- Individuals. Each Board member has a direct concern for every individual in the community. As an integral part of his/her duties, he/she represents the authority and responsibility of government. This authority must be exercised with as much care and concern for the least influential as for the most influential member of the community.
- Employees. The Board member's actions may affect the capability of district employees to practice their trade or profession and should encourage their increasing competence and professional growth.
- Laws, Policies. Each Board member must be aware of, and comply with, the constitutions of State and Nation, the Alaska Education Statutes, other laws pertaining to public education, and the established policies of the district.
- Decision making. Each Board member is obliged by law to participate in decisions pertaining to education in the district. As an elected representative of the people, the Board member can neither relinquish nor delegate this responsibility to any other individual or group.
- Individual Feelings and Philosophy. Every individual Board member has something to contribute to society.

Understanding and acting upon the foregoing premises, each Board member shall:

Consider his/her position on the Board as a public trust and not use it for private advantage or personal gain.

- Be constantly aware that he/she has no legal authority except when acting as a member of the Board. Board members shall present their concerns and concepts through the process of Board debate. If in the minority of any decision, they shall abide by and support the majority decision. When in the majority, they shall respect divergent opinions.
- Encourage ideas and opinions from the residents of the district and endeavor to incorporate community views into the deliberations and decisions of the Board.

- Devote sufficient time, thought, and study to proposed actions so as to be able to base decisions upon all available facts and vote in accordance with honest convictions, unswayed by partisan bias of any kind.
- Remember that the basic functions of the Board are to establish the policies by which district schools are administered and to select the Superintendent and staff who will implement those policies.
- Promote and participate actively in a concerted program of timely exchange of information with all district residents, parents, employees and students.
- Recognize that the deliberations of the Board in executive session may be released or discussed in public only with Board approval.
- Make use of opportunities to enlarge his/her potential as a Board member through participation in educational conferences, workshops and training sessions made available by local, state and national agencies.

Revised 11/03

Reviewed 4/2016

Reviewed 9/2020

Reviewed 3/2023