



NORTHWEST ARCTIC BOROUGH SCHOOL DISTRICT

Ambler · Buckland · Deering · Kiana · Kivalina · Kobuk · Kotzebue · Noatak · Noorvik · Selawik · Shungnak
PO Box 51 · Kotzebue, Alaska 99752 · Phone (907) 442-1800

NWABSD BOARD OF EDUCATION

Board Policy Committee Meeting

Conducted via Teams and in the NWABSD Boardroom

Agenda

June 4, 2024

1. Roll Call
2. Items for 2nd Reading (Public Comment has been sought via the [District Website](#))
 - a. **None at this time**
3. Items for 1st Reading:
 - a. **BB-9250 Bylaws of the Board – Renumeration, Reimbursement, and Other Benefits**
 - i. Board request to review
 - ii. Update Board per diem annually per <https://www.defensetravel.dod.mil/pdcgi/pd-rates/opdrates5ap.cgi?country=ALASKA&date=04-01-24&military=YES&submit2=CALCULATE>
4. Items for Board Bylaw Review:
 - a. **BB-9200 - Bylaws of the Board - Board Members**
 - i. Update 1 per AASB - This bylaw adds further clarity to how complaints brought to the board should be addressed and requires board approval for legal opinions.
 1. The complaint process clarified with AASB and the verbiage has been updated to reflect when a board member should go to the Superintendent
 - ii. Update 2 per AASB - This bylaw has been revised to clarify that no board members should abstain from a vote absent a compelling reason to do so.
5. Other Items Being Worked On:
 - a. **BP-3554 - Other Food Sales**
 - i. Administrative Services to relay information to Principals
 1. Check with the State on pre-orders versus the immediate sale of foods
 2. Allow pre-orders as long as good are not delivered during hours stated in the BP
 - ii. Review along with BP 5040
 - b. **BP-5040 – Student Nutrition and Physical Activity**
 - i. The Board recommended allowing the use of food as a reward.

Committee Members: Carol Schaeffer (Chairperson), Marie Greene, Millie Hawley, Alice Melton Barr

Technology Director: Amy Eakin

MISSION: To provide a learning environment that inspires and challenges students and employees to excel.
VISION: To graduate all students with the knowledge, skills, and attitudes necessary for a successful future.

- ii. Administrative Services is researching the US Code and State Regulations.
- iii. AR-5040 – To be reviewed by an advisory group through the Curriculum Department
- c. **BP 4133/4233/4333 All Personnel – Travel Expenses**
 - i. This update includes verbiage from the former duplicate travel policy - BP 3540.
 - ii. In addition, the Board requests to review student/staff per diem amounts and proportional meals.
 - 1. Review is ongoing

6. New Items for Committee Review:

- a. **BP 3515.6 Use of School Safety Video Surveillance Monitoring Systems**
 - i. This update adds FERPA language and revises subpoena language to follow applicable laws. Subpoenas are not required in every situation, as previously stated.
- b. **BP 3540 Transportation**
 - i. NWABSD has BP 3540 labeled as TRAVEL, not Transportation.
 - ii. This update aligns BP3540 with the AASB Transportation policy and moves staff travel verbiage to the appropriate BP 4133.
- c. **BP 3541.2 Transportation for Children with Disabilities**
 - i. This update includes additional inclusive language and updated references.
- d. **BP 4112.10 Employment of Retired Teachers - *NEW***
 - i. The NWABSD does not currently have this policy adopted. It was added by AASB in 2020.
 - ii. This BP is required for Districts who hire retired teachers

7. Questions

BB 9200 BOARD MEMBERS

Limits of Board Members Authority

The School Board has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action. Individual Board members shall submit requests for research or administrative studies to the entire Board for consideration.

The Board is the unit of authority. An individual Board member is a part of the governing body which represents and acts for the community as a whole. Apart from the normal function as part of the unit, the Board member has no individual authority. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor, as an individual, command the services of any school employee. Individually, the Board member may not commit the district to any policy, act or expenditure.

School visits by Board members are encouraged. Principals should receive a courtesy call in advance of a visit. Board members, as with all visitors, must check in with the school office. Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.

(cf. 1250 - Visits to the Schools)

Note: The following is an optional process for Board members to make information requests.

Board Member Requests for Information

Board members should make informed decisions on matters before them for a vote. The Superintendent or designee is responsible for providing the Board with relevant materials to inform the Board on those matters on which it is to act. If Board members desire further information, a request for information shall be directed to the Superintendent, pursuant to the following guidelines:

1. Requests for simple facts. Any Board member may make a request for simple facts to the Superintendent who will forward the request to the appropriate staff member. All responses to requests for simple facts will be provided to the requesting Board member and copied to the Board President.

2. Requests for reports, research, administrative studies, detailed information, or for information relating to a problem or a potential problem in the District. Some information requests require significant administrative time and explanation to provide the requested response. Individual Board members shall submit such requests to the full

Board for consideration. Upon [concurrence of the other board members/majority request of the Board], the request shall then be forwarded to the Superintendent for response.

3. [Complaints regarding personnel. Board members may have their own concerns and complaints regarding District personnel. Informal concerns should be privately communicated to the Superintendent. Formal complaints should be in writing and follow the District complaint policies. Board members may notify the Superintendent that they have filed a formal complaint.]

Commented [AE1]: Clarify when to follow this versus the complaint process

Commented [AE2R1]: Clarified based on AASB feedback

4. When Board members receive complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students, members of the public to the appropriate complaint policy. Such information will be conveyed to the Superintendent.

5. Requests for legal advice or opinions by a Board member that will incur a cost for the district must be approved by a majority vote of the Board before the request is made to legal counsel. Legal counsel is responsible to the Board.

Commented [AE3]: This is new from AASB.

(cf. 6162.8 - Research)

(cf. 9322 - Agenda/Meeting Materials)

~~The Board is the unit of authority. An individual Board member is a part of the governing body which represents and acts for the community as a whole. Apart from the normal function as part of the unit, the Board member has no individual authority. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor, as an individual, command the services of any school employee. Individually, the Board member may not commit the district to any policy, act or expenditure.~~

No members of the Board shall be asked to perform any routine or clerical duties which may be assigned to an employee, nor shall any Board member become an employee of his/her district while serving on the Board.

A Board member should resign from the Board before seeking to secure district employment. In no event shall a final decision for hire be made prior to receiving the Board member's resignation.

(cf. 9250 - Remuneration, Reimbursement and other Benefits)

(cf. 9270 - Conflict of Interest)

Commented [AE4]: This is not in the AASB Model BB 9200.

~~Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.~~

(cf. 1250 – Visits to the Schools)

Obligations of Members

Members of the Board must ~~endeavor~~ ~~make strong efforts~~ ~~make strong efforts~~ to attend all meetings, study all materials presented with the agenda prior to attending the meeting, participate in the discussion of any items which come before the Board, and vote on all motions and resolutions, abstaining only for compelling reasons. If no compelling reason requires abstention, members of the Board shall not abstain.

If a Board Member knows they will be unable to attend scheduled meetings, worksession, or committee assignments they must notify the Board President or the Superintendent's Office of this intended absence. If a Board Member notifies the Superintendent's Office with a request for an excused absence, this information will be communicated to the Board President for his/her decision and action.

Commented [AE5]: This is not in the Model AASB policy.

The Board member should not ~~place subordinate the education of children and youth to any~~ partisan principle, group interest, or the member's own personal interest above the education of children and youth.

The Board member should be prepared and willing to devote a sufficient amount of time to the study of the problems of education in the district, the state, and the nation in order to interpret them to the people of the district.

(cf. 9230 - Meetings)

Legal Reference:

ALASKA STATUTES

14.14.140 *Restrictions on employment*

Adoption Date: May 23, 1995

Revision Date: June 6, 2023

Revision Date:

Northwest Arctic Borough School District

BP 3515.6 USE OF SCHOOL SAFETY VIDEO SURVEILLANCE MONITORING SYSTEMS

The School Board authorizes the use of video surveillance equipment on school district property, school vehicles, and school contracted vehicles to ensure health, welfare, and safety of all staff, students, and visitors to district property and/or passenger in district contracted or authorized vehicles and to deter inappropriate behavior. Cameras will also be utilized to safeguard district facilities and equipment, as well as equipment owned by staff or students.

In dealing with surveillance of students and employees, the Board recognizes both its obligation to provide appropriate levels of supervision in the interest of safety and the fact that students and employees have privacy rights that are reduced^s but not eliminated while under the supervision of the school. Thus, video surveillance, like other forms of supervision, must be carried out in a way that respects privacy rights.

The Superintendent or designee is responsible for determining whether video recordings are educational records as defined by the Family Educational Rights and Privacy Act (FERPA)), 20 U.S.C. § 1232g and 34 CFR Part 99.

School safety video recordings which are not education records may be disclosed as provided in the Alaska Public Records Act, [AS § 40.25.110 – 40.25.125](#).

Use

Video surveillance cameras may be used to monitor and/or record in locations authorized by the ~~School Site Administrator or the officials of the school district~~^{Superintendent or designee}. Public notification signs must be prominently displayed, indicating the use of video surveillance. The district shall also notify staff and students through student/parent and staff handbooks that security cameras are in place within district property.

Camera Placement

The security camera system will be installed in public areas only. These areas include school buses, grounds, athletic areas such as the gymnasium and weight room, exterior entrances or exits to school buildings and large gathering spaces such as classroom corridors, cafeteria, lobby, and main entrances. ~~Classrooms, restrooms, changing rooms, private offices, nurse's offices, and locker rooms~~ are excluded from surveillance camera use. Security camera usage is prohibited in any space where ~~this~~^{there is} a reasonable expectation for privacy.

Commented [AE1]: Not in model policy, was added to NWABSD after clarification/discussion was had.

Commented [AE2]: not in model BP

Security

Only a designated employee or agent of the school district will install surveillance cameras. Only designated school officials shall have access to the camera equipment

and operations system. For the purposes of this policy, school officials are the Superintendent or his/her expressly authorized designees. Only these school officials shall handle the camera or copies of the video segments. Video copies shall be stored in a secure area. Video copies may never be sold, publicly viewed or distributed in any other fashion except as approved for by this policy and/or relevant to legislation. Law enforcement personnel may review camera recordings, when available, to investigate criminal conduct through a subpoena in accordance with applicable law.

Commented [AE3]: Use "expressly authorized designee" instead of "school officials"

Commented [AE4]: not in model bp

Commented [AE5R4]: Not all requests require a subpoena.

Viewing of Video Recordings

Video monitors used to view video recordings should not be located in a position that enables public viewing. Video recordings may only be viewed by school site administrators, school official, or school staff members with direct involvement with the recorded contents of the specific video recording or employees or agents responsible for the technical operation of the system (for technical purposes only). Parents may submit a written request to view video recordings that pertain only to their children in relation to a disciplinary issue, but the viewing may be approved only if it does not violate the privacy of other students (see next paragraph).

Use of Video Recordings for Disciplinary Action

Video recordings may be used as a basis for student or employee disciplinary action. Video surveillance recordings involving students are considered to be educational records under FERPA. Therefore, consent must be given in order to disclose information contained on video recordings obtained through video surveillance, except to the extent that FERPA authorizes disclosure without consent. Viewing may be refused or limited where viewing would be an unreasonable invasion of a third party's personal privacy, give rise to a concern for the safety of a third party or where protected from disclosure by law. All viewing requests must be submitted in writing.

Retention of Video Recordings

A copy of a video recording shall be made when an incident results in a long-term suspension, a student injury, or there is a prospect of a legal claim against the district. The copy of the video recording shall be sent to the Superintendent or designee to be kept in a secure location. If a recording is used in the making of a decision about a student or employee, the recording must be kept for a minimum of one year, unless earlier erasure is authorized by or on behalf of the individual or the relevant appeals periods have been expired.

Video recordings shall be maintained for no more than 30 days and then erased unless they are being retained as indicated in the preceding paragraph or at the request of the school site administrator. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

Review

Each school site administrator is responsible for the proper implementation and control of the video surveillance system. The Superintendent of Schools or designee shall develop regulations governing the use of video recordings in accordance with applicable law and board policy.

Commented [AE6]: ASK AASB: What should the regulations entail? Is there a model AR?

Commented [AE7R6]: Reached out to AASB. Found Valdez is the only District with an AR.

(cf. 1340 – Access to District Records)

(cf. 3515 – School Safety and Security)

(cf. 3580 – District Records)

(cf. 5125 – Student Records)

Legal References:

UNITED STATES CODE

[20 U.S.C. 1232g](#)

UNITED STATES CODE OF FEDERAL REGULATIONS

[34 CFR Part 99](#)

ALASKA STATUTES

[40.21.070](#) Records Management for Local Records

[40.25.110-250](#) Public Records Act

ALASKA ADMINISTRATIVE CODE

[2 AAC 96.100-370](#) Public Information

~~Revised 10/2021~~

~~Revised: June 6, 2023~~

**AASB POLICY REFERENCE MANUAL
9/92**

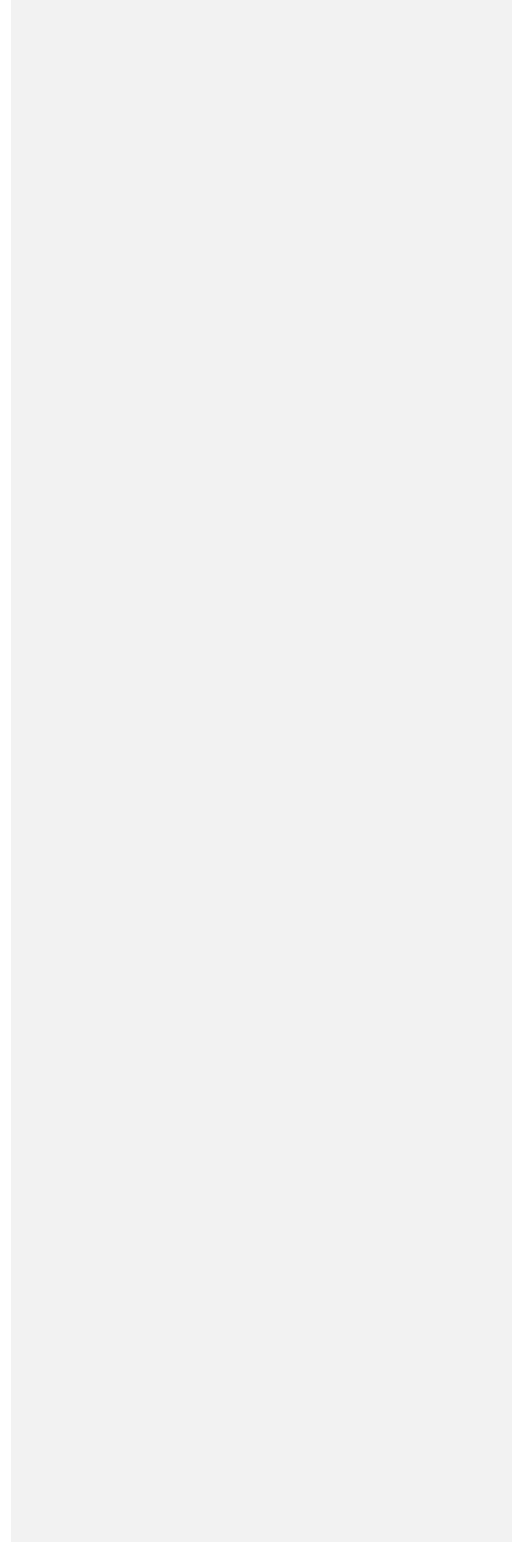
Adopted: June 6, 2023

~~Revised October 2021~~

~~Revised: June 6, 2023~~

~~Revised:~~

Northwest Arctic Borough School District



BP 3540 ~~TRAVEL~~TRANSPORTATION

~~Employees shall be reimbursed for travel expenses incurred while away from their station overnight on approved District business. Travel status shall be approved in advance by the Superintendent or his/her designee.~~

~~Per diem shall be paid as determined by the Superintendent, prior to travel, except as listed;~~

~~per diem shall not be paid to any employee who does not attend workshops, sessions, classes, etc. for which leave is intended;~~

~~any District employee or board member(s) who does not attend session, for which leave is intended, will not be allowed to attend future workshops for the District;~~

~~per diem and travel shall not be paid to employees or board members attending District approved workshops or meetings, who arrive at meetings in a state of intoxication. Employees in this case will be asked to leave immediately;~~

Adopted: February 25, 1994

The School Board desires to provide transportation for eligible students in accordance with state and federal law.

The goals of the transportation service are:

1. to provide maximum safety for students between home and school and on school-sponsored trips.
2. to promote desirable student behavior and respect for traffic safety.
3. to provide assistance and/or transportation for ~~handicapped~~ qualifying students with disabilities.

(cf. 3312 - Contracts)

(cf. 3541.5 - Alternative Transportation Arrangements)

Note: Secondary students who do not have daily access to school by being transported a reasonable distance must be offered a boarding program pursuant to 4 AAC 09.050.

When necessary, the Board shall make available a boarding program for secondary students whose transportation needs make daily access to school impractical and who are not participating in an alternative educational program.

(cf. 6182 - Secondary Boarding Program)

Commented [AE1]: This BP is wholly made up by NWABSD. The model BP for 3540 is on Transportation of students....we don't have that.

Commented [AE2R1]: staff travel verbiage moved to the appropriate BP 4133

(cf. 5112.6 – Education For Homeless Children and Children in Foster Care)

Legal Reference:

ALASKA STATUTES

14.09.010 Transportation of pupils

14.09.030 School buses

14.30.347 Transportation of exception children

ALASKA ADMINISTRATIVE CODE

4 AAC 09.050 Secondary Boarding Programs

4 AAC 27.006-990 Transportation

Adopted:

Northwest Arctic Borough School District

BP 3541.2 TRANSPORTATION FOR SPECIAL EDUCATION STUDENTS

Note: Children with disabilities must be transported with other non-disabled children if the district provides transportation to other students in the district. Separate transportation for an exceptional child is authorized only when it is in the best interest of that child due to the nature of the physical or mental disability. AS 14.30.347.

The School Board recognizes its responsibility to provide transportation services which give handicapped students access to appropriate education programs and services. The district shall provide transportation for students with disabilities ~~for exceptional students~~ in accordance with needs specified in their Individualized Education Program (IEP).

In selecting the most appropriate mode of transportation, IEP teams shall consider the student's unique safety and health needs, the availability of equipment, existing transportation schedules, and the extent to which transportation arrangements may help the student develop independent mobility skills.

Whenever possible, children with disabilities shall be transported with students without disabilities.

(cf. 3540 - Transportation)

(cf. 3541.5 - Alternative Transportation Arrangements)

(cf. 6172 - Special Education)

Legal Reference:

ALASKA STATUTES

[14.30.278](#) *Individualized education program*

[14.30.347](#) *Transportation of exceptional children*

ALASKA ADMINISTRATIVE CODE

~~[4 AAC 27.020](#) *Establishment of special education routes*~~

~~[4 AAC 27.045](#) *General provisions for regular and other conveyance routes, route extensions and in lieu of agreements*~~

[4 AAC 52.730](#) *State aid for transportation*

~~[4 AAC 27.021](#) *Establishment of special education routes*~~

Adopted: February 25, 1994

Revised:

Northwest Arctic Borough School District

BP 4112.10 EMPLOYMENT OF RETIRED TEACHERS

Note: Effective November 8, 2018, [AS 14.20.136](#) authorizes schools districts to hire retired teachers in cases of teacher shortages. Retired teachers hired under this statutory provision may elect to continue receiving TRS benefit payments during the period of reemployment. A contract for reemployment of a retired teacher hired under [AS 14.20.136](#) may not be for more than 12 consecutive months. If the teacher retired under the defined benefit retirement system, the teacher must be retired for at least 60 days if 62 years of age or older, or at least six months if under 62 years of age, before reemployment. In addition, if the teacher is reemployed by the same district that employed the teacher upon retirement, the teacher must certify that there was no prearranged agreement with the school district to hire the teacher after retirement.

Prior to the hire of retired teachers under this statute, the school board must adopt a policy that permits the employment of retired teachers who are qualified to teach in those disciplines or specialties in which a shortage of teachers exists. The policy must describe the circumstances that constitute the shortage.

This optional policy may be utilized by districts desiring to hire retired teachers in cases of teacher shortages, as authorized by [AS 14.20.136](#).

It is the policy of the Board that teacher vacancies be filled in a timely manner by qualified personnel. The District administration is authorized to employ retired teachers in accordance with [AS 14.20.136](#) in cases of teacher shortages, and to notify the Administrator of the Teachers' Retirement System that it is hiring retired teachers pursuant to that statutory provision.

The hiring of retired teachers is authorized in those disciplines or specialties in which a shortage of teachers exists despite active recruitment efforts. A shortage is deemed to exist for those open positions that the administration has been unable to fill with qualified candidates, despite recruitment, public advertising for at least 10 business days, interviews, and the offering of positions to qualified candidates, if any.

(cf. 4111 Recruitment and Selection)

Legal Reference

ALASKA STATUTES

[14.20.136](#) *Employment of member of teachers' retirement system*

[14.25.043](#) *Reemployment of retired members*

[14.20.165](#) *Restoration of tenure rights*

Adopted:

AASB Policy Reference Manual