

MEMORANDUM

TO: NWABSD Board of Education
Members

DATE: June 6, 2023

NUMBER: 23-113

FR: Office of the Superintendent

SUBJECT: Approval of Proposed
Revisions to BP 1330,
Community Relations, Use
of School Facilities; First
Reading

STRATEGIC PLAN/BOARD GOAL:

Improve Stakeholder Communication.

ABSTRACT:

Board policy revisions require Board approval.

ISSUE:

At issue is to approve the first reading of the proposed revisions to BP 1330, Community Relations, Use of School Facilities and open for public comments.

BACKGROUND AND/OR PERTINENT INFORMATION:

The Superintendent/designee presents drafts or suggestions for board policy revisions when changes in law occur or when specific need occurs. 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 1330, Community Relations, Use of School Facilities.

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

ALTERNATIVES:

1. Approve the first reading to the proposed revisions to BP 1330, Community Relations, Use of School Facilities as presented and open for public comments;
2. Do not approve first reading to the proposed revisions to BP 1330 as presented;
3. Take no final action.

ADMINISTRATION'S RECOMMENDATION:

The administration recommends the Board approve the first reading to the proposed revisions to BP 1330, Community Relations, Use of School Facilities as presented and open for public comments.

BP 1330 USE OF SCHOOL FACILITIES

Note: [A.S. 14.03.100](#) authorizes boards to grant the use of school facilities for lawful gatherings and assemblies and mandates that boards adopt written bylaws to ensure reasonable and impartial use of school facilities. If challenged, the district should be prepared to legally defend the reasonableness of its rules. The following sample policy may be revised to reflect local philosophy and needs. The district should be able to provide supporting rationale for its policy/regulations; that is, the policy/regulations must be deemed to be “reasonable.”

Note: ~~Under the No Child Left Behind Act of 2001 Pursuant to the Boy Scouts of America Equal Access Act~~, districts that make their premises and facilities available for use by youth and community groups must apply that policy equitably to all groups, including the Boy Scouts or other affiliated groups. Specifically, schools are prohibited from denying equal access to school facilities to the Boy Scouts or any other youth group “for reasons based on membership or leadership criteria or oath of allegiance to God and country.” According to Alaska’s uncodified law, a school district that violates this law risks losing state funding.

The School believes that the schools belong to the citizens of the community and that community use of the school facilities fosters understanding and support for school programs.

~~(Optional: The School Board recognizes that when schools encourage and welcome community elders during and after the school day, this supports continued learning opportunities between youth and older generations.)~~

The School Board shall make school facilities and grounds available to citizens and community groups for lawful gatherings and assemblies to the extent that such use serves the interests of the citizens and does not conflict with school or district purposes. The Superintendent or designee shall establish administrative regulations governing the reasonable and impartial use of school facilities and grounds by community members or groups.

(cf. 0100 – Philosophy)

(cf. 0430 – Community School Program)

(cf. 6145.5 – Organizations/Associations)

Legal Reference:

ALASKA STATUTES

[04.16.080](#) – Sales or consumption at school events

[14.03.100](#) – Use of school facilities

UNITED STATES CODE

~~Elementary and Secondary Education Act, 20 U.S.C. § 7905, as amended
by the No Child Left Behind Act of 2001 (P.L. 107-110) Boy Scouts of America
Equal Access Act, .~~

Revised: June 09, 2015

June 02, 2020

Adopted: June 09, 2004

Northwest Arctic Borough School District

Subject: Re: Question - BP 1330 Use of School Facilities
Date: Friday, June 2, 2023 at 11:55:29 AM Alaska Daylight Time
From: Tiffany Jackson
To: Jazmine Camp

[EXTERNAL EMAIL - CAUTION]: Do not open unexpected attachments or links.

Good morning Jazmine,

The Boy Scouts of America Equal Access Act doesn't only apply to the Boy Scouts, it applies to any youth group listed in Title 36 of the United States Code as a patriotic society that wishes to meet at the school. Violations of this act could result in Office of Civil Rights complaints.

-Tiffany

Tiffany Jackson | Director of Membership Services

Association of Alaska School Boards
1111 W. 9th Street, Juneau, AK 99801
Office: (907) 463-1666
tjackson@asab.org
(she/her)

AASB honors and respect the Ancestral Lands on which all Alaskans live, work, play, and learn and encourage activities and practices that acknowledge and recognize the past and present stewardship of these lands.

On Jun 1, 2023, at 2:06 PM, Jazmine Camp <jjcamp@nwarctic.org> wrote:

My board wanted clarification on why the Boy Scouts of America Equal Access Act is referenced so much in BP 1330 Use of School Facilities and if we need it in our board policy, as our region does not have any Boy Scouts.

Thank you,

Jazmine

--

Jazmine Camp / Northwest Arctic Borough School District
Executive Assistant to the Superintendent and Board of Education

Phone: 9074421803
Mobile: 9074123543
Email: jjcamp@nwarctic.org
Address: PO Box 51
776 Third St.
Kotzebue, AK 99752
