

**APPOINTMENT AND CONDITIONS OF APPOINTMENT**

The Superintendent or designee will recommend the appointment of all regular full-time and part-time and regular hourly employees to the School Board. Selection will be based upon competence and will be in accordance with Board policy and administrative regulations, and state and federal laws of the State regulations.

Temporary, substitute, short-term and student help may be appointed by the Superintendent or designee. The position and the pay rate shall be reported at a regular meeting of the Board.

The district personnel policies and regulations apply only to the extent that they are not in conflict with any collective bargaining agreement between the district and an employee organization officially recognized to meet and negotiate with the Board.

*(cf. 6181 - Charter School)*

*Revised 9/11  
Reviewed 9/2021*

**APPOINTMENT AND CONDITIONS OF EMPLOYMENT**

The Superintendent or designee will recommend the appointment of all regular full-time and part-time and regular hourly employees to the School Board. Selection will be based upon competence and will be in accordance with Board policy and administrative regulations, and state and federal laws of the State regulations.

Temporary, substitute, short-term and student help may be appointed by the Superintendent or designee. The position and the pay rate shall be reported at a regular meeting of the Board.

The district personnel policies and regulations apply only to the extent that they are not in conflict with any collective bargaining agreement between the district and an employee organization officially recognized to meet and negotiate with the Board.

*(cf. 6181 - Charter School)*

*Revised 9/97*

**PROBATION AND EVALUATION**

Classified employees will be classified as either probationary or regular employees. All classified employees shall be considered employed on a probationary basis and classified as such for a period of ninety calendar days from the date of employment. If the employee is employed thereafter, the employee shall be classified as a regular employee.

An evaluation of the employee's work performance shall be completed and reviewed with the employee upon completion of the probationary period. A satisfactory evaluation shall be necessary for continued employment.

Regular employees shall be evaluated annually by their immediate supervisor and approved by the administrator in charge. The evaluation shall be reviewed with the employee.

*Legal Reference:*

ALASKA STATUTES

23.40.070 Declaration of policy (PERA)

*Reviewed 9/2021*

**EVALUATION/SUPERVISION**

The School Board endorses a continuous program of evaluation of all individuals employed by this district. The basic objective of the evaluation program is the improvement of performance of service to the district.

*Legal Reference:*

ALASKA STATUTES

23.40.070 Declaration of policy (PERA)

**RESIGNATION**

The resignation from employment of any member of the classified staff shall be in writing and directed to the Superintendent of schools. All resignations shall be forwarded to the Board of Education for final action.

*Reviewed 9/2021*

**RESIGNATION**

Note: The following sample policy sets forth two options regarding authority to accept resignations and may be revised as desired.

Ample notice of intention to resign should be given by an employee who plans to leave the district. Normally, no less than two weeks notice should be given.

Positive supervisory action is required to determine if causes of employee resignation may be adjusted. Supervisors should consider factors of employee value to the district, availability of replacement, and costs of training a replacement.

**OPTION 1:** The School Board retains the right to accept resignations of any employee and may fix the time when the resignations shall take effect. A resignation, once submitted, shall remain in full force and effect unless rescinded, in writing, by the employee who submitted it prior to action on the resignation by the Board.

**OPTION 2:** The Superintendent or designee is authorized to accept the written resignation of any employee in behalf of the School Board, and the resignation shall become effective immediately on acceptance by the Superintendent or designee. A resignation presented to and accepted by the Superintendent or designee may not be withdrawn by the employee.

**SUSPENSION AND TERMINATION OF CLASSIFIED EMPLOYEES**

Suspension

Classified employees may be suspended for a period of up to ten days without pay for violation of District rules and procedures or other misconduct. No suspension without pay shall be imposed until the affected employee has had the opportunity to request and receive a hearing before the Board regarding the proposed suspension.

Involuntary Termination

The service of any classified employee may be terminated for any lawful reason. The Superintendent shall provide written notice to the employee of the proposed termination of his or her employment. Upon receipt of a notice of proposed termination, an employee shall have up to five working days to submit a written request for a hearing before the Board. Upon receipt of a timely request for a hearing, the Board shall schedule a hearing to occur no earlier than five working days from the date of the employee's request and prior to the effective date of the employee's termination.

If an employee does not make a timely request for a hearing, the employee's termination may become effective no sooner than five working days following receipt of notice of the proposed termination. If, in the judgment Superintendent, circumstances require the immediate removal of an employee from his or her position, the employee shall be placed on suspension with pay for a reasonable period of time to permit the employee to request and receive a hearing before the Board prior to the employee's termination. If circumstances require delay of a hearing for more than 30 days in order to accommodate the needs of the employee, the employee's suspension may be converted to a suspension without pay.

An employee whose employment is terminated for reasons unrelated to job performance shall receive at least 30 days notice of the proposed termination.

*Reviewed 9/2021*

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION**

**Probationary Employees**

At any time prior to the expiration of the probationary period, the Superintendent or designee may, at his/her discretion, dismiss a probationary classified employee from district employment. A probationary employee shall not be entitled to a hearing.

**Permanent Employees**

Permanent classified employees shall be subject to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for cause. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive.

In addition to any disqualifying or actionable causes otherwise provided for by statute or by policy or regulation of this district, each of the following constitutes cause for personnel action against a permanent classified employee:

1. Falsifying any information supplied to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records.
2. Incompetency.
3. Inefficiency.
4. Neglect of duty.
5. Insubordination.
6. Dishonesty.
7. Drinking alcoholic beverages while on duty or in such close time proximity thereto as to cause any detrimental effect upon the employee or upon employees associated with him/her.
8. Addiction to the use of controlled substances.
9. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his/her position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section.



**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

10. Absence without leave.
11. Immoral conduct.
12. Discourteous treatment of the public, students, or other employees.
13. Improper political activity.
14. Willful disobedience.
15. Misuse of district property.
16. Violation of district, Board or departmental rule, policy, or procedure.
17. Physical or mental disability, which disability precludes the employee from the proper performance of his/her duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law regulating retirement of employees.
18. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position.
19. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a district employee.
20. Unlawful retaliation against any other district officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to actual or suspected violation of any law of this State or the United States occurring on the job or directly related thereto.
21. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the district or his/her employment.

In cases involving a personnel action, the Superintendent or designee shall prepare a written recommendation of personnel action for the Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address. The recommendation shall include:

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

1. A statement of the nature of the personnel action (suspension without pay, demotion, reduction of pay step in class, or dismissal).
2. A statement of the cause or causes therefor as set forth above.
3. A statement of the specific acts or omissions upon which the causes are based. If violation of rule, policy, or regulation of the district is alleged, the rule, policy, or regulation violated shall be set forth in the recommendation.
4. A statement of the employee's right to appeal the recommendation and the manner and time within which his/her appeal must be filed.

In cases where the Superintendent or designee has determined that a permanent classified employee should be dismissed and that continuation of the employee in active duty status after a written recommendation of such personnel action has been issued would result in an unreasonable risk of harm to students, staff, or property during the time the proceedings are pending, the Superintendent or designee may order the employee immediately suspended from his/her duties without pay in conjunction with the recommendation of personnel action.

A permanent employee may, within five calendar days after receiving the recommendation of personnel action described above, file an appeal to the Board for reconsideration of the personnel action by submitting his/her request to the Superintendent or designee.

If the employee against whom a recommendation of personnel action has been filed fails to appeal within the time specified in these rules, the employee shall be deemed to have waived his/her right to request reconsideration.

At any time before an employee's appeal is finally submitted to the Board for reconsideration, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of personnel action.

The Board may affirm, modify or revoke the recommended personnel action.

**TEACHER AIDES/PARAPROFESSIONALS**

The School Board favors the use of paid and volunteer teacher aides/paraprofessionals and considers them to be members of a professional team dedicated to the best interests of students. By relieving teachers of duties that do not require professional training, noncertificated persons allow teachers to dedicate their skills, knowledge and efforts primarily to teaching. Paraprofessionals also can help teachers to provide individualized student instruction and an enriched educational program.

*(cf. 1240 - Volunteer Assistance)*

The district shall use paraprofessionals in those classes where they will provide the greatest benefit to students, taking into consideration such factors as large class size, student age group and teacher workload.

The Superintendent or designee shall ensure that all paraprofessionals have appropriate training and supervision.

Paraprofessionals are expected to be courteous, discrete, cooperative and dependable, to employ high ethical standards as they work with students, and to respect school rules, district policies and administrative regulations.

The Board recognizes the need for qualified teaching staff and encourages paraprofessionals to seek opportunities leading to a teaching credential. The district shall support these efforts to the extent possible, particularly as they relate to obtaining bilingual or special education credentials.

*Paraprofessionals Working In Title I Programs*

Paraprofessionals working in a program supported with Title I funds will meet the qualifications as established by federal law. In compliance with applicable legal requirements, all teacher aides/paraprofessionals with instructional duties that are newly hired in a Title I school program must have a secondary school diploma or its recognized equivalent and: (1) completed at least two years of study at an institution of higher education; (2) obtained an Associate's or higher degree; or (3) met a rigorous standard of quality through a formal state or local academic assessment.

Exception to these requirements may be made with regard to paraprofessionals who act as translators or who coordinate parent involvement activities.

The Superintendent or his/her designee and/or the staff development committee shall develop an appropriate in service program for paraprofessionals.

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

*Legal Reference:*

ALASKA ADMINISTRATIVE CODE

*4 AAC 05.080 School curriculum and personnel*

*4 AAC 52.250 Special education aides*

*4 AAC 52.255 Interpreters*

*Title I of the Elementary and Secondary Education Act, 20 U.S.C. § 6319, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)*

*34 C.F.R. 200.58-.59 (2002)*

*Revised 11/2016*

*Revised 9/2021*

**TEACHER AIDES/PARAPROFESSIONALS**

Note: On January 8, 2002, President Bush signed the No Child Left Behind Act. The provisions relating to paraprofessionals in Section 1119 of the Act took effect at the time the legislation was signed. Section 1119(c) of the Act requires each school district receiving assistance under Title I to ensure that all paraprofessionals hired after January 8, 2002, and working in a program supported with funds under Title I, shall have: (1) completed at least two years of study at an institution of higher education; (2) obtained an Associate's or higher degree; or (3) met a rigorous standard of quality and can demonstrate, through a formal state or local assessment, knowledge of, and the ability to assist in, instructing reading, writing, and mathematics, or knowledge of, and the ability to assist in, instructing reading readiness, writing readiness, and mathematics readiness as appropriate.

Section 1119(d) requires existing Title I paraprofessionals to meet these requirements by January 8, 2006. Section 1119(e) contains exceptions for paraprofessionals who are proficient in a language other than English and who provide services primarily to enhance the participation of children in programs under this part by acting as a translator, or whose duties consist solely of conducting parental involvement activities. Section 1119(f) requires that school districts, regardless of the paraprofessionals' hiring date, must ensure that all paraprofessionals working in a program supported with Title I funds have earned a secondary school diploma or its recognized equivalent.

The School Board favors the use of paid and volunteer teacher aides/paraprofessionals and considers them to be members of a professional team dedicated to the best interests of students. By relieving teachers of duties that do not require professional training, noncertificated persons allow teachers to dedicate their skills, knowledge and efforts primarily to teaching. Paraprofessionals also can help teachers to provide individualized student instruction and an enriched educational program.

*(cf. 1240 - Volunteer Assistance)*

Note: NCLB outlines the permissible duties and responsibilities of paraprofessionals working in programs supported by Title I funds (or, alternatively, all paraprofessionals working in a Title I schoolwide program): (1) to provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) to assist with classroom management, such as organizing instructional and other materials; (3) to provide assistance in a computer laboratory; (4) to conduct parental involvement activities; (5) to provide support in a library or media center; (6) to act as a translator; or (7) to provide instructional services to students under the direct supervision of the teacher.

The district shall use paraprofessionals in those classes where they will provide the greatest benefit to students, taking into consideration such factors as large class size, student age group and teacher workload.

**TEACHER AIDES/PARAPROFESSIONALS** (continued)

The Superintendent or designee shall ensure that all paraprofessionals have appropriate training and supervision.

Note: Special Education aides must serve under the supervision of qualified personnel and receive training in accordance with 4 AAC 52.250.
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Paraprofessionals are expected to be courteous, discrete, cooperative and dependable, to employ high ethical standards as they work with students, and to respect school rules, district policies and administrative regulations.

The Board recognizes the need for qualified teaching staff and encourages paraprofessionals to seek opportunities leading to a teaching credential. The district shall support these efforts to the extent possible, particularly as they relate to obtaining bilingual or special education credentials.

*Paraprofessionals Working In Title I Programs*

Paraprofessionals working in a program supported with Title I funds will meet the qualifications as established by federal law. In compliance with applicable legal requirements, all teacher aides/paraprofessionals with instructional duties that are newly hired in a Title I school program must have a secondary school diploma or its recognized equivalent and: (1) completed at least two years of study at an institution of higher education; (2) obtained an Associate's or higher degree; or (3) met a rigorous standard of quality through a formal state or local academic assessment.

Teacher aides/paraprofessionals hired before January 8, 2002 have until January 1, 2006 to meet these standards. The district will not hire Title I paraprofessionals who do not meet these standards.

Exception to these requirements may be made with regard to paraprofessionals who act as translators or who coordinate parent involvement activities.

The Superintendent or his/her designee and/or the staff development committee shall develop an appropriate in service program for paraprofessionals.

*Legal Reference: (See next page)*

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

*Legal Reference:*

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34 C.F.R. 200.58-.59 (2002)

*Revised 1/03*

**TEACHER AIDES/PARAPROFESSIONALS**

Paraprofessionals are auxiliary personnel who work directly with professional educators to assist them in discharging their professional duties. Instructional aides, tutors, noontime assistants, and various similar categories, both volunteer and paid, are included within the definition of paraprofessionals.

**Purpose of the Paraprofessional Aide Programs -- Volunteer and Paid**

Purposes of the paraprofessional aide programs are to:

1. Assist teachers in providing more individualization and enrichment of instruction to their classes.
2. Relieve teachers of many nonteaching duties and tasks.
3. Build an understanding of school problems among citizens, thus stimulating widespread involvement in the total education process.

**Kinds of Services Provided**

The kinds of services which paraprofessionals perform will vary according to local building site needs. Services generally fall into one or more of the following areas:

1. Relieving the professional of clerical, non-instructional, house-keeping, and/or certain instructional tasks.
2. Assisting in classroom management.
3. Giving special aid to students with difficulties such as English as a second language, which may include acting as a translator.
4. Giving special aid to students with exceptional talents.
5. Enriching the curriculum in areas requiring special skills or unique experiences.
6. Providing instructional support services which may include one-on-one tutoring if scheduled at a time when the student wouldn't otherwise receive instruction from a teacher.



## **TEACHER AIDES/PARAPROFESSIONALS (continued)**

### **Responsibilities of the Principal**

The principal's responsibilities include:

1. Responsibility for both volunteer and paid paraprofessional aide programs at his/her site.
2. Organization of the programs within the school.
3. Promotion of good staff-paraprofessional aide relationships.
4. Responsibility for evaluation of the paraprofessionals at his/her site.
5. Attesting to the State Department of Education and Early Development, on an annual basis, that paraprofessionals working in Title I programs meet the qualifications required by the federal No Child Left Behind Act.

### **Responsibilities of the Teacher or Staff Person using a Paraprofessional**

Responsibilities of staff using aides include the following:

1. Become familiar with paraprofessional aide programs and their materials through orientation sessions.
2. Direct and supervise each aide.
3. Provide guidance for each aide.
4. Determine specific duties to be undertaken.
5. Work cooperatively with others in charge of the programs.
6. Implement the key pointers described in the handbooks for teachers and staff.

### **Responsibilities of Paraprofessional Aides - Volunteer and Paid**

Paraprofessionals must be members of a professional team dedicated to working for the best interests of students. All members of the team are expected to be loyal, courteous, cooperative, industrious, and dependable. They must accept responsibility to act with the highest ethical standards as they share with educators the common purpose of educating students, because the commitment is a professional one.

## **TEACHER AIDES/PARAPROFESSIONALS (continued)**

### **Responsibility to the Student**

Responsibility to the student imposes the following obligations:

1. Assuring the school that any personal information about the student will remain confidential.
2. Enjoying the working relationships with students and valuing their achievements, however modest they may be.

### **Responsibility to the Paraprofessional Programs**

Responsibility to the program imposes the following obligations:

1. Being able to accept differences in people, values, standards, goals, ambitions, and having respect for individual integrity.
2. Maintaining consistent and regular attendance.
3. Being reliable and flexible.
4. Having sufficient sense of organizational procedures to be able to accept discipline while working happily within the established structure and policies of the school.
5. Being willing to acquire skills needed to be of value to the school programs.
6. Discussing any specific problems with the supervising staff member or the principal.
7. Using discretion in commenting on school matters, including the performance of individual paraprofessionals or other school personnel.

### **Responsibility to the School**

The responsibility to the school imposes the following obligations:

1. Recognition that the professional staff will specify the tasks aides will perform, the authority aides will be given, and the information and materials aides will use.

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

2. Acknowledging that criticism of school personnel and/or school practices is an ineffective and unsatisfactory method of improving public education.
3. Understanding that regulations and procedures of the school are to be followed at all times.

**Responsibility to Self**

Responsibility to self requires each paraprofessional to:

1. Maintain positive attitudes.
2. Accept the responsibility to help all students develop positive self-esteem.
3. Be responsible for his/her own actions.
4. Know his/her role and be able to express what that role is to the community in a positive manner.
5. Maintain personal cleanliness.
6. Wear appropriate clothing (avoiding extremes).
7. Use appropriate language.
8. Give full cooperation to the total school staff.

*Added 11/03  
Reviewed 9/2021*

**TEACHER AIDES/PARAPROFESSIONALS**

Note: The following sample regulation may be revised or deleted as desired.

Paraprofessionals are auxiliary personnel who work directly with professional educators to assist them in discharging their professional duties. Instructional aides, tutors, noontime assistants, and various similar categories, both volunteer and paid, are included within the definition of paraprofessionals.

**Purpose of the Paraprofessional Aide Programs -- Volunteer and Paid**

Purposes of the paraprofessional aide programs are to:

1. Assist teachers in providing more individualization and enrichment of instruction to their classes.
2. Relieve teachers of many nonteaching duties and tasks.
3. Build an understanding of school problems among citizens, thus stimulating widespread involvement in the total education process.

**Kinds of Services Provided**

The kinds of services which paraprofessionals perform will vary according to local building site needs. Services generally fall into one or more of the following areas:

1. Relieving the professional of clerical, noninstructional, house-keeping, and/or certain instructional tasks.
2. Assisting in classroom management.
- 3. Giving special aid to students with difficulties such as English as a second language, which may include acting as a translator.
4. Giving special aid to students with exceptional talents.
5. Enriching the curriculum in areas requiring special skills or unique experiences.
6. Providing instructional support services which may include one-on-one tutoring if scheduled at a time when the student wouldn't otherwise receive instruction from a teacher.

## **TEACHER AIDES/PARAPROFESSIONALS (continued)**

### **Responsibilities of the Principal**

The principal's responsibilities include:

1. Responsibility for both volunteer and paid paraprofessional aide programs at his/her site.
2. Organization of the programs within the school.
3. Promotion of good staff-paraprofessional aide relationships.
4. Responsibility for evaluation of the paraprofessionals at his/her site.
5. Attesting to the State Department of Education and Early Development, on an annual basis, that paraprofessionals working in Title I programs meet the qualifications required by the federal No Child Left Behind Act.

### **Responsibilities of the Teacher or Staff Person using a Paraprofessional**

Responsibilities of staff using aides include the following:

1. Become familiar with paraprofessional aide programs and their materials through orientation sessions.
2. Direct and supervise each aide.
3. Provide guidance for each aide.
4. Determine specific duties to be undertaken.
5. Work cooperatively with others in charge of the programs.
6. Implement the key pointers described in the handbooks for teachers and staff.

### **Responsibilities of Paraprofessional Aides - Volunteer and Paid**

Paraprofessionals must be members of a professional team dedicated to working for the best interests of students. All members of the team are expected to be loyal, courteous, cooperative, industrious, and dependable. They must accept responsibility to act with the highest ethical standards as they share with educators the common purpose of educating students, because the commitment is a professional one.

## **TEACHER AIDES/PARAPROFESSIONALS (continued)**

### **Responsibility to the Student**

Responsibility to the student imposes the following obligations:

1. Assuring the school that any personal information about the student will remain confidential.
2. Enjoying the working relationships with students and valuing their achievements, however modest they may be.

### **Responsibility to the Paraprofessional Programs**

Responsibility to the program imposes the following obligations:

1. Being able to accept differences in people, values, standards, goals, ambitions, and having respect for individual integrity.
2. Maintaining consistent and regular attendance.
3. Being reliable and flexible.
4. Having sufficient sense of organizational procedures to be able to accept discipline while working happily within the established structure and policies of the school.
5. Being willing to acquire skills needed to be of value to the school programs.
6. Discussing any specific problems with the supervising staff member or the principal.
7. Using discretion in commenting on school matters, including the performance of individual paraprofessionals or other school personnel.

### **Responsibility to the School**

The responsibility to the school imposes the following obligations:

1. Recognition that the professional staff will specify the tasks aides will perform, the authority aides will be given, and the information and materials aides will use.

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

2. Acknowledging that criticism of school personnel and/or school practices is an ineffective and unsatisfactory method of improving public education.
3. Understanding that regulations and procedures of the school are to be followed at all times.

**Responsibility to Self**

Responsibility to self requires each paraprofessional to:

1. Maintain positive attitudes.
2. Accept the responsibility to help all students develop positive self-esteem.
3. Be responsible for his/her own actions.
4. Know his/her role and be able to express what that role is to the community in a positive manner.
5. Maintain personal cleanliness.
6. Wear appropriate clothing (avoiding extremes).
7. Use appropriate language.
8. Give full cooperation to the total school staff.

*Revised 1/03*

**PARAPROFESSIONALS WORKING IN A PROGRAM SUPPORTED WITH TITLE I FUNDS**

All paraprofessionals, including teacher aides, hired after January 8, 2002 and working in a program supported with Title I funds, shall have the qualifications and duties as described in Title I of the Elementary and Secondary Act.

Paraprofessionals, including teacher aides, hired *after* January 8, 2002 shall be told in writing that:

A new federal law requires that new teacher aides and other paraprofessionals working in a program supported with federal funds under Title I have two years of college, an Associate's Degree or higher, or pass a proficiency exam. The State of Alaska is in the process of developing procedures to implement this federal law. The Craig City School District has hired you contingent upon your meeting these requirements when clarified. When we receive this information, we will forward it on to you.

Paraprofessionals, including teacher aides, hired *before* January 8, 2002 shall be told in writing that:

A new federal law requires that teacher aides and other paraprofessionals working in a program supported with federal funds under Title I meet new requirements effective January 8, 2006. This new federal law requires that paraprofessionals have two years of college, an Associate's Degree or higher, or pass a proficiency exam. The State of Alaska is in the process of developing procedures to implement this federal law. When we receive this information, we will forward it on to you.

This new law is re-printed below:

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**§ 1119(c) New Paraprofessionals**

- (1) **In General** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired after the date of enactment of the No Child Left Behind Act of 2001 and working in a program supported with funds under this part shall have —
  - (A) completed at least 2 years of study at an institution of higher education;
  - (B) obtained an associate's (or higher) degree; or



- (C) met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment —
  - (i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
  - (ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

(2) **Clarification** - The receipt of a secondary school diploma (or its recognized equivalent) shall be necessary but not sufficient to satisfy the requirements of paragraph (1)(C).

**§ 1119(d) Existing Paraprofessionals** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired before the date of enactment of the No Child Left Behind Act of 2001, and working in a program supported with funds under this part shall, not later than 4 years after the date of enactment satisfy the requirements of subsection (c).

**§ 1119(e) Exceptions For Translation And Parental Involvement Activities** - Subsections (c) and (d) shall not apply to a paraprofessional —

- (1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs under this part by acting as a translator; or
- (2) whose duties consist solely of conducting parental involvement activities consistent with section 1118.

**§ 1119(f) General Requirement For All Paraprofessionals** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals working in a program supported with funds under this part, regardless of the paraprofessionals' hiring date, have earned a secondary school diploma or its recognized equivalent.

**§ 1119(g) Duties Of Paraprofessionals** -

- (1) **In General** - Each local educational agency receiving assistance under this part shall ensure that a paraprofessional working in a program supported with funds under this part is not assigned a duty inconsistent with this subsection.

(2) **Responsibilities Paraprofessionals May Be Assigned** - A paraprofessional described in paragraph (1) may be assigned —

- (A) to provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- (B) to assist with classroom management, such as organizing instructional and other materials;
- (C) to provide assistance in a computer laboratory;
- (D) to conduct parental involvement activities;
- (E) to provide support in a library or media center;
- (F) to act as a translator; or
- (G) to provide instructional services to students in accordance with paragraph (3).

(3) **Additional Limitations** - A paraprofessional described in paragraph (1) —

- (A) may not provide any instructional service to a student unless the paraprofessional is working under the direct supervision of a teacher consistent with section 1119; and
- (B) may assume limited duties that are assigned to similar personnel who are not working in a program supported with funds under this part, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

**§ 1119(h) USE Of Funds** - A local educational agency receiving funds under this part may use such funds to support ongoing training and professional development to assist teachers and paraprofessionals in satisfying the requirements of this section.

**§ 1119(i) Verification Of Compliance** -

- (1) **In General** - In verifying compliance with this section, each local educational agency, at a minimum, shall require that the principal of each school operating a program under section 1114 or 1115 attest annually in writing as to whether such school is in compliance with the requirements of this section.

(2) **Availability Of Information** - Copies of attestations under paragraph (1) —

- (A) shall be maintained at each school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and
- (B) shall be available to any member of the general public on request.

**§ 1119(j) Combinations Of Funds** - Funds provided under this part that are used for professional development purposes may be combined with funds provided under title II of this Act, other Acts, and other sources.

**§ 1119(k) Special Rule** - Except as provided in subsection (l), no State educational agency shall require a school or a local educational agency to expend a specific amount of funds for professional development activities under this part, except that this paragraph shall not apply with respect to requirements under section 1116(c)(3).

**§ 1119(l) Minimum Expenditures** - Each local educational agency that receives funds under this part shall use not less than 5 percent, or more than 10 percent, of such funds for each of fiscal years 2002 and 2003, and not less than 5 percent of the funds for each subsequent fiscal year, for professional development activities to ensure that teachers who are not highly qualified become highly qualified not later than the end of the 2005-2006 school year.

*Added 11/03  
Reviewed 9/2021*

**PARAPROFESSIONALS WORKING IN A PROGRAM SUPPORTED WITH TITLE I FUNDS**

All paraprofessionals, including teacher aides, hired after January 8, 2002 and working in a program supported with Title I funds, shall have the qualifications and duties as described in Title I of the Elementary and Secondary Act.

Paraprofessionals, including teacher aides, hired *after* January 8, 2002 shall be told in writing that:

A new federal law requires that new teacher aides and other paraprofessionals working in a program supported with federal funds under Title I have two years of college, an Associate's Degree or higher, or pass a proficiency exam. The State of Alaska is in the process of developing procedures to implement this federal law. The \_\_\_\_\_ School District has hired you contingent upon your meeting these requirements when clarified. When we receive this information, we will forward it on to you.

Paraprofessionals, including teacher aides, hired *before* January 8, 2002 shall be told in writing that:

A new federal law requires that teacher aides and other paraprofessionals working in a program supported with federal funds under Title I meet new requirements effective January 8, 2006. This new federal law requires that paraprofessionals have two years of college, an Associate's Degree or higher, or pass a proficiency exam. The State of Alaska is in the process of developing procedures to implement this federal law. When we receive this information, we will forward it on to you.

This new law is re-printed below:

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**§ 1119(c) New Paraprofessionals**

- (1) **In General** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired after the date of enactment of the No Child Left Behind Act of 2001 and working in a program supported with funds under this part shall have —
  - (A) completed at least 2 years of study at an institution of higher education;
  - (B) obtained an associate's (or higher) degree; or

- (C) met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment —
- (i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
  - (ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

(2) **Clarification** - The receipt of a secondary school diploma (or its recognized equivalent) shall be necessary but not sufficient to satisfy the requirements of paragraph (1)(C).

**§ 1119(d) Existing Paraprofessionals** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired before the date of enactment of the No Child Left Behind Act of 2001, and working in a program supported with funds under this part shall, not later than 4 years after the date of enactment satisfy the requirements of subsection (c).

**§ 1119(e) Exceptions For Translation And Parental Involvement Activities** - Subsections (c) and (d) shall not apply to a paraprofessional —

- (1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs under this part by acting as a translator; or
- (2) whose duties consist solely of conducting parental involvement activities consistent with section 1118.

**§ 1119(f) General Requirement For All Paraprofessionals** - Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals working in a program supported with funds under this part, regardless of the paraprofessionals' hiring date, have earned a secondary school diploma or its recognized equivalent.

**§ 1119(g) Duties Of Paraprofessionals** -

- (1) **In General** - Each local educational agency receiving assistance under this part shall ensure that a paraprofessional working in a program supported with funds under this part is not assigned a duty inconsistent with this subsection.

(2) **Responsibilities Paraprofessionals May Be Assigned** - A paraprofessional described in paragraph (1) may be assigned —

- (A) to provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- (B) to assist with classroom management, such as organizing instructional and other materials;
- (C) to provide assistance in a computer laboratory;
- (D) to conduct parental involvement activities;
- (E) to provide support in a library or media center;
- (F) to act as a translator; or
- (G) to provide instructional services to students in accordance with paragraph (3).

(3) **Additional Limitations** - A paraprofessional described in paragraph (1) —

- (A) may not provide any instructional service to a student unless the paraprofessional is working under the direct supervision of a teacher consistent with section 1119; and
- (B) may assume limited duties that are assigned to similar personnel who are not working in a program supported with funds under this part, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

**§ 1119(h) USE OF FUNDS** - A local educational agency receiving funds under this part may use such funds to support ongoing training and professional development to assist teachers and paraprofessionals in satisfying the requirements of this section.

**§ 1119(i) Verification Of Compliance** -

- (1) **In General** - In verifying compliance with this section, each local educational agency, at a minimum, shall require that the principal of each school operating a program under section 1114 or 1115 attest annually in writing as to whether such school is in compliance with the requirements of this section.

(2) **Availability Of Information** - Copies of attestations under paragraph (1) —

- (A) shall be maintained at each school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and
- (B) shall be available to any member of the general public on request.

**§ 1119(j) Combinations Of Funds** - Funds provided under this part that are used for professional development purposes may be combined with funds provided under title II of this Act, other Acts, and other sources.

**§ 1119(k) Special Rule** - Except as provided in subsection (l), no State educational agency shall require a school or a local educational agency to expend a specific amount of funds for professional development activities under this part, except that this paragraph shall not apply with respect to requirements under section 1116(c)(3).

**§ 1119(l) Minimum Expenditures** - Each local educational agency that receives funds under this part shall use not less than 5 percent, or more than 10 percent, of such funds for each of fiscal years 2002 and 2003, and not less than 5 percent of the funds for each subsequent fiscal year, for professional development activities to ensure that teachers who are not highly qualified become highly qualified not later than the end of the 2005-2006 school year.

*Added 1/03*

**STAFF DEVELOPMENT**

The Superintendent or designee may approve opportunities for classified staff to improve job skills to prepare for more responsible, higher-paying positions within the district, and to meet qualifications as established by federal and state law.

Such opportunities may include, but are not limited to, the following:

1. Visits to other schools and school districts.
2. Local and state conferences involving other classified personnel.
3. Training classes and workshops offered by private organizations or by the district, county or other appropriate agency.

Legal Reference:

*Elementary and Secondary Education Act, 20 U.S.C. § 6319, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)*

*Added 11/03*

*Reviewed 9/2021*



**STAFF DEVELOPMENT**

Note: Section 1119(h) of the No Child Left Behind Act authorizes a school district receiving Title I funds to use these funds to support ongoing training and professional development to assist paraprofessionals (and teachers) in satisfying the requirements of NCLB)

The Superintendent or designee may approve opportunities for classified staff to improve job skills to prepare for more responsible, higher-paying positions within the district, and to meet qualifications as established by federal and state law.

Such opportunities may include, but are not limited to, the following:

1. Visits to other schools and school districts.
2. Local and state conferences involving other classified personnel.
3. Training classes and workshops offered by private organizations or by the district, county or other appropriate agency.

Legal Reference:

*Elementary and Secondary Education Act, 20 U.S.C. § 6319, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)*

*Revised 1/03*

**Definitions**

Management and supervisory employees are excluded from the bargaining units of other certificated or classified employees.

Management employees are those employees who have significant responsibilities for formulating district policies or administering district programs and who have been designated as management by the School Board.

Supervisory employees are those employees who have the authority to make recommendations to the Superintendent or designee concerning the employees under their supervision. This authority extends to the following areas: hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, discipline, direction, work assignment and discipline.

Board policies and administrative regulations in the 4100 series for certificated personnel apply to certificated management and supervisory employees unless otherwise specified by law, Board policies or administrative regulations, or Board action.

Board policies and administrative regulations in the 4200 series for classified personnel apply to classified management and supervisory employees unless otherwise specified by law, Board policies or regulations, or Board action.

*Legal Reference:*

ALASKA STATUTES

*23.40.090 Collective bargaining unit*

*23.40.250 Definitions*

ALASKA ADMINISTRATIVE CODE

*8 AAC 97.990 Definitions*

*Reviewed 9/2021*

**Definitions**

Note: Pursuant to state law, the Superintendent, Assistant Superintendent, and other employees who exercise significant responsibilities for the district in the area of collective bargaining formulation and implementation are excluded from the bargaining units of other certificated or classified employees.

Management and supervisory employees are excluded from the bargaining units of other certificated or classified employees.

Management employees are those employees who have significant responsibilities for formulating district policies or administering district programs and who have been designated as management by the School Board.

Supervisory employees are those employees who have the authority to make recommendations to the Superintendent or designee concerning the employees under their supervision. This authority extends to the following areas: hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, discipline, direction, work assignment and discipline.

Note: The following optional paragraphs may be useful when situations arise for which the district has not adopted policies specifically governing management and supervisory employees. Policies related to supervisory employees should be reviewed in conjunction with any applicable employee agreements.

Board policies and administrative regulations in the 4100 series for certificated personnel apply to certificated management and supervisory employees unless otherwise specified by law, Board policies or administrative regulations, or Board action.

Board policies and administrative regulations in the 4200 series for classified personnel apply to classified management and supervisory employees unless otherwise specified by law, Board policies or regulations, or Board action.

*Legal Reference:*

ALASKA STATUTES

23.40.090 Collective bargaining unit

23.40.250 Definitions

ALASKA ADMINISTRATIVE CODE

8 AAC 97.990 Definitions

Revised 9/97

**Management and Supervisory Personnel**

**LOAD/SCHEDULING/HOURS OF EMPLOYMENT**

The School Board designates, in accordance with law, salaried positions which are exempt from overtime. Persons holding these positions work whatever hours are necessary in order to fulfill their assignments. Their positions are set apart from other positions by virtue of the duties, flexibility of hours, salary, benefit structure and authority which they entail.

Employees in exempt positions shall not be subject to salary deductions for absences of less than a day.

*Legal Reference:*

UNITED STATES CODE

*Fair Labor Standards Act 29 U.S.C. 201-216*

CODE OF FEDERAL REGULATIONS

*Department of Labor Relations 29 C.F.R. Parts 511-800*

*Adopted: 06/2019*

*Reviewed: 9/2021*

**LOAD/SCHEDULING/HOURS OF EMPLOYMENT**

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*Legal Reference:*

UNITED STATES CODE

*Fair Labor Standards Act 29 U.S.C. 201-216*

*Department of Labor Relations 29 C.F.R. Parts 511-800*

**COMPETENCE IN EVALUATION OF TEACHERS**

The School Board believes that the Superintendent is competent to evaluate the professional staff and determine the competence of other administrators to evaluate teachers whom they supervise. All persons designated as competent to evaluate certificated personnel shall complete training in the use of the district's teacher evaluation system.

Competence in evaluation shall be a factor in the evaluation of administrators who are assigned to evaluate teachers.

The superintendent or designee shall provide appropriate inservice training in evaluative techniques.

*(cf. 4115 - Evaluation/Supervision)*

*Legal Reference:*

ALASKA STATUTE

*14.20.149 Employee evaluation*

ALASKA ADMINISTRATIVE CODE

*4 AAC 19.030 Method for evaluating professional employees*

*4 AAC 19.060 Evaluation training*

*4 AAC 04.200 Professional content and performance standards*

*Revised 9/11*

*Reviewed 9/2021*

**COMPETENCE IN EVALUATION OF TEACHERS**

Note: Pursuant to 4 AAC 19.030 teacher evaluations must be approved by a person who possesses an administrative credential issued under 4 AAC 12.030. Under AS 14.20.149, a person may not conduct a certificated employee evaluation unless: the person holds a type B certificate or is a site administrator under the supervision of a person possessing a type B certificate; the person is employed as an administrator; and the person has completed training in the use of the district's evaluation system.

The School Board believes that the Superintendent is competent to evaluate the professional staff and determine the competence of other administrators to evaluate teachers whom they supervise. All persons designated as competent to evaluate certificated personnel shall complete training in the use of the district's teacher evaluation system.

Competence in evaluation shall be a factor in the evaluation of administrators who are assigned to evaluate teachers.

Note: 4 AAC 19.060 and AS 14.20.149 mandates inservice training in evaluative techniques for all certificated staff.

The superintendent or designee shall provide appropriate inservice training in evaluative techniques.

*(cf. 4115 - Evaluation/Supervision)*

*Legal Reference:*

ALASKA STATUTE

14.20.149 Employee evaluation

ALASKA ADMINISTRATIVE CODE

4 AAC 19.030 Method for evaluating professional employees

4 AAC 19.060 Evaluation training

4 AAC 04.200 Professional content and performance standards

Revised 9/97

**CONTROVERSIAL ISSUES****BP 6144.00**

The School Board believes that students should have opportunities to discuss controversial issues which have political, social or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions, and respect the opinions of others.

The Board expects teachers to exercise caution and discretion when deciding whether or not a particular issue is suitable for study or discussion in any particular class. Instruction that involves controversial issues must be within the district content standards and curriculum. The overriding educational purpose of teaching about controversial issues must be student achievement in the academic subjects and students' civic development, rather than reaching conclusions as to the correctness of any particular point of view. The instruction must reflect due consideration of the maturity of the students, the values of the community, sound professional judgment, and coordination with the administration.

The Board also expects teachers to ensure that all sides of a controversial issue are impartially presented, with adequate and appropriate factual information. Without promoting any partisan point of view, the teacher should help students separate fact from opinion and warn them against drawing conclusions from insufficient data. The teacher shall not suppress any student's view on the issue as long as its expression is not malicious or abusive toward others.

Teachers sponsoring guest speakers shall either ask them not to use their position or influence on students to forward their own religious, political, economic or social views or shall take active steps to neutralize whatever bias has been presented.

In matters related to controversial issues and learning materials, the Superintendent and Board have final authority in deciding whether discussion of a controversial issue follows established professional ethics, content standards, and curriculum, and is appropriate for students.

*(cf. 1312.1 - Complaints Concerning School Personnel)*

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 4119.25 - Political Activities of Employees)*

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*Legal Reference:*

ALASKA STATUTES

*14.03.090 Sectarian or denominational doctrines prohibited*

*Reviewed 06/2015*

*Reviewed 1/2020*

*Reviewed 9/2021*



**CONTROVERSIAL ISSUES**

Note: The following sample policy may be revised or deleted as desired.

The School Board believes that students should have opportunities to discuss controversial issues which have political, social or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions, and respect the opinions of others.

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Teachers sponsoring guest speakers shall either ask them not to use their position or influence on students to forward their own religious, political, economic or social views or shall take active steps to neutralize whatever bias has been presented.

In matters related to controversial issues and learning materials, the [Superintendent/Chief School Administrator] and Board have final authority in deciding whether discussion of a controversial issue follows established professional ethics, content standards, and curriculum, and is appropriate for students.

*Legal Reference (See next page)*

**CONTROVERSIAL ISSUES**

- (cf. 1312.1 - Complaints Concerning School Personnel)*
- (cf. 1312.2 - Complaints Concerning Instructional Materials)*
- (cf. 4119.25 - Political Activities of Employees)*
- (cf. 5145.2 - Freedom of Speech/Expression)*
- (cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*Legal Reference:*

ALASKA STATUTES

*14.03.090 Sectarian or denominational doctrines prohibited*

## INSTRUCTION

### CONTROVERSIAL ISSUES

AR 6144.00

Controversial issues may be discussed in the classroom, provided that:

1. The issue is related to the course of study and provides opportunities for critical thinking, for developing tolerance, and for understanding conflicting points of view.
2. The issue has a meaningful relationship to matters of concern to the students.
3. Available information about the issue is sufficient to allow alternative points of view to be discussed and evaluated on a factual basis.
4. All sides of the issue are given a proper hearing, using established facts as primary evidence.
5. The issue has points of view which can be understood and defined by the students.
6. The teacher does not use his/her position to forward his/her own religious, political, economic or social bias. The teacher may express a personal opinion if he/she identifies it as such and does not express the opinion for the purpose of persuading students to his/her point of view.
7. Discussion or study of the issue is instigated by the students or by the established curriculum, but not by a source outside of the schools.
8. The discussion does not reflect adversely upon persons because of their race, sex, color, creed, national origin, ancestry, handicap or occupation.
9. The oral or written presentation does not violate state or federal law.

The Superintendent or designee shall have the authority to judge whether the above conditions are being met.

*Reviewed 06/2015*

*Reviewed 1/2020*

*Reviewed 9/2021*

**CONTROVERSIAL ISSUES**

Note: The following sample regulation may be revised or deleted.

Controversial issues may be discussed in the classroom, provided that:

1. The issue is related to the course of study and provides opportunities for critical thinking, for developing tolerance, and for understanding conflicting points of view.
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3. Available information about the issue is sufficient to allow alternative points of view to be discussed and evaluated on a factual basis.
4. All sides of the issue are given a proper hearing, using established facts as primary evidence.
5. The issue has points of view which can be understood and defined by the students.
6. The teacher does not use his/her position to forward his/her own religious, political, economic or social bias. The teacher may express a personal opinion if he/she identifies it as such and does not express the opinion for the purpose of persuading students to his/her point of view.
7. Discussion or study of the issue is instigated by the students or by the established curriculum, but not by a source outside of the schools.
8. The discussion does not reflect adversely upon persons because of their race, sex, color, creed, national origin, ancestry, handicap or occupation.
9. The oral or written presentation does not violate state or federal law.

The Superintendent or designee shall have the authority to judge whether the above conditions are being met.