



**North Slope Borough School District Board of Education
Archie K. Brower Conference Room, Central Office
Utqiagvik, AK**

**Unapproved Minutes
Regular Meeting
November 17, 2022
9:00 a.m.**

CALL TO ORDER AND MOMENT OF SILENCE: Robyn Burke, Board President, called the Board of Education Regular Meeting to order at 9:03 a.m. at the Archie K. Brower Conference room and over ZOOM Video Communications in Central Office in Utqiagvik, Alaska.

WORDS OF WISDOM: Martha Stackhouse, in Utqiagvik, Alaska provided words of wisdom to the Board of Education.

FLAG SALUTE: The Pledge of Allegiance was led by the Board of Education.

ROLL CALL:

Nora Jane Burns – Present via teleconference	Charles Brower – Present via teleconference
Madeline Hickman – Present via zoom	Robyn Burke- Present
Frieda Nageak – Present	Nancy Rock – Present via teleconference
Qaiyaan Harcharek– Present via teleconference	Student Representative: Magdalena Stringer – Present

APPROVAL OF AGENDA: Charles Brower MOVED to APPROVE the agenda. Frieda Nageak SECONDED the motion. Discussion called.

Charles Brower MOVED to AMEND the agenda to TABLE Item H.1, Special Recognition for Emma Bodfish, and H.4. Student Activities Recognition as recommended by the administration. Madeline Hickman SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

Question called for UNANIMOUS CONSENT on the main motion. No objections. The motion carried UNANIMOUSLY.

APPROVAL OF CONSENT AGENDA: Frieda Nageak MOVED to APPROVE the Consent Agenda. Charles Brower SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

RECOGNITION OF VISITORS: District staff and community members were recognized as present.

SPECIAL RECOGNITION, EMMA BODFISH is TABLED.

SPECIAL RECOGNITION, 2022 JUNE NELSON SCHOLARSHIP AWARD TO BROOKE SINGSON is presented by Frieda Nageak, Board Clerk. Brooke Singson, graduate of Barrow High School in 2022, is recognized for receiving the June Nelson Scholarship. The June Nelson Memorial Scholarship is named in honor of a long-time Kotzebue school board member and education advocate as an Association of Alaska Schools Boards annual tradition. Each year, association members, students, and district superintendents gather to raise money to award Alaskan students to support their post-high school education pursuits. This year's successful fundraising efforts allowed AASB to award fifteen, \$1500

scholarships, which may be applied toward the student's choice of business, trade, or college institution. The theme of the Association of Alaska School Board's 2021 Annual Conference was "Working Toward Equity and Inclusion." The Essay prompt required for submission was, in light of recent messages and actions nationwide supporting respect for all peoples, to describe how to move forward as a young adult to advocate for others and your part to support equity and inclusion. Seventy-one applicants were received from across the state, of these applicants only fifteen students received the 2022 June Nelson Memorial Scholarship award.

SPECIAL RECOGNITION, ELDERS & YOUTH / ALASKA FEDERATION OF NATIVES, OCTOBER 16-22, 2022 is presented by Frieda Nageak, Board Clerk. The North Slope Borough School District students in partnership with the Mayors Youth Advisory Council attended the Elders & Youth / Alaska Federation of Natives Conference, held October 16-22, 2022. There were twenty MYAC students that attended from Utqiagvik, Atkasuk, Anaktuvuk Pass, and Kaktovik and eleven students attended with NSBSD chaperones or with families for a total of thirty-one North Slope students. This is the first year that a student from the North Slope proposed a resolution that passed at the Elders & Youth Conference. Daniel Thomas and Aaron Stackhouse with the Mayor's Youth Advisory Council members presented the resolution titled, "Sobriety Programs Incorporated Into Schools in Alaska."

Board discussion regarded upcoming MYAC activities and meetings and support of the resolution.

SPECIAL RECOGNITION, STUDENT ACTIVITIES is TABLED.

PUBLIC COMMENTS: No public comments were received by the Board of Education.

MONTHLY FINANCIAL REPORT, AUGUST 2022 is presented by Lila Peterson, Director of Finance. Under BP 3460, Periodic Financial Reports, the Superintendent or designee shall keep the Board informed about the district's financial condition. This meets Strategic Plan goals 4.0, Financial & Operational Stewardship, and 4.1 Financial Stewardship/Management. North Slope Borough School District's Monthly Financial Reports are provided for information for review and discussion by the Board of Education at every regular board meeting. The North Slope Borough School District's Monthly Financial Report for the month ending August 2023 is as follows: approximately 7.08% of the budget has been expended, while 17% (two of twelve months) of the year has elapsed; revenues received as of August 2022 were at 7% of budget; cash in the general checking account as of August 31st was \$40,892,511 while there was \$4,906,728 in the Investment Trust Account, for a total of \$45,799,242.

MONTHLY FINANCIAL REPORT, SEPTEMBER 2022 is presented by Lila Peterson, Director of Finance. Under BP 3460, Periodic Financial Reports, the Superintendent or designee shall keep the Board informed about the district's financial condition. This meets Strategic Plan goals 4.0, Financial & Operational Stewardship, and 4.1 Financial Stewardship/Management. North Slope Borough School District's Monthly Financial Reports are provided for information for review and discussion by the Board of Education at every regular board meeting. The North Slope Borough School District's Monthly Financial Report for the month ending September 2022 is as follows: approximately 14.66% of the budget has been expended, while 25% (three of twelve months) of the year has elapsed; revenues received as of September 2023 were at 44% of budget; cash in the general checking account as of September 30th was \$45,633,286 while there was \$4,906,728 in the Investment Trust Account, for a total of \$50,540,014.

Board discussion regarded student fundraising, housing, and changing the revenue and expenditure format. Board member Robyn Burke requested the district format the monthly financial reports to be similar in format to the Association of Alaska School Board's.

SCHOOL YEAR 2022-2023 NEW HIRE TEACHER REPORT is presented by Dr. Bobby Bolen, Director of Human Resources. This meets Strategic Plan goal 3.1, Hiring & Recruiting. According to Board Policy, new hires are accepted by the Superintendent and brought to the School Board for approval. As requested, new hires made under SB23-025, New Hire Contract Issuance, are as follows: John Riddle, Principal at Harold Kaveolook School in Kaktovik, AK; and Bernice Kaigelak, Iñupiat Language Teacher at Nuiqsut Trapper School in Nuiqsut, AK.

FISCAL YEAR 2022-2023 BUDGET REVISION is presented by Dennis Niedermeyer, Interim Director of Finance. This meets Strategic Plan goals 4.0 Financial & Operational Stewardship, and 4.2 Financial Stewardship. The administration recommends the approval of the November 17, 2022 budget revision. Included is the November 17, 2022 proposed general fund budget revision. The following information is included in the budget revision: anticipated revenue will be \$1,790,840 less than originally projected and \$444,729 less than the prior year's revenue; anticipated combined expenditures and transfers are \$924,110 less than originally projected and \$5,547,595 more than the prior year's total expenditures and transfer.

Board discussion regarded the reasoning behind the revision as alignment with the state chart of accounts and reporting requirements; Student Services required funding; paraprofessional increase; and projected needs for student activities.

Charles Brower MOVED that the NSBSD Board of Education APPROVE the FY23 Budget Revision as described in memo no. SB23-087 and related attachments. Frieda Nageak SECONDED the motion. Discussion called. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

CONTRACT OVER 10K, TELETALK THERAPY, LLC is presented by Lori Roth, Director of Student Services. This meets Strategic Plan goals 1.0 Student Success, 4.0 Financial & Operational Stewardship, and 4.2 Financial Stewardship. Under BP 3312, Contracts, the Superintendent or designee may enter into contracts and memoranda of agreement (MOA's) on behalf of the District. All contracts and MOA's with a dollar value of \$10,000 or greater must be approved by the School Board. NSBSD has seen an increase in speech and language referrals over the last 2 years. For the 2022-2023 school year, a third speech language therapist was added to meet NSBSD needs. According to the American Speech-Language-Hearing Association (ASHA), providing early intervention support for language development may decrease the need for special education services in later grades. They continue to say, the earlier services are delivered, the more likely children are to develop effective communication, language, and swallowing skills and achieve successful learning outcomes (Guralnick, 2011). If a child is 3 to 5 years old and has not attended pre-school or started kindergarten [or has poor/chronic attendance issues], they may have problems following directions or understanding questions, trouble learning new words, trouble saying sentences, and may have trouble saying [letter] sounds clearly. Learning a second language does not cause a language problem. At present, the North Slope Borough School District does not have an early intervention language development /enrichment program in our ECE classrooms facilitated by SLP. This MOA will fund up to 7 lessons per week: Ipalook Elementary School (3 hours/week), Kali School (45 min/week), Nuiqsut Trapper School (1 hour/week), Tikigaq School (1 hour/week), Alak School (45 min/week), and Harold Kaveolook School (45 min/week). TeleTalk will provide weekly language lessons, weekly carryover activities, lesson preparation, collaboration with classroom teachers, screenings, quarterly progress notes, and year end feedback on student and staff progress. According to ASHA, speech is defined as articulation, voice, and fluency. Language is defined as what words mean, how to make new words, how to put words together, and what we should say at different times. Currently, NSBSD has 118 students ECE through grade 12 receiving speech language services.

Table 1			
Site	# Students	Site	# Students
Ałak School	13	Hopson Middle School	7
Barrow High School	6	Meade River School	3
Harold Kaveolook School	5	Nuiqsut Trapper School	8
Ipalook Elementary School	44	Nunamiut School	8
Kali School	5	Tikiġaq School	19
Kiita Learning Community	0		

Table 2 represents the increase in students across NSBSD qualifying for speech/language services.

Table 2						
Date	Therapist 1	Sites	Therapist 2	Sites	Therapist 3	Sites
7/21	48	IPK, HMS, BHS, AIN, ATQ	42	PHO, NUI, KAK, AKP, PLZ	NA	
10/22	59	IPK, HMS, BHS	42	PHO, NUI, KAK, AKP	21	AIN, PLZ, ATQ

According to ASHA, early intervention is different for each child and family depending on the child's needs and the family's priorities. The most important step is to start early. TeleTalk will provide speech/language enrichment programs and professional development to NSBSD ECE 3 and 4 staff to support early language development. TeleTalk will provide remote support and services with ECE teachers to support parents, students, and staff with the implementation of language enrichment activities. These activities will be done in large and small groups set up by pre-screening information. TeleTalk activities and professional development are based on the Alaska Early Learning Guidelines: https://link.edgepilot.com/s/cfcfb065/qFs3XWupMkCmMz_ELeehGA?u=https://www.alaska.elg.org/domain-5-communication-language-and-literacy-36-60-months/. This Memorandum of Agreement will be valid November 28, 2022 through May 12, 2023 and funded through the Title VI-B Special Education grant 285.200.220.000.410 and Title VI-B American Recovery Act grant 286.200.220.000.410 funds. This Memorandum of Agreement will fund up to seven lessons per week and may not exceed \$23,400.00. No NSBSD employee benefits, travel, or housing costs are associated with this Memorandum of Agreement. Title VI-B American Recovery Act funds (286. 200.220.000.410) has \$20,000.00 budgeted and approved for this project. Title VI-B Special Education grant (285. 200.220.000.410) has \$20,000.00 budgeted and approved for this project. A budget revision will be done due to an over-budgeting of funds. For compliance with BP 3311, TeleTalk Therapy, LLC is an established speech/language service provider in the State of Alaska. The founders of TeleTalk therapy worked for the Southeast Regional Resource Center providing speech services throughout Alaska. In addition, TeleTalk therapy, LLC has been successfully implementing this Early Childhood Intervention program in rural remote school district across Alaska. TeleTalk therapy, LLC has staff available and will begin setting up the program upon approval of this MOA. TeleTalk SLP's will schedule, implement, and evaluate the effectiveness of the intervention with minimal support from NSBSD. Southeast Regional Resource Center (SERRC) is located in Juneau, Alaska. It is an established related service provider across Alaska. As of this memo, a bid was received with no implementation plan, plan for follow-up activities, plan for staff

professional development, or plan for assessing student/staff progress. Due to a lack of information, SERRC will not be considered for this project at this time.

Board discussion regarded speech therapy different services.

Charles Brower MOVED that the NSBSD Board of Education APPROVE the above \$10,000 and greater proposal for TeleTalk Therapy, LLC, in the amount NOT TO EXCEED \$23,400, as described in this memo and attachments. Frieda Nageak SECONDED the motion. Discussion called. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

CONTRACT OVER 10K, LAW OFFICE OF NICOLAS CARAQUEL PLLC is presented by Dr. Bobby Bolen, Director of Human Resources. This meets Strategic Plan goals 3.0 Staff Success and 3.1 Hiring & Recruiting. Under BP 3312, Contracts, the Superintendent or designee may enter into contracts and memoranda of agreement (MOA's) on behalf of the District. All contracts and MOA's with a dollar value of \$10,000 or greater must be approved by the School Board. At the November 1, 2022 Special Meeting, the Board of Education approved two contractor agencies, Jobs Connect USA Staffing Solutions LLC and the Law Offices of Nicolas Caraquel PLLC to apply for up to twenty-five overseas teaching candidates. This approval allowed for year 1 costs with the Law Offices of Nicolas Caraquel PLLC to process all legal documentations, manage the H1B Visa process, support the State Department with inquiries, and any follow-up after Jobs Connect identifies the teacher and assists the interview processes. The additional contract amount provides the cost for year 2, in the amount of \$102,960. This will provide preparation, review, and filing of all 26 H1B candidates' application and its supporting documents to the appropriate US government agency. In addition, this will cover the preparation, review, and response to any Requests for Evidence (RFE), Intent to Deny (NOID), or Intent to Terminate (NOIT) unless the reasons is predetermined before the filing. Considering the initial Board approval (SB23-066) had an amount not to exceed \$126,500, the additional cost requires Board approval. Nationwide, there is a shortage of over 200,000 teachers and Alaska is experiencing this shortage in a particularly critical way due to our remoteness and high teacher turnover. Our region, including Northwest Arctic Borough School District, is one of the worst affected areas, with each District currently struggling to cover more than 30 certified teacher vacancies each. This is having a severe impact on staffing in our village schools in particular. In response many Alaskan Districts (and Districts nationwide) are turning to overseas teacher recruiting. In an attempt to find an alternate pathway to secure the required number of overseas teachers, the District identified the H1-B Visa category as a possible alternate pathway. Employers wishing to utilize the H1-B visa category must satisfy a number of State Department legal requirements to achieve "cap-exempt status" before they can bring overseas employees into the US. Bringing any overseas candidate into any District under either the J1 program or H1-B program comes at a cost in the multiple thousands per teachers to the districts. The contract commenced upon Board approval at the November 1, 2022 Special Meeting and will be valid through June 30, 2024. These contracts will be grant funded under ESSER II: 277.200.350.000.410 with an available budget of \$274,555.11. The contract amount for the Law Offices of Nicolas Caraquel PLLC are as follows - Year 1 Cost: \$126,500 (Approved under SB23-066), Year 2 Cost: \$ 102,960, for a total of \$229,460. Compliance with BP 3311 is not applicable as this is an addendum to the original engagement under SB23-066.

Frieda Nageak MOVED that the NSBSD Board of Education APPROVE the additional cost of \$102,960 for the Law Offices of Nicolas Caraquel, PLLC, NOT TO EXCEED the overall total of \$229,460 as described in this memo and related attachments. Charles Brower SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

CONTRACT OVER 10K, VERNON LONG is presented by David Vadiveloo, Chief School Administrator. Under BP 3312, Contracts, the Superintendent or designee may enter into contracts and

memoranda of agreement (MOA's) on behalf of the District. All contracts and MOA's with a dollar value of \$10,000 or greater must be approved by the School Board. Under BP 7000, Concepts and Roles, the role of the Superintendent or Designee: (2) Approves the selection for art works in new facilities, if required or desired. AS 35.27.010 Purpose: The State recognizes its responsibility to foster culture and the arts and the necessity for the viable development of its artists and craftsmen. The Legislature declares it to be a state policy that a portion of appropriations for capital expenditures be set aside for the acquisition of works to be used for state buildings and other public facilities. AS 35.27.020 Art requirements for public buildings and facilities: (a) a building or facility constructed after June 30, 1975, or remodeled or renovated after June 30, 1975, shall include works of art including but not limited to sculptures, paintings, murals or objects relating to Native art. The 2022 School Climate Connectedness Survey demonstrated that 45% district-wide of families that participated feel there is a lack of culture represented in class, lessons, materials, posters, and art around the school. After a site visit of the Nuiqsut Trapper School earlier this year and discussions with students and community members it was clear that the lack of school artwork in the gymnasium affects morale and school connectedness. The District is recommending to contract local artist Vernon Long for a school improvement and community engagement initiative to raise school connectedness and student morale. The project includes creating one 4ft x 7.5ft panel, two 4ft x 6.5ft panels, and two 4ft x 5.5ft panels using acrylics. This project will cover half of the gym wall overlooking the bleachers. A draft mock-up will be presented prior to beginning the project. Following this project, the District may opt to move forward with a second five panel art project for the remainder of the gymnasium wall in the Nuiqsut Trapper School. The District is seeking other funding sources to provide the PlexiGlass, mounting hardware, and installation of these canvases once completed from local organizations. The contract will commence upon Board approval to be completed no later than May 1, 2023. This contract will be grant funded under: New Visions Art Grant: 349.450.000.000.410 and Nuiqsut Conoco Grant: 372.450.000.000.410. New Visions Art has an available budget of \$11,896. Nuiqsut Conoco has an available budget of \$3,104. The total available budget is \$15,000. Compliance with BP 3311 is not applicable as this contract is under \$20,000.

Board discussion regarded local hire of artists in each village and additional grant funding for school improvement initiatives.

Frieda Nageak MOVED that the NSBSD Board of Education APPROVE the above \$10,000 and greater proposal and related contract for local artist Vernon Long in the amount of \$15,000 as described in this memo and related attachments. Charles Brower SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

HOUSING LEASE APPROVAL is presented by Steve Cropsey, Director of Maintenance & Operations. This meets Strategic Plan goals 4.0 Financial & Operational Stewardship and 4.1 Financial Stewardship/Management. In accordance with BP 3312, Contracts, contracts and Memorandums of Agreements \$10,000 or greater require Board approval. The Board of Education, through the Finance Committee, has requested that lease renewals go before the Board for review and consideration. The district is in need of housing units in order to provide housing for the teaching staff. The identified lease subject for approval are as follows:

Lessor	Address	Village	DESC.	Monthly	Yearly	Length of Lease
Rock, Ramona	426 Nanuq St.	PHO	3 bdrm/1bath	\$1,550	\$9,300 (FY23) \$18,600 (thereafter*)	3.5 Years

Ericklook, Harry (Addendum to Existing Lease)	356 3 rd Ave	NUI	3 bdrm/1bath	\$1,550	\$9,300 (FY23) \$18,600 (thereafter for the remainder of the existing lease)	6.5 Years (remaining)
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The length of the identified lease is for three years and shall commence upon Board approval and term June 30, 2026 for the Point Hope lease and June 30, 2029 for the Nuiqsut lease. The identified funding source is derived from the Teacher Housing Special Revenue fund for FY23. Future years are subject to annual appropriations by the Board of Education through the adoption of the annual budget. The total annual cost of the aforementioned lease is \$30,000 for FY23 and \$36,000 thereafter. This will be paid under account codes 600.440.600.000.441 – Rentals and 600.450.600.000.441 – Rentals. There are no grant funds associated with the respective lease agreement.

Frieda Nageak MOVED that the NSBSD Board of Education APPROVE the above new housing lease agreement as described in this memo SB23-080 in the amount of \$30,000 for FY23 and \$36,000 for the following years until ~~its term of June 30, 2027~~. Charles Brower SECONDED the motion. Discussion called.

Charles Brower MOVED to AMEND the motion to state the Point Hope lease ending 2026 and the Nuiqsut Lease ending 2029. Frieda Nageak SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

Question called on the amended main motion for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

FY23 BOARD CALENDAR OF EVENTS REVISION is presented by Board Secretary Chelsie Overby. This meets Strategic Plan goals 4.0 Financial & Operational Stewardship. Meetings of the Board are conducted for the purpose of accomplishing district business. A meeting of the Board shall consist of any gathering of the members of the Board when more than three members of the Board, or a majority of the members, whichever is less, are present and collectively consider a matter upon which the Board is empowered to act. The Board shall adopt a yearly calendar specifying the date, time, and place of each regular meeting. Each month, the Board holds a work session at 9:00 am and a regular meeting at 1:00pm unless otherwise stated once posted and notified. The regular meetings are usually held the first Thursday after the North Slope Borough Assembly meeting held on the first Tuesday; however, there are occasionally scheduling conflicts and recommendations of changes are brought to the Board. The Administration is recommending the following changes to the FY23 Board Calendar of Events: January 6-7, 2023 Winter Retreat, location to be determined at this time for planning. This was not previously set. January 17-18, 2023 Budget Hearings: This will align with the January 19, 2022 Regular Meeting and February 1, 2023 deadline as set out in NSB Municipal Charter § 3.11.010. February 15-16, 2023 Work Session & Regular Meeting: There is a schedule conflict with the legislative fly-in held February 4-7, 2022.

Charles Brower MOVED that the NSBSD Board of Education APPROVE the 2022-2023 Board Calendar of Events revisions as described in memo no. SB23-077. Nora Jane Burns SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

ASSOCIATION OF ALASKA SCHOOL BOARDS WINTER BOARDSMANSHIP ACADEMY, DECEMBER 9-10, 2022 is presented by Board Secretary Chelsie Overby. This meets Strategic Plan

goals 4.0 Financial & Operational Stewardship and 4.4 Organizational Effectiveness. Board Bylaw 9240, Board Development: ... Board members, like teachers and administrators, need training to assist them in meeting those standards. As part of their job, Board members need to participate in professional development activities that help them understand their responsibilities, stay abreast of new developments in education, and learn new ways to cope effectively with the problems they confront. The recommendation is to appoint two members to attend the AASB Winter Boardsmanship Academy on December 9-10, 2022, in Anchorage, AK at the Anchorage Hilton Hotel. These Board members will participate in the two-day training focusing on school law and policy, and equity. The Board may approve the Youth on Boards Conference held at the same time for the Student Representative, Magdalena Stringer, to attend. The session will include: How to serve and work together with a school board; advocating for self and peers; making policy changes; and effective joint decisions.

Frieda Nageak MOVED that the NSBSD Board of Education APPOINT any school board member interested to attend the Association of Alaska School Boards' Winter Boardsmanship Academy on December 9-12, 2022 in Anchorage, AK. Charles Brower SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

LOWER KUSKOKWIM SCHOOL DISTRICT SITE VISIT is presented by David Vadiveloo, Chief School Administrator. This meets Strategic Plan goals 1.0 Student Success and 1.4 Iñupiaq Language & Culture. Board Policy 2120, Superintendent of Schools: ...The Board expects the Superintendent to remain current on educational thought and practices by reading educational publications, attending education conferences, and visiting other school systems in the interest of improving the districts instructional program and overall operation. Administration will be visiting Lower Kuskokwim School District in Bethel to review their immersion program. Meetings will be organized with the Principal, the original founder, the Superintendent, and community homegrown teachers in the program. This will be funded through ESSER III under community engagement and outreach to re-engage students and families after COVID. The recommendation is to appoint the Curriculum Committee members, Qaiyaan Harcharek and Nora Jane Burns, at minimum to attend. Additionally, the Iñupiaq Education department will be in attendance.

Charles Brower MOVED that the NSBSD Board of Education APPROVE Board members and Chief School Administrator David Vadiveloo to attend the Lower Kuskokwim School District site visit in Bethel. Frieda Nageak SECONDED the motion. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

ASSOCIATION OF ALASKA SCHOOL BOARDS LEADERSHIP & LEGISLATIVE FLY-IN, FEBRUARY 4-7, 2023 is presented by Chelsie Overby, Board Secretary. Board Bylaw 9240, Board Development. ... Board members, like teachers and administrators, need training to assist them in meeting those standards. As part of their job, Board members need to participate in professional development activities that help them understand their responsibilities, stay abreast of new developments in education, and learn new ways to cope effectively with the problems they confront. The Board is recommended to appoint three members to attend the AASB Leadership Academy & Legislative Fly-In held on February 4-7, 2023 in Juneau, AK. The recommendation is to appoint the legislative committee members, Madeline Hickman, Frieda Nageak, (with Qaiyaan Harcharek as alternate) and Robyn Burke, to attend. As Kivgiq is held February 1-4, 2023, the members will fly the evening of the 4th to attend the remaining three days of the fly-in. This fly-in includes a Youth Advocacy Institute where the Board may invite up to six students to participate in the conference, limit of two students per school with the recommendation of sophomores, juniors, and/or seniors. This is a recommendation by the Legislative Committee as the Youth Advocacy Institute will help the students develop talking points regarding their needs in their village and in the

school district in conjunction with the Board members on February 4-5, 2023 prior to the appointments with the legislators which will be held February 6-7, 2023. The Legislative Committee will also hold joint appointments of legislators with Northwest Arctic Borough School District. The Legislative/Leadership conference usually includes discussion on: Superintendent's contracts; communication; mindfulness for the School Board; legislative process and context; key legislative issues and bill review; creating the message; and like-size district forums.

Board discussion regarded creating a pre-requisite essay prompt to high school students in all communities due by the end of the semester and the legislative committee may review the essays.

Charles Brower MOVED that the NSBSD Board of Education APPOINT the Legislative Committee members, Madeline Hickman and Frieda Nageak (with Qaiyaan Harcharek as alternate), and President Robyn Burke with students to attend the AASB Leadership/Legislative conference on February 4-7, 2023. Frieda Nageak SECONDED the motion. Discussion called. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

BOARD POLICY UPDATE – SECOND READING OF: BOARD POLICY 1312.2, PUBLIC COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS; BOARD POLICY 5137, POSITIVE SCHOOL CLIMATE; BOARD POLICY 5141.41, SEXUAL ABUSE, SEXUAL ASSAULT AND DATING VIOLENCE AWARENESS AND PREVENTION; BOARD POLICY 5147, DROPOUT PREVENTION; AND BOARD POLICY 6141.3, CULTURALLY RESPONSIVE EDUCATION is presented by Board Secretary Chelsie Overby and read by Board members Robyn Burke and Frieda Nageak and Chief School Administrator David Vadiveloo. Board Bylaw 9311, Board Policies:...Prior to adoption, policies shall normally be given two readings by the Board. At its second reading, the policy may be adopted by a majority vote of all members of the Board. Board Bylaw 9313, Administrative Regulations: The Superintendent or designee shall develop administrative regulations when required by law or Board policy, or when, in his/her judgement, Board endorsement of district procedures is desired. The Board approved the revisions recommended by the Association of Alaska School Boards through the first reading held during the October 13, 2022 Regular Meeting. These policies have incorporated the revisions for a clean version of the policy for its second reading and upon Board approval, its adoption. Board Policy 1312.2, Public Complaints Concerning Instructional Material, revision reflects that instructional materials should be free from cultural biases or perspectives that promote discrimination or disparity. This ensures instructional materials should be culturally responsive and support students' cultural identity and knowledge and clarifies the complaint process regarding instructional material. Board Policy 5137, Positive School Climate, revision identifies the role of a positive school climate in student success, requiring staff maintain such a climate, and identifying cultural responsiveness, social and emotional supports, and trauma informed practices, among others, as critical components of a positive school climate. Additional language includes encouraging annual review of school climate and supporting professional development. Board Policy 5141.41, Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention, revision establishes training programs for students on education relating to: sexual abuse and sexual assault awareness and prevention for students in kindergarten through grade 12; and dating violence and abuse in grades seven through 12. Additional language is provided for parent notices of such information. Board Policy 5147, Dropout Prevention, revision ensures the district will analyze dropout data to identify and correct any disproportionality and to prevent dropout of students who have experienced trauma utilizing trauma-informed and evidence-based approaches. Board Policy 6141.3, Culturally Responsive Education, revision recognizes Alaska's indigenous peoples and benefit of culturally responsive education for improvement of student outcomes.

Additionally, it directs the Superintendent to develop guidance on how to best serve the student population while considering cultural needs, including language instruction and access to cultural content.

BP 1312.2 PUBLIC COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

The School Board takes great care in the adoption of instructional materials and is aware that all adopted materials may not be acceptable to all students, their parents/guardians, or other district residents. The School Board shall strive to adopt instructional materials that refrain from cultural biases or perspectives that promote discrimination or socioeconomic disparity based on race, ethnicity, religious or cultural beliefs, disability, familial status, sexual identification or sexual orientation. The School Board will strive, when possible, to incorporate culturally responsive materials and materials that support students' cultural identity and local knowledge.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

The Superintendent or designee shall establish procedures which will permit the equitable and transparent consideration of any complaints against the use of any instructional materials, including textbooks, supplementary textbooks, library books, and other instructional materials and equipment.

(cf. 1312.3 - Public Complaints Concerning Discrimination)

The School Board expects and trusts the Superintendent and staff are well qualified to consider complaints concerning instructional materials. The Superintendent or designee's decision is the final response from the district administration. However, if the complainant finds the decision of the Superintendent or designee unsatisfactory, he/she may request that the matter be placed on the agenda of a regular School Board meeting. The request shall be made in writing and addressed to the President of the Board of Education as well as the Superintendent or designee.

The administration or School Board's decision in any such case will be based on educational suitability and will not be influenced by a desire to suppress information or deny students access to ideas with which the administration or School Board disagrees.

(cf. 6144 - Controversial Issues)

Adopted 6/01
Reviewed 7/02
Revised: __/22

BP 5137 POSITIVE SCHOOL CLIMATE

Research indicates that student achievement is often higher in schools with a positive climate. The School Board expects that all school staff will contribute to a positive and welcoming climate in each school. This encourages staff to have positive interactions and relationships with students. A positive school climate includes a safe, culturally responsive, supportive, and, well-managed classrooms and school environment. Teachers and staff should consistently acknowledge all students and fairly address students' behavior.

School Climate refers to the social and environmental factors that contribute to students' experience of, and attitude towards, their school. School climate is related to how well students feel connected with others at their school and how comfortable the school setting is for them as a student and for their family. The Board recognizes that students experiencing a positive school climate are more likely to achieve success both academically and socially. The District should implement practices that support a positive school environment. These may include: appropriate expectations that are implemented in a nondiscriminatory manner, social and emotional supports, trauma informed practices, culturally responsive education and

supports, community and family relationship supports, a positive peer climate, caring adult relationships, a school safety program, and opportunities for student involvement.

The Superintendent or designee may implement and support strength-based activities such as Social Emotional Learning (SEL) efforts, youth leadership initiatives, family involvement in schools, and community service projects.

All members of the school community, including staff, students, administrators, school board members and visitors, are expected to serve as role models by demonstrating positive attitudes, cultural sensitivity, and respect to students and staff members. Staff shall use effective classroom management strategies to foster positive social interactions among students, and encourage and recognize activities that foster a positive school climate.

The Superintendent or designee will administer the School Climate and Connectedness Survey on a regular basis, share results with the school board, staff, students and the community, and commit to improving school climate connectedness ratings.

(cf. 6141.3 - Multicultural Education)
(cf. 6142.4 – Community Service)

The schools shall not tolerate any form of harassment, intimidation, or bullying that would interfere with there being a positive school climate.-

Students, staff, administrators and school board members who engage in these acts shall be subject to appropriate disciplinary procedures.

(cf. 5131.4 – Campus Disturbances)
(cf. 5131.43 – Harassment, Intimidation and Bullying)
(cf. 5144 - Discipline)

Legal Reference:

ALASKA STATUTES

AS 14.33.200 Harassment, intimidation and bullying policy

Adopted 6/01

Revised: __/22

BP 5141.41 SEXUAL ABUSE, SEXUAL ASSAULT AND DATING VIOLENCE AWARENESS AND PREVENTION

Note: Effective June 30, 2017, school districts must establish a training program for students and provide parent notices relating to sexual abuse and sexual assault awareness and prevention for students in kindergarten through grade 12. AS 14.30.355. By the same date, school districts shall establish a training program for students and provide parent notices relating to dating violence and abuse in grades seven through 12. AS 14.30.356.

Every child has the right to live free of physical and emotional abuse, including neglect, sexual assault, and dating violence. The School Board recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in substance abuse. The district shall provide a comprehensive program of health and safety that educates students regarding the recognition and avoidance of sexual abuse and dating violence and includes parents in prevention and intervention services.

A. Sexual Abuse and Sexual Assault Awareness and Prevention

1. The district will provide age-appropriate information to students in grades kindergarten through twelve to teach students the difference between appropriate and inappropriate conduct in situations where sexual abuse could occur, and to identify actions students may take to prevent and report sexual abuse or sexual assault.
2. Students will be informed of referral and resource information, including the availability of student counseling and educational support.
3. The Superintendent will implement various methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children.

B. Dating Violence and Abuse Awareness and Prevention

1. The district will provide age-appropriate information to students in grades seven through twelve to teach students the characteristics of healthy and respectful relationships, the warning signs of dating violence and abusive behavior, and measures to prevent, report, and stop violence and abuse.
2. Students will be educated about youth violence prevention that reinforces nonviolent solutions to problems so as to recognize and avoid the threat or use of physical, sexual, verbal, emotional, or psychological abuse to control the person's dating partner.
3. Students will be informed of community and district resources available to victims of dating violence and abuse.

C. Voluntary Participation

A student may be excused from participation in the district's awareness and prevention programs described above upon written request of a parent or guardian, or of the student if 18 years or older, or legally emancipated.

D. Child Abuse and Neglect

The Superintendent or designee shall provide coordinated training for teachers who will use the child abuse prevention curriculum, including instruction in the physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities to report abuse or neglect, and care for a child's needs after a report is made.

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 4131 – Staff Development)

Note: Educators may be invited to serve on a multidisciplinary child protection team, if determined appropriate by a consensus of the team. AS 47.14.300

(cf. 1020 - Youth Services)

(cf. 6142.1 - Family Life/Sex Education)

Legal Reference:

ALASKA STATUTES

- 14.30.355 Sexual Abuse and sexual assault awareness and prevention
- 14.30.356 Dating violence and abuse policy, training, awareness, prevention, and notices
- 14.30.360 Curriculum (Health and Safety Education)
- 47.14.300 Multidisciplinary child protection teams

Adopted 6/01

Revised: __/22

BP 5147 DROPOUT PREVENTION

The School Board is deeply concerned about the many students who leave school without graduating. The Board particularly desires to provide a learning environment conducive to keeping in school those "high-risk" students who are susceptible to frequent absenteeism, truancy, or tardiness, or who have the potential to drop out because of pregnancy or marriage, financial needs, dislike of school, classes, or teachers, lack of basic skills, disciplinary problems, low self-esteem, emotional or physical problems, or feelings of alienation.

The Board sees every student as a valuable individual to be carefully nurtured and equipped to become a productive citizen.

The Board will review data to understand if there is a disproportional dropout rate of students by race, gender, and economic status. The Board will take action to address and resolve any disproportionality.

The Board recognizes that children who have experienced trauma drop out of school at a significantly higher rate than those who have not experienced trauma. The symptoms of traumatic stress can impact on educational success due to risk factors such as learning challenges, low academic achievement, emotional disturbance, disengagement, and/or truancy. To support the needs of students experiencing trauma, and the needs of all students who may be at risk of dropping out, the District will provide universal and selected evidence-based approaches to create safe, trauma informed, and culturally safe climates and practices. The District will work to identify those students with increased risk for not completing high school in order to provide additional supports, which may include referrals for external services available to support the student or the student's family

Because children all differ, variations of pace, topic and activity are needed to challenge and interest them. Besides seeking continual improvement in the quality and relevancy of our educational programs, the Board encourages the use of appropriate evidence-based dropout prevention strategies at all age and grade levels.

The Board directs the Superintendent to implement this policy with parental and community involvement. -

(cf. 5113 - Absences and Excuses)

(cf. 5131.6 – Drugs, Alcohol and Tobacco)

(cf. 5141.51 - At-Risk Youths)

(cf. 5146 - Married/Pregnant/Parenting Students)

Adopted 6/01

Revised: __/22

BP 6141.3 CULTURALLY RESPONSIVE EDUCATION

Note: A.S. 14.20.020 requires multicultural training for issuance of teaching certificates. A.S. 14.20.035 gives preference in hiring persons with training or experience in cultures represented in the student population.

The School Board recognizes that America has always been a multicultural society composed of diverse peoples who came here from all parts of the globe and are indigenous to these lands. Many regions of Alaska are still predominantly composed of Alaska's indigenous peoples. Public schools are the most common shared experience for most Americans and Alaskans, and it is most appropriate that schools accurately reflect and respond to the needs and the contributions of all ethnic groups, which comprise the student body and staff.

The School Board recognizes that a culturally responsive education that is effectively implemented through culturally proficient instruction can provide the maximum opportunity for students to attain academic and social success. Culturally responsive teaching practices can assist educators in bridging differences in language, heritage, ethnicity, socio-economic status, trauma history and ability.

School staff and students must learn to respect and work cooperatively with persons of all backgrounds. Culturally proficient and responsive instruction will promote student recognition of the value of individual differences as well as human dignity and worth-all people.

The Superintendent or designee shall develop guidance on how to best serve the needs of the student population. The cultural needs of students are an important consideration in policies on curriculum and materials, onboarding and orientation, school climate, language instruction, and access to cultural content.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5137 - Positive School Climate)

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

(cf. 6174 - Bilingual-Bicultural Education)

Legal References

ALASKA STATUTES

14.20.020 Requirements for issuance of certificate

14.20.035 Evaluation of training and experience

Adopted 6/02

Revised: __/22

Board discussion regarded opportunities made for the public to submit input regarding the policies and if any were made. There were no comments received from the public at the Superintendent's office.

Frieda Nageak MOVED that the NSBSD Board of Education APPROVE and WAIVE the SECOND READING of: Board Policy 1312.2, Public Complaints Concerning Instructional Materials; Board Policy 5137, Positive School Climate; Board Policy 5141.41, Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention; Board Policy 5147, Dropout Prevention; and Board Policy 6141.3, Culturally Responsive Education as described in this memo SB23-084 and attachments. Charles Brower SECONDED the motion. Discussion called. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

BOARD POLICY UPDATE – FIRST READING OF: BOARD POLICY 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL; BOARD POLICY 3590, ELECTRONIC SIGNATURES; BOARD POLICY 4131, CERTIFICATED STAFF DEVELOPMENT; BOARD POLICY 5030, SCHOOL DISCIPLINE AND SAFETY; BOARD POLICY 5131.6, ALCOHOL AND OTHER DRUGS; BOARD POLICY 5141.4, CHILD ABUSE AND NEGLECT is presented by Chelsie Overby, Board Secretary. Board Bylaw 9311, Board Policies: ... Prior to adoption, policies shall normally be given two readings by the Board. At its second reading, the policy may be adopted by a majority vote of all members of the Board. These revisions were recommended by the Association of Alaska School Boards. The revisions in red is language recommended by the Policy Review Committee. Board Policy 1312.1, Public Complaints Concerning School Personnel, revision incorporates Board policies regarding public complaints, nondiscrimination, and professional boundaries for staff and students. Board Policy 3590, Electronic Signatures, is a new policy that establishes guidelines for how to utilize and accept electronic signatures in business, noninstructional, and

instructional settings. Board Policy 4131, Certificated Staff Development, revision removes references to the No Child Left Behind Act and references the Every Student Succeeds Act, and incorporates Board policies regarding sexual abuse, sexual assault and dating violence awareness and prevention; professional boundaries for staff and students; suicide prevention; restraint and seclusion; and legal references. Board Policy 5030, School Discipline and Safety, revision removes references to the No Child Left Behind Act and references the Every Student Succeeds Act, and incorporates Board policies regarding campus disturbances; harassment, intimidation, and bullying; performance enhancing drugs; professional boundaries for staff and students; restraint and seclusion; and legal references. Board Policy 5131.6, Alcohol and Other Drugs, revision removes references to the No Child Left Behind Act and references the Every Student Succeeds Act, and includes legal reference for the regulation of marijuana. Board Policy 5141.4, Child Abuse and Neglect, revision includes legal reference for mandatory reporter expectations and training including reference to Board policies on staff development and professional boundaries for staff and students.

BP 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

The School Board places trust in its employees and desires to support their actions in such manner that employees are free from unwarranted, spiteful or negative criticism and complaints. The Superintendent or designee shall develop procedures which will permit the public to lodge criticism against staff members, assure full consideration, and protect the rights of the staff members and the district. Verbal and written complaints against an employee initially made to a School Board member, School Advisory Council member, or at a School Board meeting will be referred to the Superintendent or designee for appropriate consideration and action.

The District will respond to complaints concerning school personnel, investigate as appropriate, and take action as may be necessary or advisable to resolve the concern. Complaints should follow the complaint filing and resolution process set forth in administrative regulation.

The process for complaints concerning school personnel will be administered in a fair and nondiscriminatory manner on behalf of both the complainant and the personnel involved.

(cf. 1260 – Visits to the School)

(cf. 1312 - Public Complaints Concerning the Schools)

(cf. 4030 – Nondiscrimination in Employment (All Personnel))

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

(cf. 4119.12/4219.12/4319 Non-Harassment in Employment (All Personnel))

(cf. 5145.3 Nondiscrimination)

(cf. 9323 - Meeting Conduct)

Note: When public complaints include allegations of child abuse, it is imperative that school officials consult BP 5141.4 - Child Abuse and Neglect (Reporting Procedures). Though a district may implement its complaint procedures in such cases, the duty to report suspected child abuse comes first. We encourage school districts to rely on the child protective agencies for resolving these complaints and determining if the child abuse report is unfounded.

This policy shall not apply when a public complaint involves accusations of child abuse. When a school employee is accused of child abuse, it shall be investigated by proper authorities in accordance with child abuse laws.

(cf. 5141.4 - Child Abuse and Neglect (Reporting Procedures))

(cf. 5141.42 – Professional Boundaries for staff and students)

Legal References:

ALASKA STATUTES

44.62.310 Government meetings public

Adopted 6/01

Revised 9/97 - AASB

Reviewed 7/02

Revised __/22

BP 3590 ELECTRONIC SIGNATURES

District Use of Electronic Signatures

When not practical or possible to have an approved individual physically sign a document, and not otherwise prohibited by applicable law, the Board authorizes the use of electronic signatures. Electronic signatures may satisfy the requirement of a written signature when transacting business with and/or for the District and/or with parents/guardians when the authenticity and reliability of such electronic signature(s) meets the provisions of this policy. In such instances, the electronic signature shall have the full force and effect of a manual signature.

The Superintendent or designee will identify methods that are secure and practical, and in compliance with State and Federal law and the District's procedures. An "electronic signature" is defined as an electronic sound, symbol, or process attached to or logically associated with a record, and executed or adopted by a person with the intent to sign the record.

In order to qualify for acceptance of an electronic signature the following additional requirements are applicable:

1. The electronic signature identifies the individual signing the document by his or her name and title;
2. The identity of the individual signing the document with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature, as well as the documents to which it is affixed, cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained; and,
4. The electronic signature conforms to all other provisions of this policy.

The District shall maintain District electronically signed records in a manner consistent with the District's document retention policies yet also capable of accurate and complete reproduction of the electronic records and signatures in their original form. Such retention should include a process whereby the District can verify the attribution of a signature to a specific individual, detect changes or errors in the information contained in the record submitted electronically and protect and prevent access and/or manipulation or access/use by an unauthorized person.

The District shall maintain a hardcopy of the actual signature of any District employee authorized to provide an electronic signature in connection with school board business.

Abuse of the electronic signature protocols by any District employee serves as grounds for disciplinary action up to and including termination.

Parent/Student Use of Electronic Signatures

With regard to documentation received by the District with an electronic signature from a parent/legal guardian, so long as the following provisions are met, the District may receive and accept such electronic signature as an original document:

1. Such communication with signature, on its face, appears to be authentic and unique to the person using such signature;
2. The District is unaware of any specific reason to believe that the signature has been forged;
3. The District is unaware of any specific reason to believe the document has been altered subsequent to the electronic signature; and
4. The signature is capable of verification.

The District's Superintendent or designee may, at their discretion, request that an original of the electronic communication, signed manually by hand, be forwarded to the District in a timely manner.

District personnel may periodically audit the authenticity of such signature via a security procedure including such acts as making follow-up inquiry to the individual/entity who has submitted an electronic signature.

Should it be discovered that a student has falsified a parent's electronic signature on an official District document, the student may be subjected to discipline and the District Administration is authorized, at their discretion, to thereafter only accept manual signatures associated with any submitted school document.

(cf. BP 3523 Electronic E-mail)

(cf. BP 6161.4 – Internet)

(cf. BP 3580 – District Records)

Legal Reference:

ALASKA STATUTES

09.80.010 - .195 Alaska Uniform Electronic Transactions Act

Adopted __/22

BP 4131 CERTIFICATED STAFF DEVELOPMENT (~~Certificated Personnel~~)

Note: Under state law, Staff training is mandated in evaluative techniques, child abuse recognition and reporting, and the needs of students with alcohol or drug abuse disabilities, sexual abuse and sexual assault awareness, dating violence and abuse, crisis response, crisis intervention and suicide awareness and prevention. School Districts must ensure that no less than 50 percent of the total certificated staff employed by the district receives all of the training not less than every two years and that all of the certificated staff employed by the district receives all of the training not less than every four years. AS 14.08.111(12); AS 14.14.090(11); AS 14.16.020(9). A school district shall provide suicide awareness and prevention training to each teacher, administrator, counselor and specialist who is employed by the school district to provide services to students. AS 14.30.362. Effective June 30, 2017, a school district shall establish a training program for employees relating to sexual abuse and sexual assault awareness and prevention and dating violence and abuse awareness and prevention. AS 14.30.355; AS 14.30.356. Additionally, effective June 30, 2017, a person is not eligible for a teacher certificate unless he or she has completed required training set forth in AS 14.20.020. AS 14.33.127 and 4 AAC 06.177 require that the School Board ensure that a sufficient number of school employees receive periodic training in an approved crisis intervention training

program, to meet the needs of the student population. Crisis intervention programs must meet all legal requirements. The Department of Education and Early Development will maintain a list of approved crisis intervention training programs.

Under federal law, the Every Student Succeeds Act defines professional development to include sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom focused activities that are available to all school staff, including paraprofessionals. Professional development activities should be developed with educator input and regularly evaluated. Professional development activities must be evidence-based, if reasonably available. 20 U.S.C. §§ 6601-6614. AS 14.20.680 mandates staff training on the needs of individual students who have alcohol or drug related disabilities within 45 days of first day of employment.

Note: For districts receiving Title I funds, Section 1119 of the No Child Left Behind Act of 2001 requires that all teachers hired on or after the first day of the 2002-03 school year to teach in a program supported by Title I funds must be "highly qualified." The law also requires that all teachers teaching core academic subjects within the state must be "highly qualified" by the end of the 2005-06 school year. "Core academic subjects" are defined as including English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography. Each district receiving Title I funds is required to develop a plan to ensure that all of its teachers are highly qualified by the end of the 2005-06 school year. Section 1119 further authorized any district receiving Title I funds to utilize 5-10 percent of Title I funds for fiscal years 2002 and 2003, and at least 5 percent of each subsequent year, for professional development activities to ensure teachers become highly qualified by 2005-06.

The School Board recognizes that a competent, well-trained staff is essential to carrying out its goals. Staff development is a necessary, collaborative, continuous and systematic effort to improve district educational programs by involving all employees in activities that improve their skills and broaden their perceptions. Professional development provided to teachers, principals, and other instructional leaders should focus on improving teaching and student learning and achievement. In compliance with federal and state law, the Superintendent is to develop a plan to ensure that all teachers of core academic subjects be highly qualified by the end of the 2005-2006 school year. Staff development is a necessary, continuous and systematic effort to improve district educational programs by involving all employees in activities that improve their skills and broaden their perceptions.

Professional development shall be developed with educator input and regularly evaluated. If reasonably available, staff development activities shall be evidence-based. Staff should receive training on professional boundaries in accordance with BP/AR 5141.42, Professional Boundaries for staff and students.

In order to respond directly to the needs of all our students, staff development activities may address such issues as teacher and staff qualifications, content areas, integrating technology into instruction, using data to improve student achievement, methodology, student privacy, parent, family, and community engagement, interpersonal relations between students and faculty, student learning, growth, and development, student welfare and safety, assessments and accommodations, student identification and referral, and staff communication, problem solving and decision making. The Superintendent or designee is responsible for ensuring that all training required by law is provided in a timely fashion to appropriate staff.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.4 - Child Abuse and Neglect (Reporting Procedures))

(cf. 5141.41 – Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention)

(cf. 5141.42 - Professional Boundaries for staff and students)

(cf. 5141.52 – Suicide Prevention)

(cf. 5142.3 – Restraint and Seclusion)

The Superintendent or designee should provide the staff with professional development which may include opportunities such as the following:

1. Released time and leaves of absence for travel and study;
2. Visits to other classrooms and other schools;
3. Conferences involving outside personnel from the district, county, state, region or nation;
4. Membership in committees drawing personnel from various sources;
5. Training classes and workshops offered by the district;
6. Further training in institutions of higher learning, including credit courses conducted in or near the district instead of on the college campus, whenever possible;
7. Access to professional literature on education issues; and
8. Induction and mentoring programs.

(cf. 4116 - Nontenured/Tenured Status)

~~Obtaining credits to meet certification requirements is an employee's own responsibility; however, the district administration may assist individuals with making arrangements for earning credit.~~

Legal References:

ALASKA STATUTES

14.08.111 Duties (Regional School Boards)

14.14.090 Additional Duties

14.16.020 Operations of state boarding schools

14.18.060 Discrimination in textbooks and instructional materials prohibited

14.20.020 Requirements for issuance of certificate; fingerprints

14.20.680 Required alcohol and drug related disabilities training

14.30.355 Sexual abuse and sexual assault awareness and prevention

14.30.356 Dating violence and abuse policy, training, awareness, prevention, and notices

14.30.362 Suicide awareness and prevention training

47.17.022 Training (child protection)

ALASKA ADMINISTRATIVE CODE

4 AAC 06.530 Guidance and counseling services

4 AAC 06.550 Review of instructional materials

4 AAC 12.397 Mandatory training requirements

4 AAC 19.060 Evaluation Training

4 AAC 52.260 Personnel Development

UNITED STATES CODE

~~Section 1119 of the No Child Left Behind Act of 2001, P.L. 107-110~~

The Elementary and Secondary Education Act, 20 U.S.C. §§ 6601-6614, as amended by the Every Student Succeeds Act (P.L. 114-95 (December 10, 2015))

Revised /22

BP 5030 SCHOOL DISCIPLINE AND SAFETY

Note: Each school district must have in place a school disciplinary and safety program per AS 14.33.110-.140. The purpose of the program is to implement community standards of school behavior that are developed with the collaboration of students, parents/guardians, teachers, school administrators and school advisory councils in each community, and to protect and support teachers who enforce standards of student behavior and safety in the classroom. Effective October 2014, the program must be made available to students, parents, legal guardians, and the public, and must include written policies and procedures consistent with standards for use of restraint and seclusion, outlined in AS 14.33.125. The Every Student Succeeds Act requires states to implement a system of school safety assessment. Under ESSA, districts are required to offer a school choice option in two instances: (1) when a student attends a “persistently dangerous school,” or (2) when a student has been the victim of a violent criminal offense. Alaska’s implementation of these federal mandates is found at 4 AAC 06 in newly added Article 2, Safe Schools.

The School Board believes that all students have the right to a public education in a safe and positive environment that fosters the maximum opportunity for learning. The School Board seeks to ensure that students, regardless of ethnicity, race, disability, religious or cultural presence, gender identity, sexual orientation or socioeconomic background do not disproportionately experience suspension, expulsion, or other disciplinary actions. An effective school discipline and safety program is necessary to ensure a safe and conducive learning environment, free of disruptions. The School Board shall adopt, and the Superintendent or designee shall implement and maintain, an effective, trauma-informed and culturally responsive school discipline and safety program. The discipline and safety program should reflect community and cultural values resulting in standards of school behavior and safety that are developed with the collaboration of students, parents/guardians, teachers, elders, school administrators, and School Advisory Councils in each community.

(cf. 1230 - Citizen Advisory Committees)
(cf. 1410 - Interagency Cooperation for Student Safety and Staff Safety)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.4 Campus Disturbances)
(cf. 5131.41 - Violent and Aggressive Conduct)
(cf. 5131.42 - Threats of Violence)
(cf. 5131.43 - Harassment, Intimidation and Bullying)
(cf. 5131.5 - Vandalism, Theft, and Graffiti)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 – Performance Enhancing Drugs)
(cf. 5131.7 - Weapons & Dangerous Instruments)
(cf. 5131.9 - Academic Honesty)
(cf. 5132 - Dress and Grooming)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5141.42 -Professional Boundaries for staff and students)
(cf. 5141.51 - At-Risk Youth)
(cf. 5142.3 – Restraint and Seclusion)

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Exceptional Needs))
(cf. 5145.11 - Questioning and Apprehension)
(cf. 5145.12 - Search and Seizure)
(cf. 5145.3 - Nondiscrimination)
(cf. 5145.5 - Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5147 - Dropout Prevention)
(cf. 6159 - Individualized Education Program)
(cf. 6164.2 - Guidance and Counseling Services)
(cf. 6164.4 - Identification of Individuals with Exceptional Needs Child Find)
(cf. 6164.5 - ~~Intervention~~ Student Study Teams)
(cf. 6172 - Special Education)

Note: ~~HB99 requires that~~ School districts must adopt policies for implementing a student conflict resolution strategy. The strategy must provide for the nonviolent resolution or mediation of conflicts, and procedures for reporting and resolving conflicts. AS 14.33.120(a)(7). A district's school disciplinary and safety program must provide for a student conflict resolution strategy.

Providing young people with knowledge and skills to settle disputes peacefully is a critical component of an effective disciplinary and safety program. Students who possess skills in negotiation, mediation, and consensus decision making are able to explore peaceful solutions to conflict and to resolve these conflicts in a nonviolent manner. The district will work to build students self-regulation skills, incorporating preventative and restorative practices to minimize the need for discipline and maximize instructional time for every student. The district will also establish these practices and seek to address or reduce disproportionate treatment or use of punitive school discipline based on racial or economic disparities.

The Superintendent shall implement and maintain a conflict resolution strategy for District students. The strategy will provide conflict resolution education and resources to students to learn skills in the nonviolent resolution and mediation of conflicts. Restorative or corrective practices place relationship building with students and families at the center. These can include conferences with students and their parents/guardians; use of student study teams or other intervention-related teams; enrollment in a program teacher social/emotional behavior, intensive and intentional relationship building with students and family, participation in a restorative justice program or restorative circles; and positive behavior support approaches. The strategy should identify and teach effective approaches for students to follow in reporting and resolving conflicts.

Note: Effective October 2014, districts must include in the school disciplinary and safety program written policies and procedures consistent with standards for use of restraint and seclusion. The following language incorporates this requirement.

The district recognizes that a key component of its school disciplinary and safety program involves appropriate staff response when student behavior impacts on the safety of that student or others. The district prohibits the use of physical restraint and seclusion except in emergency situations as outlined in law and policy. The Superintendent or designee shall provide professional development or supports as necessary to assist staff to offer consistent classroom management skills, model skills for students, and implement effective relationship building and disciplinary techniques, eliminating unconscious bias. This includes establishing collaborative relationships with parents/guardians.

(cf. 5142.3 – Restraint and Seclusion)

Note: AS 14.33.120 requires the discipline and safety program to have procedures for periodic revision and review. 4 AAC 07.050 requires that a district's student rights and responsibilities policies be reviewed at least once every three years. The following language utilizes a maximum three-year duration for the review process.

Not less than once every three years, the district's discipline and safety program shall be reviewed and revised if appropriate. The review process shall make available the opportunity for collaborative input by students, parents/guardians, staff, and School Advisory Councils in each community. Policies reflecting standards of student behavior, including those identifying prohibited student conduct and penalties, should be reviewed to determine consistency with community standards, including the basic requirements for respect and honesty.

(cf. 8200 - Powers and Duties)

(cf. 9310 - Policy Manual)

(cf. 9311 - Board Policies)

(cf. 9313 - Administrative Regulations)

Note: Annually, the district is to submit a report to the Department of Education and Early Development relating to the district's disciplinary and safety program, including incident numbers for infractions involving violence or weapons. This report is to be submitted at the same time the districts submit its annual report on goals and priorities as required by AS 14.03.120(a). Additionally, the district is to report all incidents of suspension and expulsion resulting from harassment, intimidation, or bullying. Effective October 2014, the district is to annually report, not later than June 30, the total number of incidents involving the restraint or seclusion of a student as required by AS 14.33.125 and 4 AAC 06.175 (see BP 5142.3). The following language incorporates the reporting requirements for school discipline as set forth in AS 14.33.120, 14.33.210, 4 AAC 06.172 and 4 AAC 06.250.

The district will submit annual reports to the Department of Education and Early Development, as required by law. These reports will permit assessment of the district's School Discipline and Safety program.

The School Board will review annually disciplinary action data to understand conduct and discipline of specific disaggregated groups of students. The School Board and district administrators will periodically review research on effective practices to proactively create trauma informed environments and culturally responsive discipline practices. Results of the review will be used to determine how to incorporate new practices and strategies into district policies and practices.

Note: One of the purposes of the school disciplinary and safety program is to protect and support teachers who enforce standards of student behavior and safety in the classroom. AS 14.33.110(3). The law provides that a teacher, teacher's assistant, a site administrator, or another person responsible for students may not be terminated or otherwise subjected to formal disciplinary action for lawful enforcement of a school disciplinary and safety program, including behavior standards. AS 14.33.130. It is recommended that a district desiring to take disciplinary action against a staff member for unreasonable or unlawful enforcement of student discipline should contact legal counsel. Finally, school employees are also protected from civil liability for acts or omissions arising out of enforcement of the disciplinary and safety program while in the course of employment, unless the act constitutes gross negligence or reckless or intentional misconduct. AS 14.33.140, ~~and the No Child Left Behind Act of 2001.~~

The School Board desires to give all administrators, teachers, and other employees the authority, knowledge and skills they need to effectively implement ~~and enforce~~ the discipline and safety program

of the district. Personnel should adhere to lines of primary responsibility and district adopted protocols so that appropriate decision making may take place at various levels in accordance with School Board policy and administrative regulations. In fulfilling duties and responsibilities in student discipline and safety, all employees shall comply with Board policies, administrative regulations, and local, state, and federal laws.

~~Employees will not be formally disciplined for enforcement of student discipline and safety rules so long as the enforcement is reasonable, lawful, and in compliance with Board policies and administrative regulations.~~

(cf. 2100 - Organization Chart/Lines of Responsibility)

(cf. 4119.21/4219.21/4319.21 - Code of Ethics)

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5144 - Discipline)

(cf. 5141.42 – Professional Boundaries for staff and students)

Note: On July 15 of each year, the Department of Education and Early Development will determine the safety status of the schools in the state. The Department will designate a school as safe, at-risk, or persistently dangerous. A district that has a school identified as persistently dangerous must provide notice within 10 days to all parents of students who attend the school that the school has been designated as persistently dangerous and that the parent has 30 days to request that the district transfer the student to a safe school within the district. A transfer must occur within 30 days of a transfer request. A district that has only one public school of the appropriate grade level is not required to create a second public school in order to offer a transfer option. Additionally, within 10 days of an incident in which a student is a victim of a violent criminal offense at school, a district shall notify the parents of the student that they may have their student transferred. If a parent requests a transfer, the district shall provide the transfer within 30 days. A student shall be eligible for a transfer if substantial evidence indicates that the student was a victim of a violent criminal offense on the grounds of the school attended by the student. If a district refuses to offer to transfer a student whom the student's parent believes was the victim of a violent criminal offense, the parent may, within 30 days of the refusal, appeal to the Commissioner of Education. Again, a district that has only one public school of the appropriate grade level is not required to create an additional public school in order to provide the option to transfer. A violent criminal offense does not have to be the subject of a criminal charge, and includes incidents that would establish the elements of the following violent criminal offenses: (1) an offense against the person under the Alaska Criminal Code, AS 11.41.100-11.41.530; (2) recruiting a gang member in the first degree, AS 11.61.160; and (3) misconduct involving weapons in the first degree, AS 11.61.195. A parent who has exercised the parent's option to transfer a student may have the student remain in the receiving school until the student completes the highest grade level offered by that school. A district that is required to offer a student a transfer to a safe school, but that does not contain a safe school of an appropriate grade level, must offer to transfer the student to the parent's choice of any school designated at Level 2 or higher under 4 AAC 06.835 and work with the parent to identify other suitable educational opportunities for the student, including transfer to another district or attending a statewide correspondence school. 4 AAC 06.200-.270.

The School Board further desires to give all students no matter their ethnicity, race, gender or gender identification, sexual orientation or socioeconomic status, the opportunity to learn in an environment in which they feel safe. Should any school be identified as persistently dangerous under state law, students attending that school will be provided the opportunity to transfer to the parent's choice of one of two or

more safe schools within the district. Informed parental choice will be facilitated by timely notice of the meaning of the persistently dangerous designation and the intervention steps the district plans to utilize to make the school safe. Additionally, any student who is the victim of a violent criminal offense that occurred on the grounds of the student's school will be provided the opportunity to transfer, consistent with state law.

Legal References:

UNITED STATES CODE

20 U.S.C. §§ 1400, et seq. Individuals with Disabilities Education Act
~~No Child Left Behind Act of 2001, 20 U.S.C. §§ 2361-2368 (P.L. 107-110)~~
Every Student Succeeds Act, PL 114-95 (2015)

ALASKA STATUTES

11.81.430 Justification, use of force, special relationships
11.81.900 Definitions
14.03.078 Report
14.03.160 Suspension or expulsion of students for possessing weapons
14.30.045 Grounds for suspension or denial of admission
14.30.180-.350 Education for Exceptional Children
14.33.120-.140 School disciplinary and safety program
14.33.210 Reporting of incidents of harassment, intimidation or bullying

ALASKA ADMINISTRATIVE CODE

4 AAC 06.060 Suspension or denial of admission
4 AAC 06.172 Reporting of school disciplinary and safety programs
4 AAC 06.172 Reporting restraint and seclusion incidents
4 AAC 06.200-.270 Safe Schools
4 AAC 06.250 Reporting
4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities
4 AAC 52.010-.990 Education for exceptional children
20 AAC 10.020 Code of ethics and teaching standards

Adopted 6/01

Added 9/2000 - AASB

Revised 8/03

Revised __/22

BP 5131.6 ALCOHOL AND OTHER DRUGS

Note: ~~By January 1, 2001,~~ Districts must have in place written standards to address the needs of students for whom mental health or substance abuse may be a contributing factor to noncompliance with the school disciplinary and safety program. AS 14.33.120(a)(6). In addition, districts receiving funds for prevention programs pursuant to the Drug-Free Schools and Community Act of 1986 as amended by the Every Student Succeeds Act ~~No Child Left Behind Act of 2001~~, are required to have a policy on drug abuse prevention instruction and procedures for eliminating the sale or use of alcohol and other drugs. ESSA ~~NCLB~~ also requires that those districts inform and involve parents in violence and drug prevention efforts. Districts must make reasonable efforts to inform parents of the content of safe and drug-free school programs and activities other than classroom instruction. If a parent objects in writing, the district must withdraw the student from the program or activity. AS 14.30.360 encourages districts to provide K-12 health education, including alcohol and drug abuse education.

Note: Despite the passage of AS 17.38, effective February of 2015, which authorizes the use of marijuana under certain conditions, all use, possession and distribution of marijuana by those under 21 is illegal. In addition, as a recipient of federal funds, the district is obligated to maintain a drug-free workplace consistent with federal law, which prohibits the manufacture, distribution, possession and sale of marijuana for all individuals, regardless of age. For purposes of the district's policy and legal obligation, marijuana is prohibited.

(cf. E 4020 – Drug and Alcohol – Free Workplace Notice to Employees)

Because the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the School Board intends to keep district schools free of alcohol and prohibited ~~other~~ drugs.

Alcohol, marijuana, and like any other controlled substance, are prohibited ~~is illegal~~ for use by students ~~minors~~. The School Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and other drugs. The Superintendent or designee shall develop a comprehensive prevention program that includes instruction, intervention, recovering student support, and enforcement/discipline. The Superintendent or designee shall clearly communicate to students, staff and parents/guardians all Board policies, regulations, procedures and school rules related to this prevention program. Special efforts shall be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency. ~~understand these materials.~~

Note: Drug use by students is not limited to illegal drugs and can also include abuse of prescription drugs and over-the-counter medications. There is also a growing problem of youth using what are commonly referred to as designer or synthetic drugs. Designer or synthetic drugs come in various forms and may be a chemical compound, a plant-based substance, or a combination. Common names for these drugs include bath salts, K2, spice, salvia, and synthetic marijuana. These drugs have serious and dangerous effects. Synthetic marijuana is an illegal substance in Alaska. AS 11.71.040-.050, 11.71.160. The following optional language prohibits the possession, use, or distribution of "prohibited drugs," which includes all dangerous substances that pose a risk to district students.

Specifically, the School Board prohibits the actual or attempted sale, distribution, use, or possession by a student of alcohol, prohibited drugs or inhalants, drug paraphernalia, substances that are designed to look or act like prohibited drugs or alcohol, or substances purported to be prohibited drugs or alcohol. Prohibited drugs are defined as:

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.
2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.
3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

Recognizing that keeping schools free of alcohol and other drugs is a concern common to the district and community, the Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and ~~other~~ drug abuse.

(cf. 1410 - Interagency Cooperation for Student Safety)

Note: Districts are required to establish a citizen advisory committee in order to receive Public Law 99-570 funds. Additionally, AS 14.33.110 requires that the school disciplinary and safety program maintain community standards of school behavior that are developed by members of each school, including students, parents/guardians, teachers, school administrators and other responsible persons.

To obtain the widest possible input and support for district policies and programs, the School Board shall request that each School Advisory Council (SAC) provide recommendations related to the prevention of alcohol and other drug abuse. The School Advisory Council should make its recommendations based on input from students, parents/guardians, teachers, school administrators, and community members. Not less than once every three years, during the review period for the district's discipline and safety program, each SAC shall place this topic on a meeting agenda. The SAC's should make their recommendations based on input from students, parents/guardians, teachers, school administrators, and community members. The Board also encourages the use of site-level advisory groups in this area.

(cf. 1230 - Citizen Advisory Committees)
(cf. 5030 - School Discipline and Safety)
(cf. 8200 - Powers and Duties)

Instruction

The district shall provide preventative instruction which helps students avoid the use of alcohol, marijuana, or other drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or drugs. Instruction shall be designed to answer students' questions related to alcohol and drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective grade levels. All instruction and related materials shall stress the concept that alcohol and prohibited drugs can be dangerous and should never be used when such use is illegal.

The School Board encourages staff to display attitudes and behaviors which make them positive role models for students with regard to alcohol, marijuana and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

The School Board recognizes that children exposed to alcohol or other drugs prior to birth may have disabilities requiring special attention and modifications in the regular education program. The Superintendent or designee shall provide appropriate staff training in the needs of such students as required by law.

Note: AS 14.20.680 requires training for teachers, administrators, counselors and specialists on the needs of students with alcohol or drug-related disabilities, including medical and psychological characteristics, family issues, and specific educational needs.

(cf. 6142.2 - ~~HIV Infection~~/AIDS Instruction)
(cf. 6143 - Courses of Study)
(cf. 6159 - Individualized Education Program)

Intervention

The School Board recognizes that there are students on our campuses who use alcohol and other drugs and can benefit from intervention. The School Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.

~~The Board finds it essential that~~ School personnel be trained to identify symptoms that may indicate use of alcohol and other drugs. The Superintendent or designee shall identify responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and other drug use.

Students and parents/guardians shall be informed about the signs of alcohol and other drug use and about appropriate agencies offering counseling.

Non-punitive Self-Referral

The School Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who self-disclose past use of alcohol or other drugs in order to seek help to quit using shall not be punished or disciplined for such past use. State and local extra-curricular activities eligibility rules may apply further conditions related to the admission of drug or alcohol use.

~~If the student is uncomfortable doing this, he/she is encouraged to ask a friend to discuss the problem with a parent/guardian or staff member. Students who disclose past use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be punished or disciplined for such past use.~~

~~Recovering Student Support~~

~~The Board recognizes the presence of recovering students in the schools and the necessity to support these students in avoiding re-involvement with alcohol and other drugs. The Board shall provide ongoing school activities that enhance recovery.~~

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol, marijuana or other drugs or related paraphernalia shall be subject to disciplinary procedures that may result in suspension or expulsion.

(cf. 5030 - School Discipline and Safety)

(cf. 5144.1 - Suspension and Expulsion)

School authorities may search students and school properties for the possession of alcohol, marijuana and other drugs as long as such searches are conducted in accordance with law.

(cf. 5145.12 - Search and Seizure)

~~Note: AS 47.37.045 (statutes of 1990) establishes the community action against substance abuse grant fund, which may be used to fund Police In-School Liaison programs and other preventative or education programs.~~

Legal References:

ALASKA STATUTES

04.16.080 Sales or consumption at school events

14.20.680 Required alcohol and drug related disabilities training

14.30.360 Curriculum (Health and Safety Education)

14.33.110-.140 Required school disciplinary and safety program\

17.38.010-.900 The regulation of marijuana

47.37.045 Community action against substance abuse grant fund

UNITED STATES CODE

Elementary and Secondary Education Act, 20 U.S.C. §§ 7116, 7163, as amended by the Every Student Succeeds Act, P.L. 114-95 ~~No Child Left Behind Act of 2001 (P.L. 107-110)~~

Adopted 6/01

Revised 9/2000- AASB

Revised 8/03

Revised /22

BP 5141.4 CHILD ABUSE AND NEGLECT

Note: AS 14.08.111 and AS 14.14.090 require districts to provide mandatory reporters with training in the recognition and reporting of child abuse and neglect. Pursuant to AS 47.17.020, teachers, school administrators, and paid athletic coaches are mandated to report child abuse and neglect. New employees required to report are to be trained on this obligation within 45 days after the first day of employment. AS 47.17.022. A school district providing training shall provide notice of the training to public and private schools in the district and invite volunteers who are required to report to participate in the training at no cost to the volunteer. Effective June 30, 2017, volunteers who interact with children in public or private school for more than four hours a week are also mandatory reporters of child abuse. AS 18.66.310 requires school districts to offer continuing education at least once every two years on domestic violence for mandatory reporter employees.

Abuse and neglect affects the well-being of students. Teachers, ~~paraprofessionals, classified personnel,~~ school administrators, paid athletic coaches and volunteers who interact with children in a school for more than four hours a week shall be trained on the recognition and reporting of child abuse and neglect in accordance with state law. An athletic coach who is an unpaid volunteer is not required to report child abuse or neglect unless the coach volunteers for more than 4 hours a week for 4 consecutive weeks, or for 20 hours a week in a one-month period, has received training, and signed a form acknowledging the obligation to report. District employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4131 – Staff Development)

(cf. 5141.42 - Professional Boundaries for staff and students)

~~With concern for the well-being of each student, teachers and school administrators shall be trained to report known or suspected incidences of child abuse in accordance with state law. District employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.~~

The district shall provide notice of child abuse and neglect mandatory reporter training to all public and private schools in the district, in addition to the training set forth in BP/AR 5141.42, Professional Boundaries for staff and students. All mandatory reporters, including qualifying volunteers, are invited to participate in the training at no cost.

~~Note: Many school employees may encounter child abuse and neglect.~~

~~In addition to the required training provided above, the Superintendent or designee may invite classified personnel who have regular contact with students to participate in child abuse and neglect training.~~

~~Classified personnel should immediately report instances of suspected child abuse or neglect to the site administrator.~~

Note: Pursuant to AS 47.17.068, failing to report child abuse or neglect mandated by law is a misdemeanor if the person knew or should have known that circumstances gave rise to the need for a report.

~~The Superintendent or designee shall provide training in child abuse recognition and reporting for all certificated personnel and for classified personnel who have regular contact with students and wish to participate in such training.~~

Legal References:

ALASKA STATUTES

14.08.111 Duties (Regional school boards)

14.14.090 Additional duties

18.66.310 Continuing education for public employees, court system employees, and for prosecuting authorities

47.17.010-47.17.2790 Child protection

~~ALASKA ADMINISTRATIVE CODE~~

~~4 AAC 06.045 Training required~~

Adopted 6/01

Revised ___/22

Board discussion regarded distribution of updated policies and policy acknowledgement form; mandatory trainings; and in-service materials availability and accountability matrix.

Frieda Nageak MOVED that the NSBSD Board of Education APPROVE the FIRST READING of: Board Policy 1312.1, Public Complaints Concerning School Personnel; Board Policy 3590, Electronic Signatures; Board Policy 4131, Certificated Staff Development; Board Policy 5030, School Discipline and Safety; Board Policy 5131.6, Alcohol and Other Drugs; and 5141.4, Child Abuse and Neglect, as described in this memo SB23-085 and attachments. Madeline Hickman SECONDED the motion. Discussion called. Question called for UNANIMOUS CONSENT. No objections. The motion carried UNANIMOUSLY.

INFORMATIONAL, ADMINISTRATIVE REGULATIONS & EXHIBITS is presented by Chelsie Overby, Board Secretary. Board Bylaw 9313, Administrative Regulations: The Superintendent or designee shall develop administrative regulations when required by law or Board policy, or when, in his/her judgement, Board endorsement of district procedures is desired. This is an information item to keep the Board apprised of any changes to administrative regulations and exhibits along with any Board policy revisions there may be. Administrative Regulation 0410, Title IX, covers sexual harassment, distinctions between a report and formal complaint, outlines the grievance process, determination of responsibility, investigation of formal complaints, opportunity to appeal, and requirement of a trained Title IX Coordinator. Administrative Regulation 1312.1, Public Complaints Concerning School Personnel, revision ensures complaints are addressed equitably, allows the complainant assistance by the district in the complaint process, and clarifies the School Board members duties regarding complaints. Administrative Regulation 5141.4, Child Abuse and Neglect, revision extends mandatory reporting of child abuse to coaches and volunteers who work with children more than 4 hours a week, further outlines reporting procedures and confidentiality of students. Exhibit 5145.3, Nondiscrimination, is the pamphlet

presented to the Board at the August Board meetings. This pamphlet is required to be provided at the beginning of every school year and ensures this is available to the public.

AR 0410 TITLE IX POLICY

1. Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using Alaska law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with federal and State law, unless they are preempted by the Title IX regulations.

2. Title IX Coordinator

Questions concerning Title IX may be referred to as the District's Title IX Coordinator.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on District property, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. The Title IX Coordinator will make an assessment to determine if there is a safety risk to the District. If the Title IX coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

3. Title IX Harassment Complaints and Investigations

These Title IX sexual harassment procedures protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a District "education program or activity." This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control; and
- The conduct meets the definition of Title IX "sexual harassment"

4. Definitions

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others

to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
- Asleep or unconscious;
- Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
- Unable to communicate due to a mental or physical condition.

Decision-maker: The person who will make a determination of responsibility. The Decision-maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, as defined in 20 U.S.C. 1092(f)(6)(A)(v);
- Dating violence, as defined in 34 U.S.C. 12291(a)(10);
- Domestic violence as defined in 34 U.S.C. 12291(a)(8); or
- Stalking as defined in 34 U.S.C. 12291(a) (30).

5. Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator. All District employees with knowledge of allegations of sexual harassment must report the allegations, including the name of the Complainant, the Respondent, and any other witnesses, and the date, time, and location of the alleged incident to the Title IX Coordinator promptly.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, or witness statements. A delay may limit the District's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder the legal process or proceedings.

Mandatory Reporting by District Employees to the Title IX Coordinator

All District employees must report allegations of sexual harassment to the Title IX Coordinator promptly.

6. Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Coordinator will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Coordinator will discuss supportive measures with the Parties.

Timeframe for Reporting

The District does not limit the timeframe for reporting sexual harassment. However, to promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible, because a delay in reporting may affect the District's ability to collect relevant evidence.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activity. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other class-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

7. Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

Emergency removal is not appropriate to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Superintendent or designee will conduct the individualized safety and risk analysis.

If the Superintendent or designee determines emergency removal is appropriate, they or a designee will provide the person the District is removing from campus on an emergency basis with notice and an opportunity to attend a meeting and challenge the basis of their removal. The Superintendent or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The District may place an employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

8. Formal Complaint Grievance Procedures

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing to the known Parties:

- Notice of the District's Title IX grievance process;
- Notice of the sexual harassment allegations with sufficient detail to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct;
- Statement that the determination of responsibility will not be made until the conclusion of the grievance process;
- Notice that the Parties have a right to an advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or other source; and
- Notice of any provision in the District's code of conduct or discipline rules that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- If in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide written notice of the additional allegations to the Parties whose identities are known.

Dismissal of Formal Complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity; or
- If the conduct alleged did not occur against a person in the United States.

The District has the discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the grievance process the Complainant notifies the Title IX Coordinator in writing that he/she/they would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator will simultaneously provide the Parties with written notice of the dismissal and reason(s). The District will also provide the Parties with their right to appeal. The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant, against one or more Respondents, or by one Party against the other Party where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably such that the procedures will apply equally to both Parties. The District will not discipline a Respondent until it reaches a determination of responsibility for sexual harassment against the Respondent at the conclusion of the grievance process.

Statement of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, Investigator(s), Decision-maker(s), or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the

Decision-makers in the process. The District will provide training on bias, conflict of interest, and impartial service to the Title IX Coordinator, investigator, Decision-maker, and facilitator.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation.

The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case record keeping.

Role of Advisor

Throughout the grievance process, both the Complainant and Respondent have a right to an advisor of their choice. An advisor may not be a witness or have a conflicting role in the process, or with a Party. The role of the advisor is to provide support and assistance in understanding and navigating the investigation process. The advisor may not participate in the process as a witness or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this procedure.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts the dissemination of any of the evidence subject to inspection and review or use of such evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's grievance procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek, disclosure of information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and these procedures. The Title IX Coordinator can also conduct investigations.

Trained Investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment, Title IX, and how the District's grievance procedures operate. The District will also provide investigators training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Gathering Evidence and Burden of Proof

The District, and not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that the reported conduct occurred.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to an individual whose participation is invited or expected, with sufficient time for the individual to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least 10 days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- An executive summary of the allegations and findings as to each allegation;
- A summary of the procedural steps taken during the investigation, including the individuals contacted;
- An analysis of relevant evidence, including witness statements, gathered during the course of the investigation;
- A discussion of the investigator's conclusions about whether the allegations occurred using a preponderance of the evidence standard;
- A list of the relevant documents; and
- A table of contents for any report that exceeds 10 pages.

The investigator may redact information that is not directly related to the allegations or that is privileged. However, the investigator will keep a log of information that is not produced to the Parties. The log will be provided only to the Title IX Coordinator and will not be disclosed to the Parties.

The District will send to the Parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review. The Parties will have at least 10 days to submit written, relevant questions that a Party wants to be asked of any Party or witness. The District will provide relevant questions to the Party or witness and set a deadline of no less than 10 calendar days to submit a response. The District will provide each Party with the submitted responses and allow the Parties to submit additional, limited follow-up questions within 10 calendar days. The District will provide each Party with the submitted responses. The Decision-maker must explain to the Party proposing the questions any decision to exclude a question as not relevant.

Decision-maker

The Decision-maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-maker on the basis of a conflict of interest, the Complainant or Respondent may request that the Title IX Coordinator select a different Decision-maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing no later than five (5) business days after the District identifies the Decision-maker to the Parties.

The Decision-maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility. The Decision-maker must receive training on issues of relevance.

Determinations of Responsibility

When the Decision-maker makes a determination of responsibility or non-responsibility, the Decision maker will issue a written determination regarding responsibility, no later than 4 weeks after the deadline for the Parties to submit a written response to the investigative report.

When making a determination regarding responsibility, a Decision-maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-maker will use a preponderance of the evidence standard. Thus, after considering all the evidence, the Decision-maker will determine whether it is more likely than not that sexual harassment occurred.

The Decision-maker will issue a written determination that will include the following:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation gave notifications to the Parties. The determination will also state when, where, and date the investigator interviewed Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence;

Findings of fact supporting the determination. In making these findings, the Decision-maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;

- Conclusions regarding the application of the District's code of conduct or relevant rules to the facts; A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- Whether the District will provide remedies designed to restore or preserve equal access to the District's education program or activity to the Complainant.
- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent,

The District need not disclose to the Respondent remedies that do not impact them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent.

The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be considered timely.

9. Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for students Respondents include written or verbal reprimand, training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, demotion, suspension, or discharge.

10. Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal (1) the District's determination regarding responsibility or (2) the dismissal of a formal complaint or any allegations under Title IX. A Complainant or Respondent must submit a written appeal within ten business days from the date of the notice of determination of responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The Superintendent or designee will serve as the Decision-maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Party at least ten business days of receipt of the appeal to submit a written response in support of, or challenging, the outcome.

The Decision-maker, on appeal, will issue a written decision on whether to grant or deny the appeal and the rationale for the decision, within 45 business days after the Decision-maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide notice of the written decision simultaneously to both Parties.

The Decision-maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Decision-maker on appeal explaining the need for the extension and the proposed length of the extension. The Decision-maker on appeal will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences

resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

11. Retaliation Prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

12. Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

13. Training

The District will provide training to Title IX Coordinators, investigators, Decision-makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

14. File Retention

The District will retain, on file, for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures.

The investigative report including all evidence gathered and any responses from the Parties;

- The District's determination regarding responsibility;

- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an informal resolution process. These training materials are publicly available on this website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

(cf. 0410 Nondiscrimination in District Programs and Activities)

(cf. 4030 Nondiscrimination in Employment)

(cf. 4119.12 Harassment)

(cf. 5145.3 Nondiscrimination)

(cf. 5145.7 Sexual Harassment)

Legal Reference:

ALASKA STATUTES

14.18.010 - 14.18.100 Prohibition Against Sex and Race Discrimination

ALASKA ADMINISTRATIVE CODE

4 AAC 06.500 - 4 AAC 06.600 Prohibition of Gender or Race Discrimination

UNITED STATES CODE

Title VI, Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-7

Title IX, Education Amendments of 1972, 20 U.S.C. §§ 1681-1688

Vocational Rehabilitation Act of 1973, Sections 503 and 504, 29 U.S.C. § 794

Individuals With Disabilities Education Act, 20 U.S.C. §§ 1401-1491

Americans With Disabilities Act, 42 U.S.C. §§ 12101-12213

Age Discrimination In Employment Act, 29 U.S.C. §§ 621-634

Adopted __/22

AR 5141.4 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

The School Board seeks to ensure that complaints by the public are addressed equitably, regardless of ethnicity, race, disability, gender identity, sexual orientation, religious or cultural preferences, familial status, or socioeconomic background, of the complainant or the personnel at issue. In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage. Individuals are encouraged to attempt to verbally resolve concerns with the staff member directly. Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.

In order to ensure fair and equitable access to the complaint process, the district may assist a complainant in the complaint process and resolution efforts. Assistance can include, but is not limited to, cultural support, age-appropriate support, and disability accommodation that will assist complainants with oral and written communications related to the complaint and resolution processes.

2. All written complaints regarding district personnel, other than administrators, shall be initially filed with the site administrator or immediate supervisor. If the complaint regards a site administrator or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent or designee, it shall be initially filed with the School Board President. If the complaint is also against the district, the site administrator or designee shall provide a copy of the complaint to the district compliance officer so that appropriate procedures may be followed.

3. If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the appropriate individual as identified in the paragraph immediately above. ~~school site administrator or immediate supervisor.~~ When necessary, the district shall assist in the preparation of the written complaint so as to meet the requirements of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without assistance ~~help~~. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of a prior attempt to discuss the complaint with the employee involved and the failure to resolve the matter.

4. The site administrator or immediate supervisor shall investigate and attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the site administrator will so advise all concerned parties, including the Superintendent or designee.

5. If the complaint remains unresolved after review by the site administrator or the immediate supervisor, the site administrator shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final. ~~However, the complainant, the employee, or the Superintendent or designee may ask to address the School Board regarding the complaint.~~

6. Except when a complaint is directed against the Superintendent or designee, no party to a complaint may address the School Board, ~~either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint. In the event that the Superintendent does not respond with a written report within 10 working days, the complainant may address the Board directly in a closed or open session.~~ School Board members shall make every effort to not prejudice themselves by listening to or discussing the matter of the complaint with any other School Board members, staff, students or public, prior to receiving the Superintendent's report and formally meeting as a Board on the issue.

7. ~~Complaints before the Board concerning an employee that may tend to be prejudicial to the employee's reputation or character shall be addressed in executive session of the Board. All parties to a complaint, including the school administration, may be asked by the School Board to attend a School Board meeting, or part of such meeting, for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue. The decision of the School Board following the hearing shall be final. Complaints before the School Board concerning an employee that may tend to be prejudicial to the employee's reputation or character shall be addressed in executive session of the School Board.~~

(cf. 9321 - Executive Sessions)

Note: The district should make sure that complaints heard in executive session are indeed complaints against an employee, not against district practice or procedures.

Adopted 6/01
Revised 7/02
Revised /22

AR 5141.4 CHILD ABUSE AND NEGLECT

Duty to Report

Teachers, ~~and~~ school administrators, and paid athletic coaches and volunteers who work with children at school more than 4 hours a week who have reasonable cause to suspect child abuse or neglect have a legal duty to report ~~known or suspected child abuse~~ to the nearest office of the Department of Health and Social Services immediately. The reporting duties are individual and cannot be delegated to ~~another~~ someone else. ~~individual.~~

Reporting Procedures

1. Any employee or volunteer may report known or suspected child abuse or neglect, by telephone to the nearest office of the Department of Health and Social Services, Office of Children's Services (OCS). This phone report must be followed by a faxed or electronically submitted written report of harm. ~~and report the suspected abuse.~~

- i. Complete the "North Slope Borough School District Referral Form for Suspected Child Abuse or Neglect" and fax it to the Office of Children's Services.

Office of Children's Services Contact Information, Utqiagvik	Office of Children's Services Contact Information, Anchorage:	Office of Children's Services Contact Information, Kotzebue
1078 Kiogak St Utqiagvik, AK 99723	323 E 4 th Ave Anchorage, AK 99501	333 Shore Ave Kotzebue, AK 99752
Fax: 907-852-3397	Fax: 907-269-3939	Fax: 907-442-2426
Email: reportchildabuse@alaska.gov		
Child Abuse Hotline: 1-800-474-4444		

- ii. Give the original form to the principal to place in his/her file "Suspected Child Abuse or Neglect File—Confidential." This form is not to be placed in the student's cumulative file or transferred.
2. If contact cannot reasonably be made with child protective services and immediate action is needed to protect the child, the employee or volunteer shall make the report ~~of abuse~~ to a peace officer.
3. In addition to reporting to child protective services, employees or volunteers may report harm from known or suspected child abuse or neglect to local law enforcement if the harm is believed to have been caused by a person not responsible for the child's welfare or if the employee or volunteer is unable to determine who caused the harm or whether the person believed to have caused the harm has responsibility for the child's welfare.
4. School employees and volunteers are required to cooperate and collaborate with child welfare agencies and law enforcement to provide the pertinent information needed to protect the health and safety of children.

5. School district employees and volunteers should not contact suspects, nor should the victim be interviewed beyond the initial information disclosed.

Legal Responsibility and Liability

1. School employees are not civilly or criminally liable for filing in good faith a required or authorized report of known or suspected child abuse or neglect, or for participating in related investigative judicial proceedings.

2. A mandated reporter who fails or refuses to report an instance of child abuse or neglect and knew or should have known that the circumstances gave rise to the need for a report, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor. ~~The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report.~~

3. When two or more mandatory reports who have reasonable cause to suspect persons who are required to report have knowledge of a suspected instance of child abuse or neglect, and when

there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.

4. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making a good faith ~~such a~~ report shall be subject to any sanction.

~~5. Determining whether or not the suspected abuse actually occurred is not the responsibility of the mandated reporter. Such determination and follow-up investigation will be made by a child protective agency.~~

(cf. 5145.11 - Questioning and Apprehension)

(cf. 5141.42 – Professional Boundaries for staff and students)

Confidentiality

All school district employees are required to protect students' rights to privacy and confidentiality. As such, all information and reports regarding child abuse or neglect shall be treated as confidential and shall be maintained in a safe place. No employee shall make available, or allow access to the written information to other students, staff or members of the public, except as required by school rule, Board Policy or law.

The principal/site administrator shall maintain the confidentiality of all reports of child abuse and neglect received, other than making the reports available to the appropriate agencies to which the reports were initially made. The principal/site administrator shall make provisions to protect and to maintain as confidential, the identity of the employee, employees or volunteers making the report.

When School Employees Are Accused of Child Abuse

~~Regardless of who is suspected of child abuse, the responsibilities of mandated reporters are to: 1) Identify incidents of suspected child abuse; and,~~

2) Comply with laws requiring reporting of suspected abuse to the proper authorities.

~~Pending outcome of an investigation by a child protective agency and prior to the filing of formal charges, the employee may be subject to reassignment or a paid leave of absence.~~

~~Disciplinary action after the filing of formal charges shall be in accordance with district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall consult with legal counsel in implementing either suspension or dismissal.~~

~~(cf. 4117.4 – Dismissal)~~

~~(cf. 4118/4218 – Suspension/Disciplinary Action)~~

Adopted 6/01

Revised 6/03

Revised 10/04

Revised __/22

E 5145.3 NONDISCRIMINATION

The District strives for school to be open and welcoming for everyone in the community. No one should be picked on or made to feel like they don't belong at school. Students have a role in helping make sure school is a place that everyone feels welcome. You can do your part by choosing kindness. You can also do your part by speaking up when you see someone being bullied or making a report if you hear hate speech or know that a hate crime has been committed.

What is hate speech?

Hate speech is saying something derogatory or aggressive toward a particular group of people. This can include expressing animosity based on race, religion, ethnicity, gender, gender identity, sexual orientation, nation or origin, disability and more. Hate speech can take many forms, ranging from social media comments, to verbal abuse, to wall graffiti. Hate speech expresses hatred against a shared identity in order to make people feel like they are less than human, don't belong, or are not worthy of respect because they belong to a particular group.

What is a hate crime?

A hate crime is breaking the law by hurting another person because of prejudice against a group the victim belongs to. Normally, a hate crime is not caused in any way by something the victim did or said, but just because of who they are. People often commit hate crime because of prejudice about the victim's sex, ethnicity, religion, nationality, class, gender identity, sexual orientation, disability, or other things about them.

You can help to reduce and prevent hate.

The Anti-Defamation League provides resources for responding to hate speech in the community.
<https://dc.adl.org/resources-for-responding-to-hate-in-the-community/>

The Alaska State Commission for Human Rights is dedicated to eliminating and preventing discrimination for all Alaskans. The Commission enforces the Alaska Human Rights Law which makes it illegal to discriminate in employment, in place of public accommodation, in practices by the State or its political subdivisions, in the sale, lease or rental of real property and in credit and financing practices because of race, religion, color, national origin, sex or physical or mental disability. In employment and some other situations, it is also illegal to discriminate on the basis of age, marital status, changes in marital status, pregnancy or parenthood. If you have experienced discrimination on any of these bases, you can contact the Commission about filing a complaint. The Commission's phone number is 800-478-4692. The address is: Alaska State Commission for Human Rights, 800 A Street, Suite 204, Anchorage, AK 99501-3669.

The United States Department of Education Office of Civil Rights has a mission of ensuring equal access to education by enforcing civil rights in schools, including laws that prohibit discrimination on the basis of race, color, national origin, sex, age and disability. Learn more from OCR's website.

<https://www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/protectingstudents.html>

Complaints about discrimination at school can be filed with OCR by mail or fax or email or filed online at: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

If you know about hate speech, harassment, or discrimination happening at school, you can help protect our community by reporting it the Principal or counselor or another designated person at your school.

INFORMATIONAL, ENROLLMENT & ATTENDANCE is presented by Caitlin Santos, Director of Curriculum & Instruction. This agenda item meets Strategic Plan goal 1.2 Attendance. Beginning in the 22/23 school year, the method for calculating the attendance was changed to provide more accurate data. Previously, middle and high school students were considered present if they only attended one class period. The new formulate takes into consideration how many periods students are attending. C&I continues to remind administrators and staff of the importance of submitting daily attendance for accurate reporting. The report includes: current student count from K3-12 by each school site and attendance percentage for October 2022; and in comparison, the School Year 21-22 K3-12 Student Count. Students are counted as present during red school status. Nunamiut School, one hundred eight students at sixty-eight point twenty-one percent attendance; Tikiġaq School, two hundred seventy-two students at sixty-three point eighteen percent attendance; Nuiqsut Trapper School, one hundred sixty-two students at seventy-two point ninety-five percent attendance; Kali School, eighty-three students at seventy-nine point eleven percent attendance; Aġak School, one hundred sixty-eight students at fifty-eight point twenty-one percent attendance; Harold Kaveolook School, sixty-eight students at eighty-eight point twenty-two percent attendance; Meade River School, eighty-six students at seventy-four point zero-nine percent attendance; Barrow High School, two hundred seventy-six students at sixty-seven point forty-five percent attendance; Eben Hopson Middle School, two hundred forty-six students at eighty point twenty percent attendance; Fred Ipalook Elementary School, five hundred forty-one students at seventy-eight point seventy-five percent attendance; and Kiita Learning Community, fifty-eight students at sixty-seven point sixty-one percent attendance. The total student count for K3-12 is two thousand sixty-eight at seventy-two-point fifty-four percent attendance. The School Year 2021-2022 Student Count is as follows: Nunamiut School, ninety students; Tikiġaq school, two hundred fifty-nine students; Nuiqsut Trapper School, one hundred forty-seven students; Kali School, ninety-eight students; Aġak School, one hundred seventy-six students; Harold Kaveolook School, seventy-four students; Meade River School, seventy-seven students; Barrow High School, two hundred eighty-nine students; Eben Hopson Middle School, two hundred sixty-seven students; Fred Ipalook Elementary School, five hundred forty-three students; and Kiita Learning Community, thirty-six students. Total Student Count for School Year 21-22 is two thousand fifty-six.

Board discussion regarded concern for the average percentile rate of attendance; impact of COVID-19; committee on student engagement; site incentives program; and role of student council.

Board members requested the Average Daily Membership count submitted to the State of Alaska.

PUBLIC COMMENTS: No public comments were received by the Board of Education.

SCHOOL BOARD COMMENTS: Board comments regarded: SAC meeting attendance; after school tutoring in villages; student athletic village rotation schedule; mental health awareness; Nunaqqiurat

Tumitchianjit working group update on student outcomes; Voice of the Arctic meeting update; legislative priority setting; and Iñupiaq Language teacher vacancies.

SCHEDULING OF NEXT MEETING: December 12, 2022 Regular Meeting in Utqiagvik, AK at the Archie K. Brower Conference Room / ZOOM Video Communications

ADJOURNED AT 1:59 P.M. Charles Brower MOVED to ADJOURN. Frieda Nageak SECONDED the motion. The meeting stands adjourned.

Respectfully submitted for the August 16, 2023 Regular Meeting:

Chelsie Overby, Board Secretary

Robyn Burke, Board President

Frieda Nageak, Board Clerk