

MEMORANDUM

TO: NWABSD Board of Education
Members

DATE: June 6, 2023

NUMBER: 23-120

FR: Office of the Superintendent

SUBJECT: Approval of Proposed
Revisions to BP
4158/4258/4358,
Personnel, Personnel -
Employee Security; First
Reading

STRATEGIC PLAN/BOARD GOAL:

Improve Stakeholder Communication.

ABSTRACT:

Board policy revisions require Board approval.

ISSUE:

At issue is to approve the first reading of the proposed revisions to BP 4158/4258/4358, Personnel, Personnel - Employee Security and open for public comments.

BACKGROUND AND/OR PERTINENT INFORMATION:

The Superintendent/designee presents drafts or suggestions for board policy revisions when changes in law occur or when specific need occurs. Policy revisions shall normally be given two readings prior to adoption by the Board. This is the first reading of the proposed revisions to BP 4158/4258/4358, Personnel, Personnel - Employee Security.

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

ALTERNATIVES:

1. Approve the first reading to the proposed revisions to BP 4158/4258/4358, Personnel, Personnel - Employee Security as presented and open for public comments;
2. Do not approve first reading to the proposed revisions to BP 4158/4258/4358 as presented;
3. Take no final action.

ADMINISTRATION'S RECOMMENDATION:

The administration recommends the Board approve the first reading to the proposed revisions to BP 4158/4258/4358, Personnel, Personnel - Employee Security as presented and open for public comments.

BP 4158/4258/4358 ~~PERSONNEL~~ EMPLOYEE SECURITY

Note: Alaska school districts are required to adopt standards relating to when a teacher, ~~teacher's assistant~~paraprofessional, or other person responsible for students is authorized to use reasonable and appropriate force to maintain classroom safety and discipline. Effective October 2014, the use of restraint and seclusion of students is strictly limited and in some situations prohibited by law. -AS 14.33.125. Any use of restraint or seclusion by a district employee of a student must comply with all legal requirements. A teacher, ~~teacher's assistant~~paraprofessional, ~~principal~~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. This group is 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 Every Student Succeeds Act of 2001.

An employee may use approved methods of physical restraint if a ~~student's~~student's behavior poses an imminent danger of physical injury to the student or others and less restrictive interventions would be ineffective at stopping the imminent danger. Restraint must be limited to that necessary to address the emergency and must be immediately discontinued when the student no longer poses an imminent danger or when a less restrictive intervention is effective to stop the danger.

(cf. 5144 - Discipline)

(cf. 5142.3 — Restraint and Seclusion)

Note: A teacher, ~~teacher's assistant~~paraprofessional, administrator, or other employee responsible for students who, during the course of employment, observes a student committing a crime must report the crime to local law enforcement. -AS 14.33.130. The obligation to report to law enforcement resides with the staff member observing the crime. "Crime" means an offense for which a sentence of imprisonment is authorized; a crime is either a felony or a misdemeanor. -AS 11.81.900.

Employees shall promptly report any ~~student~~personal-attack, assault or threat against them to their immediate supervisor who will report to the-Superintendent or designee. The employee and the ~~principal~~administrator or other immediate supervisor both shall promptly report such instances to the appropriate local law enforcement agency.

(cf. 1410 — Interagency Cooperation for Student and Staff Safety)

Legal Reference:

ALASKA STATUTES

[11.81.430](#) *Justification, use of force, special relationships*

[11.81.900](#) *Definitions*

[14.33.120-.140](#) *School disciplinary and safety program*

ALASKA ADMINISTRATIVE CODE

[4 AAC 07.010-4 AAC 07.900](#) *Student rights and responsibilities*

UNITED STATES CODE

~~*Elementary and Secondary Education Act, [20 U.S.C. §§ 2361-2368](#), as amended by the No Child Left Behind Act of 2001 ([P.L. 107-110](#))*~~
[Every Student Succeeds Act of 2015](#)

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Revised: November 17, 2015

Adopted: June 09, 2004

Northwest Arctic Borough School District