Board Policy Review Committee

Monday, May 24, 2021 9:00 AM
District Office Conference Room, 2920 3.5 Nome-Teller Hwy, Nome, Alaska 99762

A.	**Call to Order**
B.	**Items For Discussion**
1.	BP 1330 Use of School Facilities
2.	BP 3300 Expenditures/Expending Authority
3.	BP 3310 Purchasing Procedures
4.	BP 3312 Contracts
5.	BP 6111 School Calendar
6.	AR 6111 School Calendar
7.	BB 9130 Board Committees
8.	BB 9140 Board Representatives
C.	**Adjournment**

BP 1330 USE OF SCHOOL FACILITIES

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

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

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

(cf. 0100 - Philosophy)

(cf. 0430 - Community School Program)

(cf. 6145.5 – Student Organizations and Equal Access)

Legal References:

ALASKA STATUTES

04.16.080 Sales or consumption at school events

14.03.100 Use of school facilities

UNITED STATES CODE

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

Revised 04/2019

Revised 03/2015

Nome Public Schools

BP 3300 EXPENDITURES/EXPENDING AUTHORITY

The Superintendent or designee may purchase supplies, materials and equipment in accordance with law. Prior School Board approval is required for purchases over $25,000. The board shall approve or ratify all transactions.

(cf. 3310 - Purchasing Procedures)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 3460 – Periodic Financial Audit)

> ***Note:*** *A.S. 14.17.225 requires districts to operate under a balanced budget and provides that the state is not responsible for the debts of school districts.*

The Superintendent or designee shall not authorize any proposed expenditure which exceeds the major budget classification allowance against which the expenditure is the proper charge unless an amount sufficient to cover the purchase is available in the budget for transfer.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

The School Board shall not recognize obligations incurred contrary to School Board policy and administrative regulations.

Legal References:

ALASKA STATUTES

14.08.101 Powers (Regional school boards)

14.08.111 Duties (Regional school boards)

14.14.060 Relationship between borough school district and borough

14.14.065 Relationship between city school district and city

36.30 State Procurement Code

37.05 Fiscal Procedures Act

CODE OF FEDERAL REGULATIONS

2 C.F.R. 200.317-326, Procurement Standards

Revised: 03/2019

Adopted: June 10, 2003

BP 3310 PURCHASING PROCEDURES

***Note**: Pursuant to A.S. 14.14.060 and 14.14.065, city and borough school districts may establish their own procedures for purchase of supplies and equipment. A.S. 14.08.101 empowers regional school boards to establish their own fiscal procedures, including the purchase of supplies and equipment. All contracts made under federal awards must comply with the Office of Management and Budget's procurement procedures found in 2 CFR 200.317-326. Prior to any purchase, the District should reviewthe federal funding award or grant to determine if it requires compliance with OMB's procurement procedures.*

The School Board desires to ensure that maximum value is received for money spent by the district and that records are kept in accordance with law. The Superintendent or designee may issue and sign purchase orders and shall submit them for School Board approval or ratification. Purchase orders in excess of $25,000 will require prior approval of the Board. Purchases may not be segmented in order to circumvent the requirement for prior approval.

All purchases under federal awards will meet general standards as follows:

1. The District will maintain written procurement policies and procedures that meet the following standards and any other applicable laws and regulations.

2. Costs incurred must be necessary and cost-effective.

3. All procurement transactions must provide full and open competition.

4. The District will maintain written standards of conduct covering conflicts of interest.

5. The District will maintain documentation addressing cost and price analysis, and vendor selection, as applicable for the selected method of procurement.

(cf. 3310 – Purchasing Procedures)

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-substantial gifts of nominal value may be accepted if the item is non-solicited.

Employees in violation of this conflict of interest section are subject to disciplinary measures set forth in statute, board policy, and applicable negotiated agreements, up to and including termination.

(cf. 3300 - Expenditures/Expending Authority)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3460 – Periodic Financial Reports)

(cf. 4118 – Suspension/Disciplinary Action)

(cf. 4218 – Dismissal/Suspension/Disciplinary Action)

(cf. 9270 - Conflict of Interest)

***Note**: A.S. 36.15.050 establishes a preference for purchasing Alaskan agricultural and fisheries products. A.S. 14.03.085 makes school districts, except REAA's, subject to A.S. 29.71.050, which establishes a preference for purchasing recycled Alaska products.*

The School Board encourages the selection of Alaskan products when such products meet the needs of the district and shall adhere to state law regarding purchasing preferences for Alaskan products.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

***Note**: A U.S. Supreme Court decision (City of Richmond v. J. A. Croson Co.) indicates that before enacting an affirmative action purchasing program, the district would have to have strong evidence of past district discrimination against minority contractors and the district's program would have to be narrowly tailored to accomplish its remedial purpose.*

Legal References:

ALASKA STATUTES

14.08.101 Powers (Regional school boards)

14.14.060 Relationship between borough school district and borough

14.14.065 Relationship between city school district and city

29.71.050 Procurement preferences for recycled Alaska products

36.30 State Procurement Code

37.05 Fiscal Procedures Act

CODE OF FEDERAL REGULATIONS

2 C.F.R. 200.317-326, Procurement Standards

COURT DECISION

City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989)

Revised 03/2019

Revised 09/2017

Adopted: June 10, 2003

BP 3312 CONTRACTS

The Superintendent or designee may enter into contracts on behalf of the district. All contracts over $25,000 must be approved or ratified by the School Board.

(cf. 3300 - Expenditures/Expending Authority)

Contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee. Contracts, where appropriate, shall be submitted to the legal advisor of the district for review and approval.

The district shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, sex, religion, ancestry, national origin, age or non job-related handicap or disability, either in employment practices or in the provision of benefits or services to students or employees.

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

Legal Reference:

ALASKA STATUTES

14.08.101 Powers

ALASKA ADMINISTRATIVE CODE

4 AAC 31.065 Selection of designers and construction managers

4 AAC 31.080 Construction and acquisition of public school facilities

CODE OF FEDERAL REGULATIONS

2 C.F.R. 200.317-326, Procurement Standards

Revised 05/2019

Revised 05/2017

Adopted: June 10, 2003

Nome Public Schools

BP 6111 SCHOOL CALENDAR

The Superintendent or designee shall recommend to the School Board a school calendar that will meet the requirements of the law as well as the needs of the community, students and the work year as negotiated with district personnel.

Note: *Amended in 2004 and retroactive to July 1, 2003, AS 14.03.030 mandates a school term of 180 days with some exceptions. With the approval of the Commissioner of Education: up to ten days may be used for teacher inservice training: "emergency closure days" may be substituted for days in session because of conditions posing a threat to the health or safety of students; or the Board may adopt a different school term that includes at least 740 hours of instruction and study periods for students K-3 and at least 900 hours of instruction and study periods for pupils in grades 4-12. To utilize a different school term as just described , the Board must submit an acceptable plan to the Commissioner demonstrating that students will receive the approximate equivalent of a 180-day term.*

The school calendar shall show the beginning and ending school dates, legal and local holidays, orientation and teacher inservice days, number of teaching days, vacation periods and other pertinent dates.

(cf. 0530 - Discontinuation or Closure of Schools)

(cf. 6115 - Ceremonies and Observances)

Legal References:

ALASKA STATUTES

14.03.030 School term

ALASKA ADMINISTRATIVE CODE

4 AAC 05.090 Discontinuation or Closure of Schools

Revised 1/11

Adopted: June 10, 2003

AR 6111 SCHOOL CALENDAR

The following timeline shall be used by the administrators in developing the Nome Public Schools calendar.

- By October 30 - the principals and superintendent begin working on the School Calendar and establish a Committee. The Committee shall be comprised of the superintendent, principals, counselor(s), teachers, board member(s), parents and community members.
- November 30 - The superintendent and a designee will co-chair this committee and establish the first meeting to take place no later than November 30th of each year.
- December 15 - If deemed necessary, the committee will develop and distribute a survey in order to gather input from the community.
- January 30 - The Committee will review survey results and prepare option(s) for the regular scheduled Board of Education February meeting for their review and approval.

The Calendar will include:

1. a detailed calendar for the first school year,
2. start, end, and holidays for the second and third years.

Adopted: June 10, 2003

BB 9130 BOARD COMMITTEES

The School Board may establish committees of the Board as deemed necessary. The membership of these committees is limited to less than a majority of the whole Board. The Board shall establish written charges for Board committees. When its charges or duties have been completed, the committee shall be dissolved.

The School Board has determined that certain permanent standing committees do facilitate the operation of the Board and the District.

The School Board will receive reports or recommendations from a committee or subcommittee for consideration. The Board, however retains the right and has the duty to make all final decisions related to such reports or recommendations.

The School Board also may establish such ad hoc committees for specific purposes as it deems appropriate.

The School Board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.

The president may be a member of any committee. The Superintendent or designee may serve as an advisor to any committee at the discretion of the Board.

Committees may actively seek input and participation by parents/guardians, staff, community and students, and may consult with local public boards and agencies.

Committees shall act in an advisory capacity, making recommendations to the Board. No committee action shall be binding on the full Board. The Board as a whole shall have the final consideration in all matters.

Appointment of Committees

1. The School Board hereby appoints the following standing committees:

    a. Policy

    Purpose: to recommend policies as guidelines for the operation of the school district to the full board.

    b. Equity Committee

    Purpose: to provide direction and support to the District and act as community catalyst to better understand and create the conditions for equitable schools.

    c. UAF Northwest Campus Advisory Council

    Purpose: to represent Nome Public Schools on council as advisors on academic, vocational, and community education to the Bering Strait Region.

    d. Northwestern Alaska Career and Technical Center (NACTEC)

    Purpose: to participate in the Governing Board overseeing workforce development programs that prepare students for the world of work in a residential setting.

Procedures for School Board Committees

1. All meetings of committees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.

2. A committee shall act only within the guidelines and mission established for that committee by the School Board.

3. The power of a committee of the School Board is advisory only and is limited to making recommendations to the School Board.

4. A committee of the School Board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the School Board.

(cf. 1220 – Advisory Questions)

(cf. 9330 – Membership in Associations)

(cf. 9321 – Executive Sessions)

Legal References:

ALASKA STATUTES

29.20.020 Meetings public

44.62.310 Government meetings public

44.62.312 State policy regarding meetings

Revised 11/2017

Adopted: June 10, 2003

Nome Public Schools

BB 9140 BOARD REPRESENTATIVES

The Board may appoint any of its members to serve on advisory committees or as its representative to other public agencies or organizations when the Board deems such appointments desirable, contingent on acceptance of the appointment by the member.

(cf. 1020 - Youth Services)

(cf. 9110 - Board Membership)

Adopted: June 10, 2003

Nome Public Schools