

BP 4021 ~~ALL PERSONNEL~~ -- DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

Note: All persons subject to commercial driver's license requirements must be tested for alcohol, marijuana, cocaine, amphetamines, methamphetamines, opiates (including heroin) and phencyclidine (PCP). In [AS 14.09.025](#), the Alaska Legislature enacted its own statutory requirement for testing bus drivers, which is in effect for all Alaska districts that employ bus drivers. This area, especially post-employment testing of drivers, involves constitutional issues. School districts should refer to legal counsel in designing and implementing drug testing procedures. Although the passage [AS 17.38](#) authorizes the use of marijuana under certain conditions, it explicitly recognizes the authority of employers to prohibit the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace. [AS 17.38](#) also does not prevent employers from establishing policies that restrict the use of marijuana by employees. [AS 17.38.120\(a\)](#). 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, sale, distribution, possession and sale of marijuana. For purposes of the district's policy and legal obligation, marijuana is prohibited.

Purpose

The Superintendent or designee shall establish and implement a drug and alcohol testing program for all bus drivers employed by the [sSchool eDistrict](#), in accordance with state and federal law. [This testing program may be accomplished through a contract or agreement with the district's transportation services contractor.](#) The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of drugs and alcohol by bus drivers. This program shall test drivers for the improper use of drugs and alcohol and shall include random testing. Improper use of drugs and alcohol consists of use that constitutes a federal or state criminal offense, or otherwise violates the regulations of the Department of Education and Early Development.

Prohibited conduct

No personnel employed by the [sSchool eDistrict](#) as drivers of motorized vehicles used to transport students shall report for duty requiring the performance of safety-sensitive functions, or remain on duty, when the driver uses any controlled substance or has a prohibited concentration of alcohol in the driver's system. The only exception is when a driver has used a controlled substance pursuant to the instructions of a qualified physician who has advised the driver in writing that the substance does not adversely affect the driver's ability to safely operate a motorized vehicle for the transportation of students. Drivers shall provide a copy of the physician's written advice to the driver's supervisor prior to operating any motor vehicle for the [sSchool eDistrict](#).

Required Testing

Drivers shall be subject to pre-employment/pre-duty, reasonable suspicion, random, post-accident, returning to duty and follow-up alcohol and drug testing. Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions, which include just before or just after the employee performs the safety-related function for the district. Controlled substance testing may be performed at any time the driver is at work. An employee subject to this testing may not refuse to take a test when required.

[Note: Under 49 CFR Part 40, the Department of Transportation has made specimen validity testing \(SVT\) mandatory within the regulated transportation industries. Making SVT mandatory has become necessary because of the increase in products designed to adulterate specimens, which has made tampering with specimens more prevalent.](#)

Consequences for failing or refusing to take a required test

A refusal to take a required test shall be considered in violation of the employee's contractual obligations to the district and may constitute grounds for the employee's termination from employment with the district. If testing confirms prohibited alcohol concentration levels or the unauthorized presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with law. The district may reassign the employee to non-safety-related functions until such time as the driver complies with the requirements for returning to duty.

The Superintendent or designee retains the authority, consistent with state and federal law, to discipline or discharge any driver who is alcohol or chemically dependent and whose current use of alcohol or drugs impairs the employee's job qualifications or performance. Before a driver may be reinstated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified results.

Except as required by law or collective bargaining agreement, the district is not required to provide rehabilitation, pay for substance abuse treatment or to reinstate a driver who has failed a required drug or alcohol test. All employment decisions involving reassignment, reinstatement, termination or dismissal from employment shall be made in accordance with applicable district policies and procedures.

Records

The district shall keep and maintain testing records, and shall maintain the confidentiality of those records, in accordance with law. Testing records, and any information about false positive test results, shall not be released without the written consent of the employee. The district shall not retain records of false positive test results in the employee's employment records.

Training

The district shall take steps to ensure that supervisors receive appropriate training to administer the district's drug and alcohol testing program, and that employees receive the notifications required by law.

(cf. 4020 — [Drug, Tobacco, and Alcohol Free Workplace](#))

(cf. 3514 — [Environmental Safety](#))

(cf. 4158/[4258](#)/4358 - Employee Security)

(cf. 5144.1 - Suspension and Expulsion/~~Due Process~~)

Legal Reference:

ALASKA STATUTES

[AS 14.09.025](#) Drug Testing for School Bus Drivers

[AS 17.38.120](#) Employers, driving, minors and control of property

FEDERAL LAW

Omnibus Transportation Employee Testing Act of 1991

The Drug-Free Workplace Act of 1989

The Drug-Free Schools and Communities Act of 1986, as amended

International Brotherhood of Teamsters v. Dept. of Transportation, 932 F.2d 1292 (1991).

Adopted: June 09, 2004

Revised: August 30, 2023

[Revised:](#)

Northwest Arctic Borough School District

BP 4111/4211/4311 ~~CERTIFICATED~~ ALL PERSONNEL - RECRUITMENT AND SELECTION

Note: Effective for the 2016-2017 school year, the federal Every Student Succeeds Act has eliminated the requirement that teachers be "high qualified." Rather, teachers should be fully licensed and endorsed in each subject they are teaching.

The ~~e~~District shall employ the most ~~highly~~ qualified person available for each open position. The Superintendent or designee shall develop recruitment and selection procedures to ensure that every effort is made to find and hire fully qualified ~~teachers for all classrooms, staff~~ which include:

1. Assessment of the ~~e~~District's needs to determine those areas where specific skills, knowledge and abilities are lacking.
2. Development of job descriptions which accurately portray the position, including requirements that an ~~n teacher-employee~~ be qualified in accordance with federal and state law.
3. Dissemination of vacancy announcements to ensure a wide range of candidates, when necessary.
4. Screening procedures which will identify the best possible candidates for interviews.
5. Interview procedures which will determine the best qualified candidate for recommendation to the Board.

Staff members involved in the selection process shall recommend only those candidates who meet all qualifications established by law and the Board for a particular position. Nominations for employment shall be based upon appropriate screening devices, interviews, observations, recommendations from previous employers and any requirements of applicable collective bargaining agreements.

No inquiry shall be made with regard to age, race, color, religion, sex or national origin of persons proposed for or seeking employment. Questions regarding disability shall be asked only when directly related to the job and as permitted by law.

Note: The Alaska Professional Teaching Practices Commission recommends that districts develop a policy regarding the procedures to be followed when desiring to hire an educator currently under contract with another school district. The following policy language is based on procedures developed by the Fairbanks North Star Borough School District.

Before considering the hire of an ~~n certificated staff member~~ applicant who is currently under contract in another district, the Superintendent or designee will require the certificated staff to provide written documentation that he/she: (1) has made an effort to secure a release from the employing district thirty calendar days prior to the employing

district's first contract day; or, (2) has secured a written release from the employing district.

Note: A subject-matter expert teacher, holding a limited certificate issued by the Department, may be employed to teach subjects in which the person has satisfied the education or experience requirements set out in state statute [AS 14.20.022](#). Before a school district determines whether to hire a person as a subject-matter expert teacher, the school district must administer a competency examination. Additionally, once a subject-matter expert teacher is hired, the district must provide a mentor who is an experienced teacher for the subject-matter expert teacher for at least the first year of the subject-matter expert teacher's employment in the school district. A person employed as a subject-matter expert teacher under this section is considered a certificated employee for purposes of the teachers' retirement system. Finally, employment as a subject-matter expert teacher counts as employment for purposes of acquiring tenure; however, a person holding a subject-matter expert limited teacher certificate is not entitled to tenure until the person receives a teacher certificate under [AS 14.20.022](#).

(cf. 4112.8/~~4212.8/4312.8~~ - Employment of Relatives)

Note: [AS 14.20.020](#) requires coursework in Alaska studies and multicultural education or cross-cultural communications in order to be eligible for a teacher certificate. Effective June 30, 2017, [AS 14.20.020](#) also requires training on alcohol and drug related disabilities, sexual abuse and sexual assault awareness and prevention, dating violence and abuse awareness and prevention and suicide prevention in order to be eligible for a teacher certification. [AS 14.20.035](#) requires districts to give preference to applicants who demonstrate training or experience that indicates sensitivity to the traditions and cultures represented in the student population.

In evaluating applicants, preference shall be given to those applicants who can demonstrate training and experience related to the traditions and cultures represented in the student population.

(cf. 4030 - Nondiscrimination in Employment)

~~(cf. 4111.1/4211.1/4311.1 - Affirmative Action)~~

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee. The Board shall be presented with the Superintendent or designee's recommended candidate who may be ~~selected~~ [approved](#) or rejected by the Board. If the candidate is rejected, the Superintendent or designee shall recommend subsequent candidates until the Board ~~selects~~ [approves](#) someone to fill the position. The Board ~~has authority over the employment of~~ [shall make the final](#)

~~decision on the selection of~~ all employees, however, the Board may delegate the Superintendent or designee the authority to make staff hires without prior Board approval. If such authority is delegated, the Superintendent or designee shall notify the Board of all hires at a regularly scheduled Board meeting.

(cf. ~~6181—Charter School~~10000 – Concept and Roles)

Note: AS 14.08.111 and AS 14.14.090 require districts to provide prospective employees with information regarding the availability and cost of housing in rural areas to which they may be assigned and when possible assist them in locating housing. The following may be revised or deleted as appropriate.

The Board recognizes that the edDistrict encompasses rural areas and will assist teachers in obtaining information regarding the cost and availability of housing as required by law.

Legal Reference:

ALASKA STATUTES

14.08.111 Duties (regional school boards)

14.14.090 Additional duties

14.20.010 Teacher Certificate Required

14.20.022 Subject-matter expert limited teacher certificate

14.20.035 Evaluation of training and experience

14.20.100 Unlawful to require statement of religious or political affiliation

14.20.110 Penalty for violation of AS 14.20.100

ALASKA ADMINISTRATIVE CODE

4 AAC 04.210, 04.212 and 06.899(6) Highly Qualified Teachers and Objective Uniform Standards

6 AAC 30.810 Employer records

6 AAC 30.840 Retention of records

UNITED STATES CODE

Every Child Succeeds Act, [20 U.S.C 6301](#), et. Seq ([P.L. 114-95](#) December 10, 2015)

~~Revised: August 30, 2016~~

Adopted: June 09, 2004

Revised: August 30, 2016

Revised:

Northwest Arctic Borough School District

~~BP 4211 CLASSIFIED PERSONNEL - RECRUITMENT, SELECTION AND APPOINTMENT~~

~~The Superintendent or designee shall ensure that persons nominated for employment meet all qualifications established by law and by the Board.~~

~~Recommendations to permanent positions shall be made by the Superintendent.~~

~~All employees of the District shall be considered for appointment by the Borough School Board upon recommendation of the Superintendent.~~

~~Temporary employees may be employed either part time or full time as necessary. Their appointment does not require Board approval. Temporary employees shall be paid only for hours actually worked.~~

~~Full Time Employees are employees who work in a position of thirty (30) hours a week or more, Part Time Employees are employees who work in a position of fifteen (15) to thirty (30) hours per week, Temporary Employees are employees who are hired for a certain project not lasting more than six (6) months.~~

~~Members of the immediate family of the Board shall not be employed in the District, except on written approval from the Commissioner of the State Department of Education in accordance with AS 14.14.140 (a).~~

~~(cf. 4212.4 – Health Examinations)~~

~~(cf. 4212.5 – Security Check)~~

~~(cf. 8200 – Powers and Duties)~~

~~Revised: September 25, 2012~~

~~Adopted: June 09, 2004~~

~~Northwest Arctic Borough School District~~

BP 4112.5/4212.5/4312.5 ALL PERSONNEL - SECURITY CHECK

The School Board works to hire personnel whose background, conduct, and behavior ~~exemplifies a standard~~ reflect the highest standards of integrity and professionalism, and are deemed appropriate for ~~individuals~~ working with children. ~~Effort~~ The District will be made to investigate the background of all applicants (including volunteers) prior to hire in the ~~d~~District. This investigation will include questions related to an applicant's background and criminal history, including a background check, and may include a fingerprint check.

Falsification or omission of information during the interview or on the application shall be grounds for immediate removal from consideration for a position or dismissal from a currently held position. For certified staff, a complaint may also be made with the Alaska Professional Teaching Practices Commission (PTPC).

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4112.6/4212.6/4312.6 ALL PERSONNEL - PERSONNEL RECORDS

Personnel records shall be kept for all current employees and shall include information usually expected in good personnel administration. Records shall be kept for all former employees, including such information as ~~shall seem~~deemed appropriate to the administration.

Note: The Alaska Supreme Court has upheld a broad policy of public access to records and has ruled that employment applications of police chief and city manager may not be exempt from disclosure in view of the public's strong interest in high level public officials. It is likely therefore that Superintendent or designee applications, and possibly other employee applications, are subject to public disclosure.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 1312.1 - Complaints Concerning Personnel)

Note: 4 AAC 19.040 exempts employee evaluations from public disclosure and requires districts to establish procedures as to which supervisory personnel may have access to evaluation documents. AS 14.20.149 provides that information provided to a district under the district's certificated employee evaluation system is not a public record and is not subject to public disclosure. The Alaska Supreme Court in Anchorage Daily News has held that the evaluation of head public librarian is a public document. AASB recommends public requests for evaluations of district administrators be reviewed with district legal counsel on a case-by-case basis.

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the Superintendent or designee, and those individuals authorized by the Superintendent or designee or Board in accordance with administrative procedures. The School Board members may collectively request to review an employee's file at an executive personnel session of the Board, pursuant to a specific employee action and/or complaint process, and in accordance with the Alaska Open Meetings Act.

Employees shall be notified whenever derogatory information is to be placed in their personnel files. Employees may review and comment on the contents of ~~this~~their personnel file. Personnel records shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of an administrator.

Legal Reference:

ALASKA STATUTES

44.62.310 Government meetings public

40.25.120 Inspection and copying of public records

[23.40.070](#) *Declaration of Policy (PERA)*

[14.20.149](#) *Employee Evaluation*

ALASKA ADMINISTRATIVE CODE

[4 AAC 19.040](#) *Use of the evaluation*

U.S. SUPREME COURT

Municipality of Anchorage v. Anchorage Daily News, 794 P.2d 584 (Alaska 1990)

City of Kenai v. Kenai Peninsula Newspapers, Inc., 642 P.2d 1316 (Alaska 1982)

Adopted: June 09, 2004

Revised: August 30, 2023

[Revised:](#)

Northwest Arctic Borough School District

BP 4113 CERTIFICATED PERSONNEL - ASSIGNMENT

Note: The following sample policy may be revised or deleted to reflect district philosophy. This subject area is covered by collective bargaining laws.

The School Board recognizes strategic assignments are essential to supporting student success and maintaining a healthy, consistent school environment. While assignments must comply with applicable laws and credentialing requirements, the strengths, experiences, and well-being of district staff are important considerations. Since both students and staff benefit from stability, continuity, and positive relationships, assignment decisions should also consider the impact on school climate by minimizing unnecessary disruptions, and promoting consistency in student-teacher relationships. ~~respects the importance of assigning teachers in accordance with law, so as to serve the best interests of our students and the educational program.~~

The Superintendent or designee may assign certificated personnel to any position for which their preparation, certification, experience and aptitude qualify them. Teachers may be assigned to any school within the ~~e~~District.

(cf. 4112.8/~~4212.8/4312.8~~ - *Employment of Relatives*)

Note: The following optional paragraph should be reviewed in conjunction with the district's collective bargaining agreement, if any, and revised or deleted as appropriate.

The assignment of certificated personnel shall comply with applicable collective bargaining ~~provisions~~agreements and charter school contracts.

Legal Reference:

ALASKA STATUTES

[14.20.147](#) *Transfer or absorption of attendance area or federal agency school*

[14.20.148](#) *Intradistrict teacher assignment*

[14.20.158](#) *Continued contract provisions*

[23.40.070](#) *Declaration of policy (PERA)*

UNITED STATES CODE, TITLE 20

[Every Student Succeeds Act, P.L. 114-95](#)

~~20 USC § 1119~~

~~P.L. 107-110 Every Student Succeeds Act of 2015,~~

Adopted: June 09, 2004

Revised: September 25, 2012

Revised: August 30, 2023

Revised:

Northwest Arctic Borough School District

BP 4115 CERTIFICATED PERSONNEL - EVALUATION/SUPERVISION

Note: [AS 14.20.149](#) requires school districts to have a certificated employee evaluation system. The School Board is required to consider information from students, parents, community members, classroom teachers, affected collective bargaining units, and administrators in the design and periodic review of the system. The evaluation must be based on observation of the employee in the employee's work place. In addition, the law mandates a number of requirements for the system including the establishment of district performance standards, a minimum number of evaluations each year, the preparation and implementation of a plan of improvement, and opportunity for students, parents, community members, teachers, and administrators to provide information on the performance of the person being evaluated.

Department of Education and Early Development regulations require a district's certificated employee evaluation system to evaluate a teacher or administrator's performance on applicable professional content standards as exemplary, proficient, basic, or unsatisfactory. In addition, overall performance must be evaluated with these same four ratings. No later than July 1, 2016, a district shall adopt for teachers and administrators standards for performance based on student learning data. [4 AAC 04.205](#). Beginning July 1, 2016, a district shall report to the department not later than September 15th of each year evaluation results as to tenured and non-tenured teachers, administrators and special service providers and performance levels, as prescribed in [4 AAC 19.055](#). The Educator Evaluation regulations are found at [4 AAC 19.010-19.099](#).

The School Board believes that evaluations can provide important information relevant to employment decisions, ~~can~~ help staff improve their professional skills, ~~can~~ improve the effectiveness of instruction, and raise student achievement levels. In accordance with the ~~d~~District's certificated employee evaluation system, the Superintendent or designee shall evaluate certificated personnel annually, including teachers, administrators, and special service providers. The evaluation system shall evaluate whether the certificated employee is exemplary, proficient, basic, or unsatisfactory on applicable content standards and in overall performance. The ~~d~~District's certificated employee evaluation system will incorporate those procedures and mandates required by law.

The ~~d~~District shall provide ~~annual~~ in-service training to all certificated employees subject to the evaluation system. The training will assure inter-rater reliability and address the evaluation procedures, the standards used by the ~~d~~District in evaluating performance, and other information that may be helpful to a thorough understanding of the evaluation system.

Individuals conducting an evaluation must hold a Type B Administrative Certificate or be a Site Administrator under the supervision of a person with a Type B certificate, be

employed by the School District as an administrator, and complete training in the use of the District's evaluation system.

A certificated employee has a right to ~~timely~~ comment within 10 days on the evaluation and may not be retaliated against for doing so.

The certificated employee evaluation system will be periodically reviewed. The ~~e~~District will consider input from students, parents, community members, classroom teachers, affected collective bargaining units, and administrators. The ~~e~~District will make a form, template, or checklist that the ~~e~~District uses in the evaluation of certificated employees available to the public, including posting the form, template, or checklist on the ~~e~~District's website. The posting will explain how the ~~e~~District has considered the input of these groups in the design of the evaluation system.

(cf. 4116 - ~~Probationary/Permanent Status~~~~NonTenured/Tenured Status~~)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Nonretention)

(cf. 4315.1 - Competence in Evaluation of Teachers)

Legal Reference:

ALASKA STATUTES

[14.20.149](#) Employee Evaluation

[14.08.111](#) Duties

[14.14.090](#) Duties of school boards

[23.40.070](#) Declaration of policy (PERA)

ALASKA ADMINISTRATIVE CODE

[4 AAC 19.010-4 AAC 19.099](#) Evaluation of professional employees

[4 AAC 04.200](#) Professional content and performance standards

[4 AAC 04.205](#) District performance standards

~~Revised: June 2017~~

~~May 01, 2018~~

Adopted: June 09, 2004

Revised: June 2017

Revised: May 01, 2018

Revised:

Northwest Arctic Borough School District

BP 4117.2/4217.2/4317.2 CERTIFICATED ALL PERSONNEL - RESIGNATION

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

Note: *The Alaska Professional Teaching Practices Commission recommends that districts adopt a policy which addresses the situation of a teacher's request to resign during the teacher's contract term, or abandoning the position without notice. The PTPC further recommends a policy that addresses what procedures the school district will follow when recruiting a teacher currently under contract with another district, including a teacher who has not obtained a written release from that district. The PTPC will implement possible sanctions against a teacher who unilaterally breaches his or her employment contract. The following language can be revised to reflect your district's needs.*

A certificated staff member should provide notice as early as possible to the eDistrict when the staff member knows that he or she does not plan to return for the following school year. The eDistrict will agree to release a certificated staff member who ~~terminates~~ has signed a contract provided notice is given to the eDistrict, in writing, post-marked on or before June 30th. ~~thirty calendar days prior to the staff member's first contract day of the school year.~~

If a request to release a certificated staff member from his or her contract is made after June 30th ~~when fewer than thirty calendar days remain before the staff member's first contract day, or anytime thereafter~~, the eDistrict will consider filing a Professional Teaching Practices Commission (PTPC) complaint. When considering if the filing of a PTPC complaint is warranted, the eDistrict will weigh any mitigating circumstances including, but not limited to, factors impacting the staff member's family or health, factors related to the staff member's expectations regarding employment or working conditions, or unforeseen changes in the circumstances impacting the staff member's ability to continue employment with the eDistrict.

If a certificated staff member is currently under contract with the eDistrict and the eDistrict learns the staff member has contracted with another eDistrict without obtaining a written release, the eDistrict will file a PTPC complaint against the staff member.

The eDistrict will not contract with a certificated staff member under contract with another district unless the staff member provides a written release from the current employer. If the eDistrict contracts with a certificated staff member who has not disclosed that he/she is under contract with another school district, the eDistrict

reserves the right to terminate the contract for material misrepresentation and to file a PTPC complaint.

Legal Reference:

ALASKA ADMINISTRATIVE CODE

[4 AAC 18.010](#) *Teachers' and administrators' contracts*

[20 AAC 10.020](#) *Code of ethics and teaching standards*

~~*Revised: June 05, 2012*~~

Adopted: June 09, 2004

Revised: June 05, 2012

Revised:

Northwest Arctic Borough School District

~~BP 4217.2 CLASSIFIED PERSONNEL - RESIGNATION~~

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

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

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

~~*Adopted: June 09, 2004*~~

~~Northwest Arctic Borough School District~~

BP 4117.4 CERTIFICATED PERSONNEL - DISMISSAL

Note: AASB recommends that districts consult with legal counsel well before dismissal proceedings are to be instituted. The complexity of legal provisions pertaining to dismissal make such consultation imperative.

Employees shall not be deprived of their position during the school year except when cause for the dismissal can be shown. Employees shall be accorded their due process rights provided by law. Employees shall have the right to call witnesses in a pre-termination hearing held under the procedure set forth in AS 14.20.180.

(cf. 4116 - Probationary/Permanent/NonTenured/Tenured Status)

(cf. 4117.6 - Nonretention)

Legal References:

ALASKA STATUTES

[14.20.140](#) Notification of nonretention

[14.20.145](#) Automatic re-employment

[14.20.170](#) Dismissal

[14.20.175](#) Nonretention

[14.20.180](#) Procedure and hearing upon notice of dismissal or nonretention

[14.20.205](#) Judicial review

[14.20.215](#) Definitions

ALASKA ADMINISTRATIVE CODE

[4 AAC 18.010](#) Teachers' and administrators' contracts

U.S. SUPREME COURT

Nichols v. Eckers, 504 P. 2d 1359 (Alaska 1973)

Kenai Peninsula Borough Bd of Education v. Brown, 691 P. 2d 1034 (Alaska 1984)

*Stirling v. North Slope Borough School District, Supreme Court No. S-18853
(Alaska 2025)*

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4118 CERTIFICATED PERSONNEL - SUSPENSION/DISCIPLINARY ACTION

The School Board expects its employees to perform their duties in accordance with state law and Board policy and administrative regulations.

(cf. 4119.21/~~4219.21.4319.21~~ - Codes of Ethics)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Nonretention)

The Superintendent or designee may take disciplinary action, including: 1) verbal warning, 2) written warning, 3) ~~reassignment letter of reprimand~~, 4) suspension ~~with or~~ without pay, and 5) dismissal, as he/she deems appropriate, and may deviate from the progressive order of disciplinary actions in light of the particular facts and circumstances involved.

Note: A teacher may be suspended pending an investigation to determine whether cause exists for dismissal. However, the teacher's regular compensation must be continued during the temporary suspension. [AS 14.20.170](#).

The Superintendent or designee shall document all disciplinary actions thoroughly and accurately and shall ensure that such actions are taken in a consistent, nondiscriminatory manner.

Certificated management and supervisory personnel who are not covered by a collective bargaining agreement are subject to the disciplinary procedures set forth in BP 4218, except for discipline involving dismissal or nonretention. The District will provide the statutory and policy rights afforded to all certificated staff for dismissal and nonretention actions.

Legal Reference:

ALASKA STATUTES

[14.20.030](#) Causes for revocation and suspension

[14.20.170](#) Dismissal

[14.20.175](#) Nonretention

[14.20.180](#) Procedures upon notice of dismissal or nonretention

ALASKA ADMINISTRATIVE CODE

20 AAC 10.020 Code of ethics and teaching standards

~~Revised: November 20, 2018~~

Adopted: June 09, 2004

Revised: November 20, 2018

Revised:

Northwest Arctic Borough School District

BP 4119.3/4219.3/4319.3 ALL PERSONNEL - DUTIES OF PERSONNEL

Note: By requiring employers to reasonably accommodate persons with disabilities who are capable of performing the job, the Americans with Disabilities Act spotlights the need for complete, specific job descriptions. Job descriptions are expected to play an important part in implementing this federal law.

The School Board recognizes the importance of having adequate job descriptions for every eDistrict employee. Student safety, the eDistrict's fiscal stability, and the success of the educational program all depend on employees' fully understanding their responsibilities and duties.

The Superintendent or designee shall prepare and regularly update job descriptions for all positions. Job descriptions shall clearly specify all essential ~~and peripheral/marginal~~ functions and duties of the position, the degree of responsibility the position entails, the type and extent of training required, and the position of the person to whom the employee reports. As a best practice, job descriptions should be reviewed annually as part of the evaluation process.

All employees shall fulfill the duties and responsibilities set forth in their job descriptions and shall comply with Board policies, administrative regulations, applicable employee agreements, and local, state and federal laws.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4115/~~4215/4315~~- Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4118/~~4218/4318~~- Suspension/Disciplinary Action)

(cf 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

UNITED STATES CODE

Americans with Disabilities Act, [P.L. 101-336](#)

[42 U.S.C. 12101](#) et seq.

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4119.12/4219.12/4319.12 ALL PERSONNEL - HARASSMENT

The School Board is dedicated to providing a safe environment. Harassment disrupts a student's ability to learn and a school's ability to educate. Personnel are expected to demonstrate positive character traits and values. Conduct and speech must be civil and respectful.

~~The School Board recognizes that harassment can cause embarrassment, feelings of powerlessness, loss of self-confidence, reduced ability to perform school work, and increased absenteeism or tardiness. The School Board shall not tolerate the harassment of any student by any other student or district employee. Any student or employee who is found guilty of harassment shall be subject to disciplinary action up to and including suspension or termination.~~

Personnel are prohibited from engaging in any form of harassment in any school-related setting, including but not limited to: school property, during school hours, on school buses, at bus stops, and at school-sponsored activities, events, or functions.

Harassment means and includes, but is not limited to, intimidation by threats of or ~~actual~~ physical violence; the creation ~~by whatever means~~ of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status, or disability.

(cf. 5131.43 – Harassment, intimidation and bullying)

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)

(cf. 4119.21/4219.21/4319.21 – Codes of Ethics)

To promote an environment free of harassment, the administrator or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice or student instruction and counseling. Administrator-s shall discuss this policy with their employees and shall assure them that they need not endure any form of harassment.

The School Board encourages students or staff to immediately report incidences of harassment to the administrator or designee. The Superintendent or designee shall promptly investigate each complaint of harassment in a way that ensures the privacy of all parties concerned. In no case shall the student or staff member be required to resolve the complaint directly with the offending person.

Notice of this policy will be circulated to all District schools and departments and incorporated in teacher and student handbooks.

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

(cf. 1312.3 - Complaints Concerning Discrimination)

(cf. 4030 - Nondiscrimination in employment)

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

Legal References:

ALASKA STATUTES

[AS 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*

TITLE VI, CIVIL RIGHTS ACT OF 1964

TITLE IX, EDUCATION AMENDMENTS OF 1972

INDIVIDUALS WITH DISABILITIES EDUCATION ACT OF 1975

AMERICANS WITH DISABILITIES ACT OF 1990

Adopted: June 09, 2004

Revised: August 30, 2023

Revised:

Northwest Arctic Borough School District

BP 4119.22/4219.22/4319.22 ~~CERTIFICATED ALL~~ PERSONNEL - DRESS AND GROOMING

Note: The following policy is **optional**. If the School Board wishes to expand the policy to proscribe or prohibit specific items of clothing, it is advisable to consult with legal counsel. In adopting such a policy, the district must ensure that its dress code is reasonable and reasonably enforced.

The School Board believes that since teachers-staff serve as role models, they should maintain professional standards of dress and grooming. ~~Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.~~

The Board encourages staff during school hours to wear clothing that demonstrates their high regard for education and presents an image consistent with their job responsibilities. ~~Clothes that may be appropriate for shop instructors or gym teachers may not be appropriate for classroom teachers.~~

Legal Reference:

U.S. SUPREME COURT

Breese v. Smith, 501 P.2d 195 (Alaska, 1979)

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4119.23/4219.23/4319.23 ALL PERSONNEL - UNAUTHORIZED RELEASE OF CONFIDENTIAL INFORMATION

District employees shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws of this ~~e~~District permit disclosure. Information and records pertaining to executive sessions, negotiations and student records, including individual test results, are not subject to public disclosure.

(cf. 1340 - Access to District Records)

Any employee who ~~willfully~~ releases confidential District information ~~about students, staff, or any topic properly confined to an executive session~~ without appropriate authorization shall be subject to disciplinary action up to and including dismissal from ~~d~~District service. ~~Any action by an employee which inadvertently or carelessly results in release of confidential information shall be recorded, and the record shall be placed in the employee's personnel file.~~

~~Depending on the circumstances, t~~The Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

(cf. 3580 - District Records)

(cf. 5125 - Student Records; Confidentiality)

~~*(cf. 6146.3(AR) - Test Administration)*~~

(cf. 9321 - Executive Sessions)

Legal References:

ALASKA STATUTES

[14.03.115](#) *Access to school records by parent, foster parent, or guardian*

[14.14.090](#) *Additional duties*

[09.25.120-25.220](#) *Public Records Act*

[23.40.235](#) *Public Involvement in School District Negotiations*

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.738](#) *Standards-Based Test Results*

[4 AAC 06.765](#) *Test Security; Consequences of Breach*

UNITED STATES CODE

[20 USC 1232g](#) Federal Family Educational Rights and Privacy Act of 1974

U.S. SUPREME COURT

City of Kenai v. Kenai Peninsula Newspapers, Inc., 642 P.2d 1316 (Alaska 1982)

~~*Revised: March 30, 2018*~~

Adopted: June 09, 2004

Revised: March 30, 2018

Revised:

Northwest Arctic Borough School District

BP 4119.25/4219.25/4319.25 ALL PERSONNEL - POLITICAL ACTIVITIES OF EMPLOYEES

The School Board believes that ~~e~~District employees have an obligation to prevent the improper use of school time, materials or facilities for political or partisan purposes. The Superintendent or designee shall regulate political activities on school property ~~during the instructional day~~. Employees are prohibited from engaging in any activity in the presence of students during performance of the employee's duties, where the activity is designed or intended to promote, further, or assert a position on any voting issue, board issue, or collective bargaining issue. This prohibition does not apply to classroom instruction that is part of the approved curriculum.

The Board respects the right of school employees to engage in political activities on their own time. When engaging in political activities, employees shall make it clear that they are acting as individuals and not as representatives of the ~~e~~District.

Nothing in the policy shall prevent the District or Board from disseminating factual information regarding school bond projects.

(cf. 4119.21/~~4219.21/4319.21~~ - Codes of Ethics)

Legal Reference:

ALASKA STATUTES

[14.03.090](#) *Sectarian or denominational doctrines prohibited*

[14.20.095](#) *Right to comment and criticize not to be restricted*

[14.20.370-.510](#) *Professional Teaching Practices Act*

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.135](#) *Use of school funds in elections*

[20 AAC 10.010-10.900](#) *Professional Teaching Practices Commission*

Adopted: June 09, 2004

Revised: May 1, 2024

Revised:

Northwest Arctic Borough School District

BP 4122 CERTIFICATED PERSONNEL - STUDENT TEACHERS

Note: Effective August 1, 2015, a student teacher must be under the general supervision of a teacher who holds a valid teaching certificate, has at least one year of teaching experience in the district where the student teacher is serving, has at least three years total teaching experience, and meets or exceeds professional content and performance standards described in [4 AAC 04.200](#). Additional requirements for student teachers are stated in [4 AAC 30.020](#).

The School Board is legitimately interested in the quality of teacher training programs and encourages the use of student teachers in the eDistrict. Such use shall support the instructional needs of the eDistrict and may enable future teachers to fulfill state requirements, learn how to teach, and receive valuable feedback which can enhance their competence.

The Superintendent or designee may enter into agreements with accredited colleges and universities to allow student teachers to have supervised teaching experiences and/or observations within the eDistrict. The Superintendent or designee may collaborate with the program administrators of teacher preparation institutions to jointly develop, supervise and evaluate practical programs which provide training, support and evaluation for the student teacher.

The Superintendent or designee shall establish the criteria for host teacher participation in a teacher training program, such as including a minimum number of years of teaching experience and positive evaluations.

Legal Reference:

ALASKA ADMINISTRATIVE CODE

[4 AAC 30. - 020](#) Student teachers

[4 AAC 04.200](#) Professional Content and Performance Standards

~~Revised: June 2017~~

Adopted: June 09, 2004

Revised: June 2017

Revised:

Northwest Arctic Borough School District

BP 4141.6/4241.6 CERTIFICATED AND /CLASSIFIED PERSONNEL - CONCERTED ACTIVITY/WORK STOPPAGE

Note: The following optional policy may be revised or deleted. SB 16 (Statutes of 1992), repealed Title 14 provisions related to collective bargaining and affirmed placement of public school employees under the Public Employment Relations Act. In addition, public school employees were reclassified from class (a) (2) to class (a) (3) under AS 23.40.200 which provides them the right to strike after exhausting the advisory arbitration process. If advisory arbitration fails, a strike may not begin until at least 72 hours after notice of the strike is given. In any event, a strike may not begin on or after the first day of the school term, as that term is described in AS 14.03.030, unless at least one day in session with students in attendance has passed after notice of the strike is given by the employees. AS 23.40.080 provides public employees the right to engage in concerted activities. AASB is available for assistance in preparing contingency strike plans.

~~The Board subscribes to the principle that differences with employees or employee groups shall be resolved by peaceful and appropriate means without interruption of the school program.~~

~~The Board considers any type of unauthorized, improper or illegal work stoppage by District employees to be substantial non-compliance with the regulations and policies of the District.~~

The Superintendent or designee shall maintain a plan for the safe operation of the schools in the event of a work stoppage. In the event of a strike, a walkout, a coordinated mass use of sick leave or any other concentrated refusal of staff to perform assigned duties, the Superintendent or designee shall take whatever emergency steps ~~he/shethey~~ deems necessary for the safety of students, staff and ~~d~~District property. Such steps shall be reported to the Board as soon as possible.

When students raise questions related to a work stoppage, staff shall be expected to approach the subject in accordance with the District's policy on controversial issues. Staff shall not let such discussions interfere with their regular employment responsibilities.

(cf. 6144 - Controversial Issues)

Employees shall not provide students with messages or other information that promotes or explains the position of any employee organization that is engaged in or contemplating a work stoppage.

Legal Reference:

ALASKA STATUTES

[23.40.080](#) *Right of public employees*

[23.40.200](#) *Classes of public employees; arbitration*

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4158/4258/4358 ALL PERSONNEL - EMPLOYEE SECURITY

Note: Alaska school districts are required to adopt standards relating to when a teacher, 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, paraprofessional, 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.

An employee may use approved methods of physical restraint if a 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, *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 ~~personal attack~~, assault or threat against them to their immediate supervisor who will report to the Superintendent or designee. The employee and the administrator or other immediate supervisor ~~both~~ shall promptly report such instances to the appropriate local law enforcement agency, as appropriate. The Superintendent or designee shall be made aware of all police reports made by District personnel.

(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

Every Student Succeeds Act, [P.L. 114-95](#)

Adopted: June 09, 2004

Revised: November 17, 2015

Revised: August 30, 2023

Revised:

Northwest Arctic Borough School District

BP 4159/4259/4359 ALL PERSONNEL - EMPLOYEE ASSISTANCE PROGRAMS

The School Board supports the well-being of all employees and recognizes the benefit to the school system and students of a healthy workforce. The Board also recognizes that ~~s~~School ~~d~~District employees may have personal ~~problems-issues~~ which can have detrimental effects upon job performance and student safety. Many personal ~~problems issues~~ are easier to resolve when they are addressed early, before they reach disabling proportions. The Board encourages employees to seek help when such ~~problems issues~~ exist and to take advantage of the resources that are available to assist them.

Employees shall have confidential access to information about community resources that address personal ~~problems~~issues. This information shall be available, on a voluntary basis, to all employees, spouses and dependents.

(cf. 4020 - Drug and Alcohol-Free Workplace)

Management and supervisory staff shall be knowledgeable about the ~~d~~District's employee assistance program. When there are indications of declining performance, attendance problems, or on-the-job behavioral problems, supervisors shall consult with the Superintendent or designee to explore the resolution of such problems.

Note: The federal Americans with Disabilities Act, Section 104 states that an employee who uses drugs or who is an alcoholic may be held to the same job performance standards as held for other employees, even if any unsatisfactory performance is related to the drug use or alcoholism. Section 104 also states that an employer cannot discriminate against an individual who has successfully completed a supervised drug rehabilitation program or an employee who is currently participating in a supervised rehabilitation program and no longer engaging in drug use. The following optional paragraph clarifies that although participation in the assistance program is risk-free, the district reserves the right to discipline in accordance with its existing policies and procedures.

Participation in the assistance program will not jeopardize the employee's employment or career advancement, nor will it protect the employee from disciplinary action for substandard job performance.

(cf. 4115/~~4215/4315~~ - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

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

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

Adopted: June 09, 2004

Revised:

Northwest Arctic Borough School District

BP 4161/4261/4361 ~~CLASSIFIED ALL PERSONNEL - LEAVES AND BENEFITS~~

~~The School Board shall provide for employee absences authorized by law, Board policy, and negotiated agreement.~~

~~The School Board shall authorize employee absences as provided by law, School Board policy, and negotiated agreement. The School Board recognizes the following justifiable reasons for absence:~~

- ~~1. Personal sickness or injury, pregnancy, jury duty, military service or emergencies beyond the employee's control.~~
- ~~2. Family illness, bereavement, religious observances and other personal reasons.~~
- ~~3. Situations stemming from occupational status such as attendance at meetings, conventions, inservice courses, seminars, etc.~~
- ~~4. Other situations for which leave is provided by law.~~

~~Permanent full-time employees receive full benefits. Permanent part-time employees receive benefits on a prorated basis. Employees working less than fifteen (15) hours per week and temporary employees do not receive fringe benefits.~~

~~Benefits include:~~

~~Employees will accrue **sick leave** at the rate of 1 1/3 days for each full monthly pay period with unlimited accrual from year to year. Sick leave may be used when the employee is sick or injured, an illness within the employee's immediate family which requires the employee's presence, and upon the death of a member of the immediate family. The district reserves the right to require a doctor's and/or health aide's certificate of medical disability for sick leave usage. An employee is encouraged to notify his/her supervisor one half (1/2) hour as far in advance of the scheduled workday that the employee is going to utilize sick leave. If the supervisor is not notified the leave shall be charged to unapproved leave without pay. An employee utilizing sick leave shall be paid for such time lost, to the extent that he/she has sick leave accrued, at his/her current salary, less the amount of any time lost payments made to him/her under the Alaska Workers' Compensation Act. There shall be no accrual of sick leave when an employee is on leave without pay status. Employees are not entitled to monetary reimbursement for accumulated sick leave.~~

~~The employee shall be entitled to use up to seven (7) days, plus necessary travel time, of sick leave per year for: (1) Death within the employee's family. The family shall be limited to the employee's spouse, child, legal ward, brother, sister, parent, grandchild, grandparent, child-in-law and parent-in-law; and for. (2) Serious illness or injury of a member of the employee's family, as defined in (1) above (a statement by the attending physician regarding the illness or injury may be required by the District). Sick Leave Bank. Commencing in FY 23. A. The Sick Leave Bank shall be open to employees of the District. Once enrolled, membership shall be continuous until the member submits a written notice of~~

~~withdrawal to the District. B. Members wishing to join the Sick Leave Bank shall notify the Personnel Director of their intention by September 30 of the current year, or within thirty (30) days of employment. Each new member of the bank will donate one day of his/her leave to the bank upon joining. C. The Sick Leave Bank shall be administered by a Sick Leave Bank Committee. The Committee shall consist of two members selected by the Association and one member selected by the Administration. It is the committee's responsibility to approve or deny requests for Sick Leave Bank usage. Applications for Sick Leave Bank usage shall be accompanied by a letter from the attending physician explaining the nature, seriousness, and expected duration of the medical problem. Decisions of the Sick Leave Bank Committee shall be final and shall not be subject to the grievance procedure. The District shall not be held responsible for decisions of the Sick Leave Bank Committee. D. The Sick Leave Bank will be established to enable an employee (because of unusual circumstances) to receive up to, but not more than twice (2 times), the number of sick leave days he/she has credited to him/her prior to the first day of the school year, or twenty-four (24) days, whichever is greater. For the purpose of the Sick Leave Bank, Unusual Circumstances shall be defined as any serious physically or emotionally debilitating illness, or injury of the employee, which results in a prolonged absence. A copy of the approved leave shall be submitted to the District's Personnel Office. E. In the event that the bank is depleted below forty (40) days, each member of the bank will donate an additional day up to a maximum of two (2) days per year. Donated days will be nonrefundable. F. The first seven (7) days of a qualifying illness or injury will not be covered by the bank, nor will access to the bank be permitted until the member's own accumulated sick leave days, and annual leave days, are depleted.~~

~~Family leave shall be granted to an employee as required by the State and Federal Family Leave Acts.~~

~~**Maternity/paternity leave** may be granted to a permanent employee upon recommendation of his/her physician and immediate supervisor. The employee is entitled to take a total of nine (9) weeks of leave immediately preceding and following childbirth. This leave shall be charged first to sick leave, and if that is not sufficient, then to annual leave, then leave without pay.~~

~~**Court leave** will be granted to an employee who is called to serve as a juror or subpoenaed as a witness. Court leave does not apply to an employee who must attend Court as a party to a litigation. The employee shall retain the monies received for such service and notify the payroll department of the amount received. This amount will be deducted from the employee's paycheck.~~

(cf. 4161.4/4261.4/4361.4 - Family and Medical Leave)

Note: The Alaska Family Leave Act became law September 16, 1992, and applies to employers that have employed 21 or more employees for each working day during any period of 20 consecutive workweeks in the preceding two calendar years. Family leave

includes, at a minimum, "unpaid leave" for "serious" health conditions for a total of 18 weeks during any 12 month period, and unpaid leave for pregnancy and childbirth or adoption for a total of 18 work weeks within a 12 month period. Employees are entitled to apply accrued paid leave toward the unpaid leave time. Employers must allow employees to continue their existing health insurance coverage at the same level the employee had before going on leave. However, the employee may be required to pay the premium cost for the continuation of the insurance coverage. The Commissioner of Education may approve a labor contract that does not meet the family leave requirements if the district can show a lack of qualified, available substitutes to replace a teacher on leave or a lack of available housing for replacement teachers who do not live in the community.

~~Annual leave for non-certificated staff who work twelve (12) months will accrue at the rate of:~~

~~One (1) day for each full month for non-certificated employees with less than one (1) year of service;~~

~~1 1/4 days for each full month for non-certificated employees with more than one (1) year of service, but less than five (5) years of service;~~

~~1 1/2 days for each full month for non-certificated employees with five (5) or more years of service.~~

~~2 days for each full month for employees with more than ten (10) years of service.~~

~~Professional and non-certificated staff, who work less than twelve (12) months will accrue annual leave at the rate of:~~

~~One (1) day for each ~~fifty (50)~~ forty-eight (48) days on pay status. Less than 200 days equals three (3) days leave; 200 days or more equals 4 days leave. However, employees on pay status from 145 days to 193 days accrue four (4) days, and those working more than 193 days accrue five (5) days.~~

~~Accrued leaves for less than twelve (12) month employees shall be pre-credited, however, no employees are exempted by grandfather clause rights. Unused leave will be automatically paid off at the end of the school year. for those employees who have worked for the District continuously for one year, with precrediting beginning at the start of the next school year.~~

~~Professional/certificated staff working 260-day contracts, who do not report to the Superintendent, will accrue leave at the rate of:~~

~~One (1) day for each full monthly pay period for employees with less than one (1) year of service;~~

~~1 1/4 days for each full monthly pay period for employees with more than one (1) but less than five (5) years of service;~~

~~1 1/2 days for each full monthly pay period for employees with more than five (5) years of service.~~

~~Employees that have worked for the District for 5 or more continuous years may cash out unused annual leave at their daily rate or may carry over unused days into the next school year. Those employees may only accumulate up to 5 days of leave annually.~~

~~Unused annual leave for employees who work less than twelve (12) months will be automatically paid off at the end of the year, except for those employees eligible to carry over annual leave. For those employees, days accumulated in excess of 5 shall be automatically paid off.~~

~~Except upon written approval of the Superintendent, annual leave for less than twelve (12) month employees shall not be available on their first and last working day; immediately before or after a holiday or vacation; during state or District required assessment testing, or during non-optional in-service days or non-optional early release days.~~

~~An employee of the District Employees who work twelve (12) months may request up to ten (10) days of accrued leave be paid off during each school year, or the entire amount will be paid off at the employee's current daily rate upon termination.~~

~~For twelve (12) month employees, Accrued annual leave shall not exceed thirty (30) days accumulation as of June 30 of each year. If a request for annual leave must be denied and would result in loss of leave, the Superintendent may postpone requested leave without loss to a mutually determined time in the future. Annual leave not taken by an employee a twelve (12) month employee in accordance with the provisions is lost.~~

~~There shall be no accrual of annual leave when an employee is on leave without pay status.~~

~~The following are observed as legal holidays by all non-certificated personnel in the District:~~

~~the first of January, known as New Year's day;~~

~~the third Thursday and third Friday in March, for Spring Break; Spring Break—2 days on District calendar;~~

~~the last Monday in May, known as Memorial Day;~~

~~the 4th of July, known as Independence Day;~~

~~the first Monday in September, known as Labor Day;~~

~~the fourth Thursday and Friday in November, known as Thanksgiving day and the day after;~~

~~the 24th and 25th of December, known as Christmas Eve and Christmas day; and~~

~~the 31st of December, known as New Year's Eve.~~

~~Permanent and probationary employees who either work or are on paid leave on the days immediately preceding and following designated holidays shall be paid for the number of hours normally scheduled for the position at the normal rate of pay.~~

~~Holidays falling on Saturday are celebrated on the preceding Friday. Those that fall on Sunday are celebrated on the following Monday.~~

~~Temporary employees are not entitled to receive pay for unworked holidays.~~

~~Employees who are members of a reserve component of the U.S. Armed Forces or of the National Guard shall be granted temporary military leave on all days during which the employee is ordered to training duty, as distinguished from active duty, with troops, or a field exercises, or for instruction or when under direct military control in the performance of a search and rescue mission. Temporary military leave should be limited to sixteen and one half (16 1/2) working days in any one (1) calendar year. Temporary military leave shall be granted only upon the written request of the appropriate military authority stating the reasons why the service cannot be fulfilled outside of normal work days. A copy of the request and the military orders shall be filed with the Superintendent prior to the commencement of leave. An employee shall promptly remit to the District any salary received from the military for the leave period, or as an option to payment of any salary or stipend received from the U.S. Armed Forces or Alaska National Guard to the District, the employee may elect to use any accumulated annual leave or if this is exhausted, take leave without pay. Either of the options must be selected at the time of the request for military leave.~~

~~The employee shall be entitled to use up to seven (7) days, plus necessary travel time of sick leave per year for:~~

- ~~1. Death within the employee's family. The family shall be limited to the employee's spouse, child, legal ward, brother, sister, parent, grandchild, grandparent, child-in-law and parent-in-law; and for:~~
- ~~2. Serious illness or injury of a member of the employee's family, as defined in (1) above (a statement by the attending physician regarding the illness or injury may be required by the District).~~

~~Leave without pay for less than ten (10) work days per year may be granted by the site administrator or supervisor. Leave without pay for ten (10) or more work days may be~~

~~granted by the Superintendent or his/her designee upon recommendation of the principal or supervisor. Each request for such leave will be considered in light of the circumstances involved and in regard to the needs of the District. Leave without pay shall not be requested or granted until such time as all accrued leave has been exhausted.~~

~~Leave without pay for less than ten (10) work days per year may be granted by the site administrator or supervisor. Each request for such leave will be considered in light of the circumstances involved and in regard to the best interests of the District.~~

~~District employees who hold public office or serve on boards of other organizations may be granted up to 10 days of leave without pay per school year to attend meetings. Any commitment requiring an employee to use more than 10 days of leave without pay is excessive and in conflict with the employees work responsibilities. Any request for leave without pay for more than 10 days per school year for these activities will require the approval of the local Advisory School Board and the Superintendent or his/her designee.~~

~~(cf. 8321 -- ASC Executive Sessions)~~

~~Employees shall not be paid for holidays occurring while they are on leave without pay.~~

~~Excessive tardiness and/or absenteeism shall be considered sufficient cause for termination of service.~~

~~Unauthorized absences from duty of any employee may result in a disciplinary leave without pay for the period of absence at the discretion of the administrator.~~

~~Group health insurance is carried for permanent employees and their dependents, if the employee works a minimum of fifteen (15) hours per week. The employee is covered for \$20,000 life insurance. Employees who work less than twelve (12) months a year will also be covered when not in duty status, limited to 3 months per year when school is in session. If the District's insurance carrier is not willing to provide that coverage to any employee because of that employee's age or otherwise, the District shall only be required to provide an amount of term life or medical insurance coverage as the District's carrier is willing to provide for the premium that the District would have paid for that employee under the District's group insurance policy.~~

Legal Reference:

ALASKA STATUTES

~~14.14.105 Sick leave bank~~

~~14.14.107 Sick leave and sick leave transfer~~

[14.20.147](#) *Transfer or absorption of attendance area or federal agency school*

[23.10.500 - 23.10.550](#) *Alaska Family Leave Act*

ALASKA ADMINISTRATIVE CODE

[4 AAC 09.020](#) *Teachers entitled to pay*

~~[4 AAC 15.040](#) *Sick leave*~~

~~[4 AAC 15.900](#) *Definitions*~~

UNITED STATES CODE

Family and Medical Leave Act, [29 U.S.C. 2601](#) et. seq.; [29 CFR Part 825](#), amend. 2008

National Defense Authorization Act for fiscal year 2008, [Public Law 110-181](#), § 585(a)

Adopted: June 09, 2004

Revised: March 01, 2016

Revised: February 23, 2021

~~*[Revised:](#)*~~

Northwest Arctic Borough School District

BP 4180/4280/4380 ALL PERSONNEL - RESIDENCY AND REMOTE WORK

Note: This model policy is adopted from a policy created by the Dillingham City School District.

The Board recognizes the educational and economic benefits that result from ~~d~~District personnel residing within the boundaries of the ~~s~~School ~~d~~District. The Superintendent or designee may determine that the best candidate for a ~~certificated or administrative~~ position does not plan to maintain primary residency within the boundaries of the school district. In order to hire or continue the employment of such a candidate, the Superintendent or designee shall seek approval from the Board. The Superintendent or designee shall develop procedures to implement this policy.

Adopted:

Northwest Arctic Borough School District

BB 9320 MEETINGS

Note: Alaska's Open Meetings Act A.S. 44.62.310-.312 requires meetings of the Board to be open to the public except as allowed by law and requires reasonable public notice of such meetings. 1994 revisions to the Act are reflected in this sample policy.

Meetings of the [School](#) 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. As a matter of district policy and state law, meetings ordinarily shall be open to the public. The Board may meet in closed sessions only to discuss certain matters as permitted or required by Alaska's Open Meetings Act. All business of the Board must be conducted at a duly convened meeting of the Board. Poll voting between meetings is not allowed.

(cf. 9321 - Executive Sessions)

Reasonable public notice shall be given for all meetings of the Board in accordance with law and district practice, and shall be posted at all regular district and school sites before the meeting. Such notice shall include the date, time and place of the meeting, and, if the meeting is by teleconference/[virtual](#), the location of any teleconferencing facilities that will be used. Public Meetings may not be held in a private home or private business.

(cf. 9012 - Communications To and From the Board)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Regular Meetings

The Board shall adopt a yearly calendar specifying the date, time and place of each regular meeting. The local media shall be provided with the annual calendar of regular Board meetings and shall be notified of any changes to the calendar.

Regular meetings shall be held on the last Tuesday of every month, unless otherwise determined by the Board. The meetings will convene at the appointed time, providing a quorum is present. Notice of regular meetings shall be posted at least five (5) days prior to the meeting.

[All members shall make every reasonable effort to attend in-person for regular, non-primarily teleconference/virtual meetings.](#)

Special Meetings

Special meetings of the Board may be called by the presiding officer or a majority of the Board members.

Except in case of an emergency, notice of special meetings shall be provided at least 24 hours before the meeting. This nNotices shall specify the date, time, place and, if the meeting is by teleconference/virtual, the location of any teleconferencing facilities that will be used. Such nNotices shall be given to all Board members, the sSuperintendent and to the local news media. This nNotices also shall be posted at district and school sites at least 24 hours before the meeting. Notice of sSpecial meeting notices shall include a statement of the purpose of the meeting. No business may be transacted at this special meeting, other than that which is specifically stated in the notice of the meeting.

Emergency Special Meetings

The Board pPresident or designee shall give notice of an emergency special meeting to the local media by telephone before the meeting. If telephone services are not functioning, the notice requirement is waived. In that event, as soon after the meeting as practicable, the Board President shall notify the local media that the meeting was held and shall describe the purpose of the meeting and any action taken by the Board.

Teleconferences/Virtual

Recognizing the inherent responsibility and statutory duties of Board members, the Board strongly encourages Board members to attend and participate at meetings of the Board. Though great importance is given to the physical presence of Board members at meetings, the attendance and participation of members by teleconference/virtual is authorized whenever physical presence is not practicable. If a Board member knows they will be unable to physically attend scheduled in-person meetings, worksessions, or committee assignments, they must notify the Board President and the Superintendent's Office of an intended teleconference/virtual attendance.

—All votes at a meeting of members attending by teleconference/virtual shall be taken by roll call.

The Board also authorizes the use of teleconferences/virtual for Board meetings when receiving public comment or testimony, and during Board deliberations.

Whenever possible, meeting agendas and supporting materials shall be available at all teleconference/virtual facilities used for the Board meeting. The Board President shall attend all meetings in person alongside the Superintendent or designee if practicable. Board members may attend teleconference/virtual meetings at their local school or board room when prior arrangements have been made.

a. —

Teleconference/virtual executive sessions:

1. To promote the highest degree of confidentiality during executive sessions, such Board members must annually sign an affidavit that the only people, if any, that will be present in the room during an executive session are authorized to be there.
2. At the beginning of every teleconference/virtual executive session, each member shall verbally affirm that the only people in the room with them are authorized to be there.

Legal Reference:

ALASKA STATUTES

[14.08.091](#) *Administration*

[14.14.070](#) *Organization of school board*

[14.14.080](#) *Declaring a school board vacancy*

[29.20.020](#) *Meetings public*

[44.62.310](#) *Agency meetings public*

[44.62.312](#) *State policy regarding meetings*

Adoption Date: May 23, 1995

Revised: March 27, 2007

Revised: April 29, 2025

[Revised:](#)

Northwest Arctic Borough School District

BP 10020 CHARTER SCHOOL APPLICATION

The following steps shall be followed in making an application for the establishment of a charter school, in accordance with AS 14.03.250 and 4 AAC 33.110. Applicants are cautioned that the Alaska Department of Education and Early Development ([DEED](#)) has its own policies and deadlines, and to the extent the applicant's proposed charter school may be affected by those deadlines, the applicant should take those deadlines into account. The charter school application and proposed contract with the School Board shall comply with all application procedures and requirements as defined by AS 14.03.255, AS 14.03.250 and 4 AAC 33.110 and address all elements specified within the district policies and administrative regulations.

1. After receiving a Notice of Intent, the [s](#)Superintendent shall establish an administrative committee to meet with the charter school representatives to review the application procedures and requirements.
2. Following the initial meeting with the administrative committee, the charter school representatives shall prepare the application with all the required information and a proposed contract between the [charter](#) school and the [School](#) Board, as well as the development of bylaws.

[\(cf. BP 10010 Establishment of Charter Schools\)](#)

~~2.~~

3. The contract between the charter school and the School Board shall reflect all agreements regarding the operation of the charter school. Any revisions of the terms of the contract may be made only with the approval of the School Board and charter school Academic Policy Committee. The contract will take effect upon the State Board of Education's approval of the application.
4. [Following the timely receipt of the complete application form and the proposed written contract between the charter school and the School Board, the Superintendent or designee shall seek legal review and recommendation.](#)
- ~~4.5.~~ [_____](#) Following the ~~timely receipt of the complete application form and the proposed written contract between the charter school and the School Board~~[legal review](#), the [School](#) Board shall hold a public work session with the charter school representatives. During this work session, the charter school representatives shall present their proposal for a charter school and the contract with the School Board. The School Board and the charter school representatives may negotiate provisions of the contract during this meeting.
- ~~5.6.~~ [_____](#) Following the work session the School Board shall place the charter school proposal on the agenda for a School Board meeting. A public hearing [may shall](#) be held prior to the approval or denial of the charter school application.

The School Board will take action to approve or deny the request to establish the charter school.

~~6.7.~~ Upon approval of a charter school application, the School Board will submit to the State Board of Education a copy of the charter school application and a report on the action taken by the School Board not later than 30 working days following the School Board's action, in accordance with 4 AAC 33.110(b).

(cf. E 10020 - Sample Bylaws)

Legal Reference:

Alaska Statutes

14.03.250-14.03.280 Charter Schools

Adopted:

Northwest Arctic Borough School District

BP 4133/4233/4333 ALL PERSONNEL - TRAVEL EXPENSES

Note: The following optional policy delegates duties related to employee travel and reimbursement to the Superintendent or designee and may be revised to reflect district practice.

The ~~School Board~~Superintendent or designee shall pay for ~~actual and necessary~~approved expenses, including travel, incurred by any employee performing authorized services for the ~~e~~District. ~~Approved~~Expenses shall be reimbursed ~~within limits established by the Board according to District procedures.~~ The employee shall be on work status when on District funded travel. The Superintendent or designee may approve employee requests to attend meetings in accordance with the ~~adopted~~District budget.

All out-of-district travel for employees must have Superintendent or designee approval. All out-of-district travel for the Superintendent must have Board approval. All unexpected out-of-district Superintendent travel may be approved by the Board President with notification to the full board. Travel expenses not previously budgeted must be approved on an individual basis by the Board.

~~The Superintendent or designee may authorize an advance of funds to cover necessary expenses.~~—The Superintendent or designee shall establish procedures for the submission and verification of expense claims.

The Board may establish an allowance on either a mileage or monthly basis to reimburse designated employees for the use of their own vehicles in the performance of assigned duties.

(cf. 3300 - Expenditures/Expending Authority)

Per Diem

Per diem shall be paid as determined by the Superintendent, prior to travel, except as listed;

per diem shall not be paid to any employee who does not attend workshops, sessions, classes, etc. for which leave is intended;

any District employee who does not attend a session, for which leave is intended, will not be allowed to attend future workshops for the District;

Per diem and travel shall not be paid to employees who attending District approved workshops or meetings, ~~who arrive at meetings in a state of intoxication while impaired~~

| by the use of drugs or alcohol. Employees in this case will be asked to leave immediately.

Adopted: June 09, 2004

Revised: November 15, 2019

| *Revised: January 22, 2025*

Revised: February 28, 2026

Northwest Arctic Borough School District

BP 4161.1 CERTIFICATED PERSONNEL – SICK LEAVES

Every certificated employee who works the majority of a contractual month is entitled to one and one-third days of sick leave for that month. Unused days of sick leave shall be accumulated from year to year without limitation.

The Superintendent or designee shall establish procedures for reporting and verifying such absences.

Teachers are subject to disciplinary action, up to and including termination, for misusing sick leave, including providing false information regarding the use of, or need for, sick leave.

Certificated employees may transfer accumulated sick leave between districts and the Department of Education and Early Development. Employees are responsible for initiating a transfer of sick leave credits within 90 days of commencing employment at the district.

(cf. 4161.4/4261.4/4361.4 - Family and Medical Leave)

Sick Leave Bank

Note: [AS 14.14.105](#) provides that the School Board may establish a sick leave bank independently or jointly with certificated employees. The following optional language may be revised or deleted as appropriate.

The School Board authorizes the establishment of a sick leave bank to provide certificated employees sick leave benefits in unusual circumstances. Certificated employees may draw not more than twice the number of days of sick leave the teacher has accumulated before the first day of school in any school year, or 24 days, whichever is greater. The School Board may grant additional leave in cases of severe illness or external hardship.

Legal Reference:

ALASKA STATUTES

[14.14.105](#) *Sick leave bank*

[14.14.107](#) *Sick leave and sick leave transfer*

[14.20.147](#) *Transfer or absorption of attendance area or federal agency school*

[23.10.500 - 23.10.550](#) *Alaska Family Leave Act*

ALASKA ADMINISTRATIVE CODE

[4 AAC 15.040](#) Sick leave

[4 AAC 15.900](#) Definitions

FAMILY AND MEDICAL LEAVE ACT, [29 U.S.C. 2601](#) et. seq.; [29 CFR Part 825](#),
amend. 2008

Adopted:

Northwest Arctic Borough School District

BP 4212 CLASSIFIED PERSONNEL - APPOINTMENT AND CONDITIONS OF EMPLOYMENT

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

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

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

(cf. 10000 - Concepts and Roles)

Adopted:

Northwest Arctic Borough School District

BP 4314 MANAGEMENT AND SUPERVISORY PERSONNEL - TRANSFER/REASSIGNMENT

The Superintendent or designee shall assess the needs of the district and ~~to~~ assign management personnel to positions which will meet those needs.

~~Voluntary Change of Assignment~~

~~In order to promote administrative professional growth and career development, broaden management background, and share administrative and personnel skills within the district, the School Board encourages management personnel at all levels to apply for transfers and reassignments.~~

Involuntary Reassignment of Certificated Administrators

Involuntary reassignment within the administrator's classification (same job title) may be initiated upon the recommendation of the Superintendent or designee in the best interests of the district.

Legal Reference:

ALASKA STATUTE

[14.20.158](#)

~~*Revised: August 02, 2013*~~

Adopted: June 09, 2004

~~*Revised: August 02, 2013*~~

~~*Revised:*~~

Northwest Arctic Borough School District

~~BP 6181 CHARTER SCHOOLS~~

~~Charter schools are schools established under [AS 14.03.250](#) that operate within the public school district. Charter schools are established upon the approval by the School Board and the State Board of Education of an application for a charter school. Charter schools shall operate under a written contract between the charter school and the School Board.~~

~~Establishment of Charter Schools~~

~~The School Board shall give appropriate consideration to any charter school petition, in light of its overall effect on the district's children and the proposed school's ability to function effectively and meet its goals. The School Board desires to support innovations which improve student learning and views charter schools as an opportunity to implement school-level reform. In accordance with law, the proposed charter must include descriptions of the vision, mission and goals of the charter school, the governance structure which will be used, the educational outcomes to be attained by students, and the method by which progress in meeting these outcomes will be measured.~~

~~Applications for a charter school to operate during the next school year shall be submitted to the School Board no later than August 1st of the current school year. A charter school shall begin operation as agreed with the School Board, but no later than October 1st of the year approved for opening.~~

~~Charter schools shall comply with the following general requirements:~~

- ~~1. The charter school shall establish an Academic Policy Committee that will function according to the terms of law.~~
- ~~2. The charter school Academic Policy Committee shall report directly to the School Board or a subcommittee of the School Board unless mutually agreed otherwise.~~
- ~~3. The charter school shall operate in compliance with state and federal law, and with School District policies unless mutually agreed otherwise.~~
- ~~4. The charter school shall comply with the requirements of the district accounting system.~~
- ~~5. The charter school shall comply with the requirements of the district purchasing system.~~
- ~~6. The charter school shall be designed to advance basic skills areas (mathematics, science, language arts, and social studies) appropriate to the age of students included in the program. The charter school disciplinary program shall enforce Alaska statutes, state and federal regulations, and district policies with respect to drugs, alcohol, weapons, tobacco, harassment, and violence.~~
- ~~7. The charter school shall participate in the district's report card process as required by Alaska statute.~~

- ~~8. The charter school shall participate in all tests and assessments required by either the State Department of Education and Early Development or the district unless the contract specifies otherwise.~~
- ~~9. The charter school shall not promote religious ideologies or philosophies.~~
- ~~10. The charter school shall operate in compliance with negotiated agreements established between employee groups and the School Board.~~
- ~~11. A charter school operating as a correspondence program or a residential program shall comply with all requirements of Alaska statute and regulation.~~

~~**Note:** Charter schools operating correspondence programs must comply with the requirements for state approval and operation as set forth in [4 AAC 33.405](#) - [4 AAC 33.490](#). Charter schools operating residential programs must comply with the requirements set forth in [AS 14.16.100](#) and [4 AAC 33.090](#).~~

~~School Board Review of Charter School Application and Appeals~~

~~No later than 60 days after submission of a charter school application, the School Board will issue a written decision approving or rejecting the charter school. The written decision will include all relevant findings of fact and conclusions of law.~~

~~If the School Board approves an application, it shall forward the application to the State Board of Education for review and approval. If the School Board denies an application for a charter school, the applicant may appeal the denial to the Commissioner of Education and Early Development within 60 days of the School Board's denial. A decision of the Commissioner upholding the denial may be appealed by the charter school applicant within 30 days to the State Board of Education. If the Commissioner approves the application, her/she shall forward it to the State Board of Education for review and approval.~~

~~Review of the Charter School~~

~~Once approved by both the School Board and the State Board of Education, the charter school will be subject to an annual review of its operations and finances by the School Board. Annually, the charter school will submit a written report and make a presentation to the School Board and the public. This report will include information on the attainment of student performance expectations, meetings of the governing bodies of the charter school, descriptions of charter school activities, and other information of interest to the School Board.~~

~~If academic performance targets for student achievement are not reached by the identified timelines specified in the contract, the Academic Policy Committee must submit a Plan for Improvement, outlining activities for remediation, a process for monitoring the progress of the Plan, and a process for reporting progress of the Plan to the School Board.~~

~~If there is evidence of a breach of contract, the School Board shall have a right to investigate and meet with the charter school to discuss possible remedies, including termination of the charter school contract.~~

~~The Department of Education and Early Development may audit the charter school's program and may take any action necessary to ensure compliance with federal and state law, including the withholding of funding.~~

Organization and Operation of a Charter School

~~A charter school operates as a school in the school district except that a charter school:~~

- ~~• is exempt from the school district's textbook, program, curriculum, and scheduling requirements.~~
- ~~• is exempt from [AS 14.14.130\(c\)](#) which states "If the district employs a chief school administrator, the administrator shall select, appoint, and otherwise control all school district employees who serve under the chief school administrator subject to the approval of the school board."~~
- ~~• operates under the charter school's annual program budget as set out in the contract between the School Board and the charter school.~~
- ~~• shall designate a contact person for all communications between the charter school and the district administration.~~

~~A charter school must participate in all student assessments required by the Department of Education and Early Development.~~

Operation of a Charter School

~~A charter school shall:~~

- ~~• keep financial records of the charter school;~~
- ~~• oversee the operation of the charter school to ensure that the terms of the contract are being met;~~
- ~~• meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; and~~
- ~~• meet with the Academic Policy Committee at least once each year to monitor progress in achieving the committee's policies and goals.~~

Amendment of Charter

~~A charter school may apply to the School Board for an amendment to its charter during the term of its contract. If the School Board approves the amendment, an amended contract must be executed to conform to the amended charter. The School Board must forward an amended charter and amended contract to the Department of Education and Early Development. A charter school may make minor changes to its program without~~

~~review by the Department, if they are approved by the district. A change of program that involves the addition of an elementary or secondary program must be approved by the School Board and the State Board of Education and Early Development.~~

Definitions

~~"Employees" of charter schools are considered employees of the district with all rights guaranteed by their respective collective bargaining agreements unless specifically waived by mutual agreement between the appropriate bargaining unit and School Board.~~

~~"Principal" means a person selected by the Academic Policy Committee to select, appoint, or otherwise supervise employees of the charter school. This person is not required to possess an Alaska Type B Administrative Certificate, but if a type B is not possessed, the individual may not conduct certificated employee evaluations. The school district assumes no responsibility for employing this person after the termination of the charter school contract unless the person is also employed as a teacher.~~

~~"Annual program budget" means the funding generated by students enrolled in the charter school as set forth in AS 14.03.260.~~

~~(cf. 3540 – Transportation)~~

Legal Reference:

ALASKA STATUTES

~~14.03.250-14.03.280 Charter Schools~~

~~AS 14.16.100 Application for residential school~~

ALASKA ADMINISTRATIVE CODE

~~4 AAC 33.110-119 Charter Schools~~

~~4 AAC 33.405-.490 Correspondence Study Programs~~

~~4 AAC 33.090 District-operated statewide and district-wide residential schools~~

~~Revised: March 29, 2016~~

~~Adopted 28, 2004~~

Northwest Arctic Borough School District

BP 5131.6 ALCOHOL AND OTHER DRUGS

Note: 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 of 2015 Act, 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 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. The following sample policy may be revised as appropriate.

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 drugs.

Alcohol, marijuana, and other controlled substances are prohibited for use or possession by students. 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 School 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.

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 Board prohibits the actual or attempted sale, distribution, use, or possession by a
5131.6

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 School Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and drug abuse.

(cf. 1410 Interagency Cooperation for Student & Staff Safety)

Note: Districts are required to establish a citizen advisory committee in order to receive [Public Law 99](#) and safety program maintain community standards of school behavior that are developed by members administrators, and other responsible persons.

To obtain the widest possible input and support for district policies and programs, the School Board shall appoint a districtwide school-community advisory committee to make recommendations related to the prevention of alcohol and other drug abuse. The committee should make its recommendations based on input from students, parents, teachers, school administrators, and community members. The School Board also encourages the use of site-level advisory groups in this area.

(cf. 1220 - Citizen Advisory Committees)

Opioid Overdose Protection

In accordance with [AS 14.30.145](#), the Superintendent shall ensure that:

1. A person trained to administer an emergency opioid overdose drug is on site when the main school building of each school in the school district is open to students or staff, including periods when the school building is open before and after school hours and during weekend activities; and during each school-sponsored event conducted on school grounds.
2. The main school building of each school in the school district has at least two doses of an emergency opioid overdose drug available on site; and
3. At least one dose of an emergency opioid overdose drug is available during a school-sponsored event conducted on school grounds.

Per [AS 14.30.145](#), a school district, school, or individual is not liable for civil damages for an injury to another individual resulting from a failure to possess or maintain an emergency opioid overdose drug as required by the statute.

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 - 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.

School personnel should be trained to identify symptoms which 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.

Nonpunitive 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.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and prohibited 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 which may result in suspension or expulsion.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

School authorities may search students and school properties, such as student lockers, 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)

Legal Reference:

ALASKA STATUTES

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

[14.20.680](#) *Required alcohol and drug related disabilities training*

[14.30.145](#) *Opioid overdose drugs*

[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 of 1965, [20 U.S.C. §§ 7116, 7163](#), as amended by the Every Student Succeeds of 2015 Act [P.L. 114-95](#),

Adopted: April 28, 2004

Revised: November 17, 2015

Revised: August 30, 2023

Revised: February 25, 2025

Northwest Arctic Borough School District
