

NWABSD Board Retreat
Saturday, October 16, 2021 9:30 AM

District Office Boardroom
744 Third Ave.
Kotzebue, AK 99752

Agenda

1. OPENING AND BOARD COMMENTS
Presenter: Margaret Hansen, President
2. STUDENT PERFORMANCE/ ASSESSMENT RESULTS (PEAKS & MAPS)
Presenter: Perrian Windhausen, Director of Student Services
3. BUDGET & INVESTMENTS OVERVIEW
Presenter: Megan Williams, Director of Administrative Services
4. BOARD LEGALITIES
Presenter: Jeannie Sleeper, Esq. - JDO Law
5. MITIGATION PLAN & COVID-19 UPDATES
Presenter: Amy Eakin, Director of Technology
6. WRAP-UP
Presenter: Margaret Hansen, Board President

Board Budget & Investments Overview October 16, 2021



Board Budget Summary

100.099.511.000.333	Board Stipends	\$80,000
	6 Regular Meetings	
	Board Retreat combined with Oct Meeting	
	Annual AASB Conference – November 4-7, 2021	
100.099.511.000.36X	Payroll Benefits	\$303,706.94
100.099.511.000.361	Insurance-Health & life - \$25,200 per member	\$277,200.00
100.099.511.000.362	Insurance-Unemployment .3%	\$1,066.41
100.099.511.000.363	Insurance-Workers Comp .57%	\$2,026.19
100.099.511.000.364	Retirement-FICA SS & Medicare-1.45% & 6.20%	\$5,154.34
100.099.511.000.366	Retirement-PERS-22%	\$18,260.00
100.099.511.0XX.410	Professional & Technical Services	\$125,500
100.099.511.000.410	Miscellaneous Services and Training, AASB In-service Training	\$25,000
100.099.511.012.410	Lobbyists - J&H, JM Walsh Co.	\$89,500
100.099.511.013.410	Strategic Planning – Consulting - Evaluations	\$11,000
100.099.511.000.42X	Travel & Per Diem	\$43,800
	6 Regular Meetings, half virtual	
	Board Retreat combined with October Board Meeting	
	Annual AASB Conference	

Board Budget Summary, Continued

100.099.511.000.4XX	Miscellaneous Expenses	\$53,500
100.099.511.000.450	Supplies, Materials, Media-Supplies & Freight for Meetings	\$10,000
100.099.511.000.490	Other Expenses	\$38,500
	CEAAC Membership - \$18,000	
	AASB Fees - \$20,500	
100.099.511.015.XXX	Board Budget for joint Advisory School Council Retreat	\$5,000
100.099.511.000.XXX	TOTAL	\$606,506.94

Dues & Membership Fees:

CEAAC- Represent Alaska school districts, organizations, and individuals through courts and legislative activity - concerned about the quality and breadth of educational opportunities available to Alaska's children.

AASB- Alaska School District advocacy at state and federal level. See attached Benefits.

Note: The Board's budget currently makes up about 1% of the District overall General Operating Fund Budget and will be revised at the next Board meeting to reflect this years Board meeting schedule.

Wells Fargo Investment Accounts

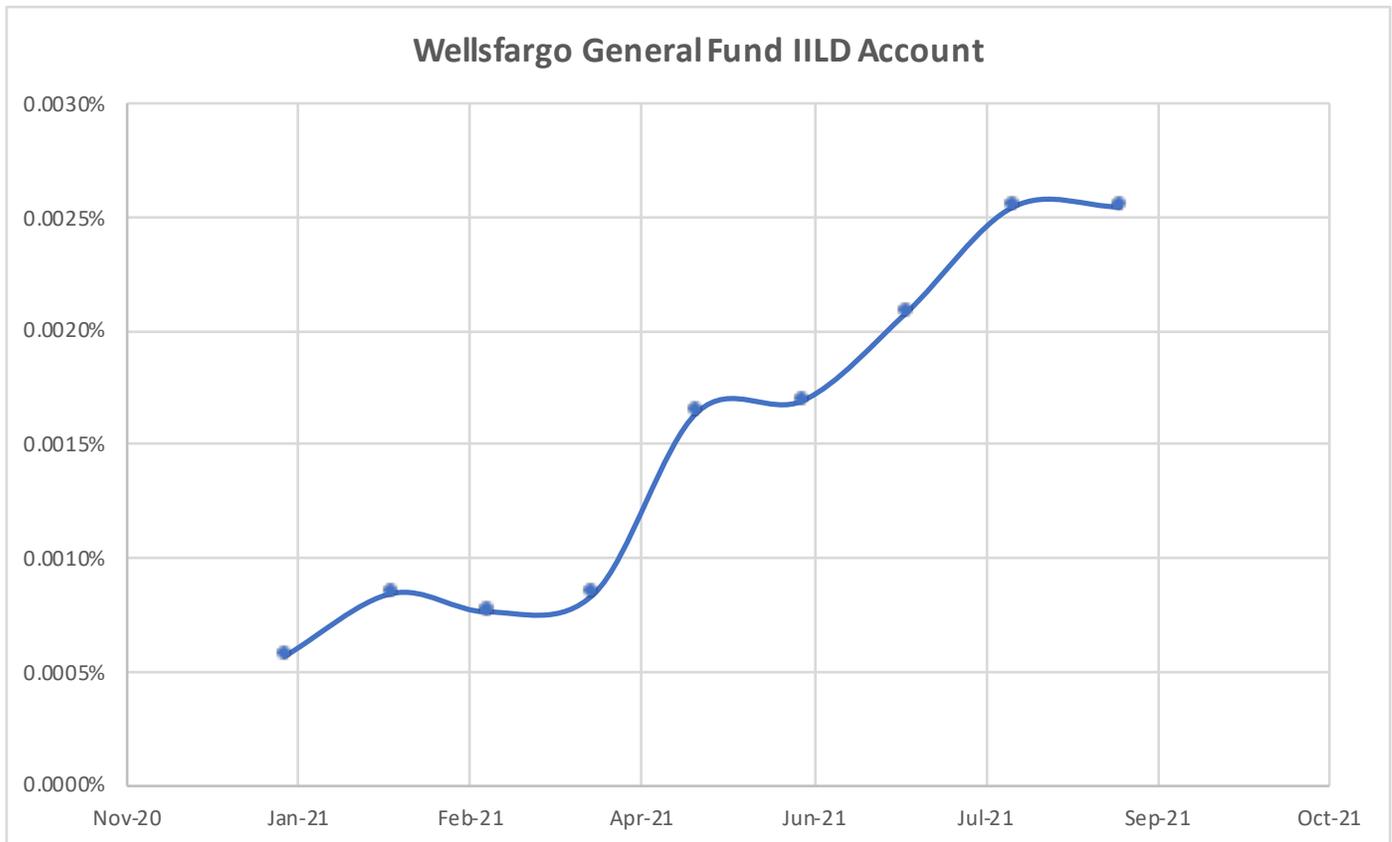
NWABSD has two investment accounts; one with cash from our General fund balance, and the other from our Capital Improvement fund balances.

In 2018 we invested \$10 million in General operating funds into AMLIP, which was moved to Wells Fargo in December of 2020 to try to find a higher yielding rate of return on investment. We have earned just under \$250,000 on this investment and have had to transfer \$2 million of this investment back into our General bank account as our General Operating fund balance has decreased.

In October of 2020 we invested \$20 million in Capital Improvement funds with Wells Fargo. We have earned just over \$3,500 on this investment and have had to transfer \$10 million of this investment back into our General bank account to spend on Kivalina Project construction costs. Any earnings on investment from these funds must be used towards future Capital Improvement projects.

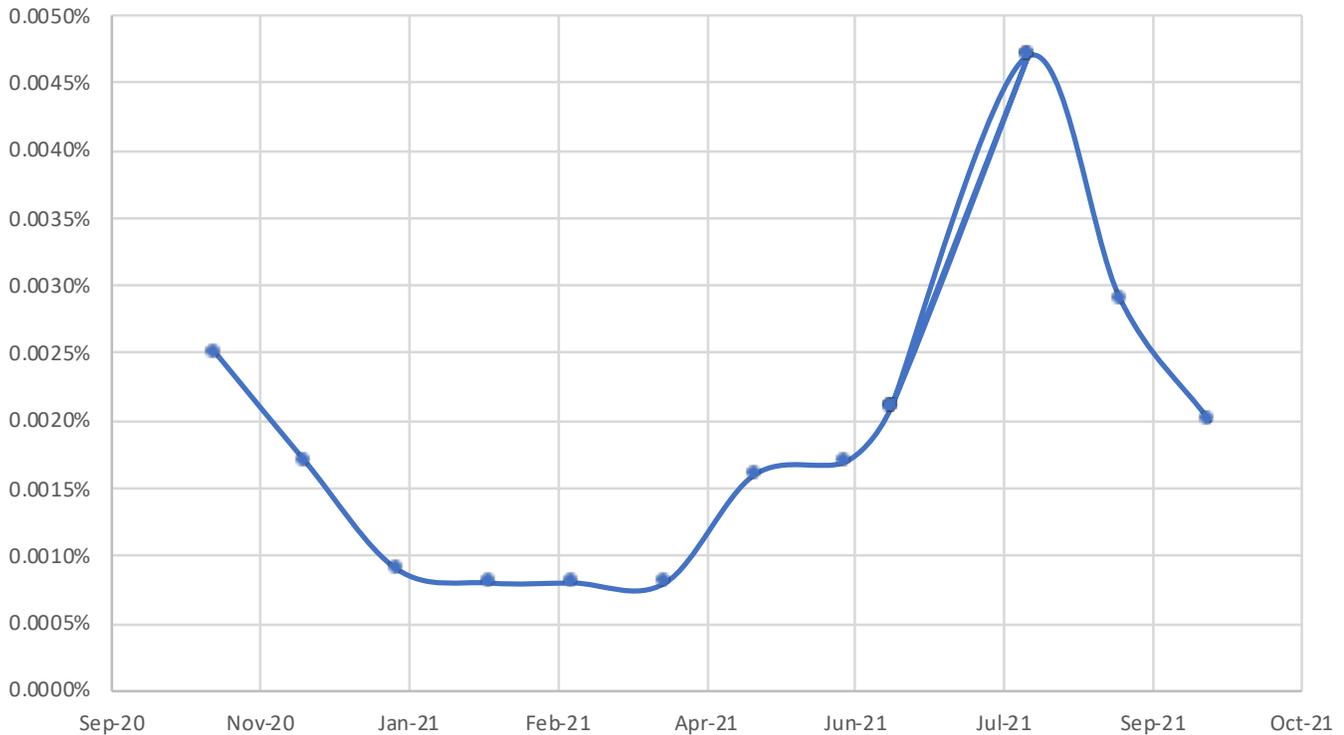
The earnings on our investment accounts dropped significantly due to COVID and the economy, we saw it come back up a little bit, but our rate of return is nowhere close to what it was in 2018. We will keep the funds in the accounts as long as we possibly can but will need to transfer money out of the accounts as expenditures exceed revenue.

NWABSD IILD GF			Rate of
Statement	Account Balance	Monthly Increase	return
Dec-20	\$ 10,248,179.57	\$ -	0.0000%
Dec-20	\$ 10,248,238.09	\$ 58.52	0.0006%
Jan-21	\$ 10,248,324.74	\$ 86.65	0.0008%
Feb-21	\$ 10,248,403.12	\$ 78.38	0.0008%
Mar-21	\$ 10,248,489.77	\$ 86.65	0.0008%
Apr-21	\$ 10,248,658.11	\$ 168.34	0.0016%
May-21	\$ 10,248,831.83	\$ 173.72	0.0017%
Jun-21	\$ 10,249,045.17	\$ 213.34	0.0021%
Jul-21	\$ 10,249,305.99	\$ 260.82	0.0025%
Aug-21	\$ 10,249,566.78	\$ 260.79	0.0025%
Sep-21	\$ 8,249,566.78	\$ (2,000,000.00)	
Sep-21	\$ 8,249,723.08	\$ 156.30	0.0019%



NWABSD IILD CIP			Rate of
Statement	Account Balance	Monthly Increase	return
Oct-20	\$ 20,000,000.00	\$ -	0.0000%
Oct-20	\$ 20,000,503.18	\$ 503.18	0.0025%
Nov-20	\$ 20,000,841.98	\$ 338.80	0.0017%
Dec-20	\$ 20,001,022.09	\$ 180.11	0.0009%
Jan-21	\$ 20,001,191.19	\$ 169.10	0.0008%
Feb-21	\$ 20,001,344.12	\$ 152.93	0.0008%
Mar-21	\$ 20,001,513.21	\$ 169.09	0.0008%
Apr-21	\$ 20,001,841.70	\$ 328.49	0.0016%
May-21	\$ 20,002,180.74	\$ 339.04	0.0017%
Jun-21	\$ 18,002,180.74	\$ (2,000,000.00)	
Jun-21	\$ 18,002,564.11	\$ 383.37	0.0021%
Jul-21	\$ 18,003,022.22	\$ 458.11	0.0025%
Aug-21	\$ 15,003,022.22	\$ (3,000,000.00)	
Aug-21	\$ 15,003,462.99	\$ 440.77	0.0029%
Sep-21	\$ 13,003,462.99	\$ (2,000,000.00)	
Sep-21	\$ 10,003,462.99	\$ (3,000,000.00)	
Sep-21	\$ 10,003,659.33	\$ 196.34	0.0020%

Wellsfargo CIP IILD Account



NORTHWEST ARCTIC BOROUGH SCHOOL DISTRICT
Account Number: 1BC42815
Daily Account Activity

Your investment transactions during this statement period:

Cash Activity USD

Transaction / Trade Date	Settlement / Eff. Date	Activity	Description	Debit Amount / Disbursements	Credit Amount / Receipts
09/02/21	09/02/21	ACH/DDA Transaction	DESIGNATED DDA	2,000,000.00	
09/20/21	09/20/21	ACH/DDA Transaction	DESIGNATED DDA	3,000,000.00	
09/20/21	09/20/21	ACH/DDA Transaction	DESIGNATED DDA	2,000,000.00	

Deposit Activities

INST INSURED LIQ DEPOSIT DEMAND A000MK3
*As of September 30, 2021

Interest earned this period
196.34

Transaction Date	Activity	Principal	Market Value (\$)	Interest Amount	Principal Balance
	Beginning Balance				15,003,462.99
09/02/21	Redemption	(2,000,000.00)	(2,000,000.00)		13,003,462.99
09/20/21	Redemption	(3,000,000.00)	(3,000,000.00)		10,003,462.99
09/30/21	Interest Rate 0.02190000%			196.34	10,003,659.33
	Ending Balance				10,003,659.33

INST INSURED LIQ DEPOSIT SAVINGS A000MK6
*As of September 30, 2021

Interest earned this period
156.30

Transaction Date	Activity	Principal	Market Value (\$)	Interest Amount	Principal Balance
	Beginning Balance				10,249,566.78
09/20/21	Redemption	(2,000,000.00)	(2,000,000.00)		8,249,566.78
09/30/21	Interest Rate 0.02190000%			156.30	8,249,723.08
	Ending Balance				8,249,723.08

**Northwest Arctic Borough
School District**

**BOARD ORIENTATION
October 16, 2021**

**By: Jeannie Sleeper
Jermain, Dunnagan, & Owens, P.C.**

West's Alaska Statutes Annotated
Title 44. State Government
Chapter 62. Administrative Procedure Act (Refs & Annos)
Article 6. Open Meetings of Governmental Bodies

AS § 44.62.310

§ 44.62.310. Government meetings public

Currentness

(a) All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law. Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. The vote at a meeting held by teleconference shall be taken by roll call. This section does not apply to any votes required to be taken to organize a governmental body described in this subsection.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

(c) The following subjects may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
- (3) matters which by law, municipal charter, or ordinance are required to be confidential;
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

(d) This section does not apply to

- (1) a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding;
 - (2) juries;
 - (3) parole or pardon boards;
 - (4) meetings of a hospital medical staff;
 - (5) meetings of the governmental body or any committee of a hospital when holding a meeting solely to act upon matters of professional qualifications, privileges, or discipline;
 - (6) staff meetings or other gatherings of the employees of a public entity, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents;
 - (7) meetings held for the purpose of participating in or attending a gathering of a national, state, or regional organization of which the public entity, governmental body, or member of the governmental body is a member, but only if no action is taken and no business of the governmental body is conducted at the meetings; or
 - (8) meetings of municipal service area boards established under AS 29.35.450–29.35.490 when meeting solely to act on matters that are administrative or managerial in nature.
- (e) Reasonable public notice shall be given for all meetings required to be open under this section. The notice must include the date, time, and place of the meeting and if, the meeting is by teleconference, the location of any teleconferencing facilities that will be used. Subject to posting notice of a meeting on the Alaska Online Public Notice System as required by AS 44.62.175(a), the notice may be given using print or broadcast media. The notice shall be posted at the principal office of the public entity or, if the public entity has no principal office, at a place designated by the governmental body. The governmental body shall provide notice in a consistent fashion for all its meetings.
- (f) Action taken contrary to this section is voidable. A lawsuit to void an action taken in violation of this section must be filed in superior court within 180 days after the date of the action. A member of a governmental body may not be named in an action to enforce this section in the member's personal capacity. A governmental body that violates or is alleged to have violated this section may cure the violation or alleged violation by holding another meeting in compliance with notice and other requirements of this section and conducting a substantial and public reconsideration of the matters considered at the original meeting. If the court finds that an action is void, the governmental body may discuss and act on the matter at another meeting held in compliance with this section. A court may hold that an action taken at a meeting held in violation of this section is void only if the court finds that, considering all of the circumstances, the public interest in compliance with this section outweighs the harm that would be caused to the public interest and to the public entity by voiding the action. In making this determination, the court shall consider at least the following:

- (1) the expense that may be incurred by the public entity, other governmental bodies, and individuals if the action is voided;
 - (2) the disruption that may be caused to the affairs of the public entity, other governmental bodies, and individuals if the action is voided;
 - (3) the degree to which the public entity, other governmental bodies, and individuals may be exposed to additional litigation if the action is voided;
 - (4) the extent to which the governing body, in meetings held in compliance with this section, has previously considered the subject;
 - (5) the amount of time that has passed since the action was taken;
 - (6) the degree to which the public entity, other governmental bodies, or individuals have come to rely on the action;
 - (7) whether and to what extent the governmental body has, before or after the lawsuit was filed to void the action, engaged in or attempted to engage in the public reconsideration of matters originally considered in violation of this section;
 - (8) the degree to which violations of this section were wilful, flagrant, or obvious;
 - (9) the degree to which the governing body failed to adhere to the policy under AS 44.62.312(a).
- (g) Subsection (f) of this section does not apply to a governmental body that has only authority to advise or make recommendations to a public entity and has no authority to establish policies or make decisions for the public entity.
- (h) In this section,
- (1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;
 - (2) "meeting" means a gathering of members of a governmental body when
 - (A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) more than three members or a majority of the members, whichever is less, are present, the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

(3) "public entity" means an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.

Credits

SLA 1959, art VI, ch. 1, ch. 143, § 1; SLA 1966, ch. 48, § 1; SLA 1968, ch. 78, § 1; SLA 1969, ch. 7, § 1; SLA 1972, ch. 98, §§ 1, 2; SLA 1972, ch. 100, § 2; SLA 1976, ch. 189, § 1; SLA 1985, ch. 54, §§ 2, 3; SLA 1990, ch. 201, § 2; SLA 1991, ch. 74, § 7; SLA 1994, ch. 69, §§ 2--8; SLA 2000, ch. 54, § 7. Amended by SLA 2009, ch. 25, §§ 1, 2, eff. Aug. 23, 2009.

Notes of Decisions (86)

AS § 44.62.310, AK ST § 44.62.310

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

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West's Alaska Statutes Annotated
Title 44. State Government
Chapter 62. Administrative Procedure Act (Refs & Annos)
Article 6. Open Meetings of Governmental Bodies

AS § 44.62.312

§ 44.62.312. State policy regarding meetings

Currentness

(a) It is the policy of the state that

- (1) the governmental units mentioned in AS 44.62.310(a) exist to aid in the conduct of the people's business;
- (2) it is the intent of the law that actions of those units be taken openly and that their deliberations be conducted openly;
- (3) the people of this state do not yield their sovereignty to the agencies that serve them;
- (4) the people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know;
- (5) the people's right to remain informed shall be protected so that they may retain control over the instruments they have created;
- (6) the use of teleconferencing under this chapter is for the convenience of the parties, the public, and the governmental units conducting the meetings.

(b) AS 44.62.310(c) and (d) shall be construed narrowly in order to effectuate the policy stated in (a) of this section and to avoid exemptions from open meeting requirements and unnecessary executive sessions.

Credits

SLA 1972, ch. 98, § 3; SLA 1985, ch. 54, § 4; SLA 1994, ch. 69, § 9.

Notes of Decisions (6)

AS § 44.62.312, AK ST § 44.62.312

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West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 12. Organization and Government of School System
Article 2. School Boards

AS § 14.12.090

§ 14.12.090. Oath

[Currentness](#)

School board members, before taking office, shall take and sign the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska and that I will honestly, faithfully, and impartially discharge my duties as a school board member to the best of my ability."

Credits

SLA 1966, ch. 98, § 1.

AS § 14.12.090, AK ST § 14.12.090

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West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 12. Organization and Government of School System
Article 2. School Boards

AS § 14.12.070

§ 14.12.070. Vacancies

Currentness

If a vacancy occurs on the school board, the remaining members shall within 30 days fill the vacancy. The person selected shall serve until the next regular election when a successor shall be elected to serve the balance of the term.

Credits

SLA 1966, ch. 98, § 1.

AS § 14.12.070, AK ST § 14.12.070

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West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 12. Organization and Government of School System
Article 2. School Boards

AS § 14.12.115

§ 14.12.115. Indemnification

Currentness

A school board shall insure or indemnify and protect the board, any member of the board, or any agent, employee, teacher, student teacher, officer, or member of the supervisory or administrative staff of the school district against financial loss and expense, including reasonable legal fees and costs arising out of any claim, demand, suit, or judgment by reason of alleged negligence, alleged violation of civil rights, or alleged wrongful act resulting in death or bodily injury to any person or accidental damage to or destruction of property, inside or outside the school premises, if the board member, agent, employee, teacher, student teacher, officer, or member of the supervisory or administrative staff, at the time of the occurrence, was acting under the direction of the school board within the course or scope of the duties of the board member, agent, employee, teacher, student teacher, officer, or member of the supervisory or administrative staff.

Credits

SLA 1978, ch. 148, § 2.

AS § 14.12.115, AK ST § 14.12.115

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 14. Local Administration of Schools
Article 1. Operation of Districts

AS § 14.14.080

§ 14.14.080. Declaring a school board vacancy

Currentness

When a member of a school board has notice of and is absent from three consecutive regular school board meetings and is not excused by the president of the school board, the other members of the school board may declare the position vacant and shall notify the ex-member by registered mail. The vacancy shall be filled as provided by AS 14.12.070.

Credits

SLA 1966, ch. 98, § 1.

AS § 14.14.080, AK ST § 14.14.080

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KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 14. Local Administration of Schools
Article 1. Operation of Districts

AS § 14.14.090

§ 14.14.090. Duties of school boards

Effective: October 28, 2018

Currentness

In addition to other duties, a school board shall

- (1) determine and disburse the total amount to be made available for compensation of all school employees and administrative officers;
- (2) provide for, during the school term of each year, an educational program for each school age child who is enrolled in or a resident of the district;
- (3) withhold the salary for the last month of service of a teacher or administrator until the teacher or administrator has submitted all summaries, statistics, and reports that the school board may require by bylaws;
- (4) transmit, when required by the assembly or council but not more often than once a month, a summary report and statement of money expended;
- (5) keep the minutes of meetings and a record of all proceedings of the school board in a pertinent form;
- (6) keep the records and files of the school board open to inspection by the public at the principal administrative office of the district during reasonable business hours;
- (7) establish procedures for the review and selection of all textbooks and instructional materials at least once every 10 years, including textbooks and curriculum materials for statewide correspondence programs, before they are introduced into the school curriculum; the review includes a review for violations of AS 14.18.060; nothing in this paragraph precludes a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district;
- (8) provide prospective employees with information relating to the availability and cost of housing in rural areas to which they might be assigned, and, when possible, assist them in locating housing; however, nothing in this paragraph requires a

school district to provide teacher housing, whether district owned, leased, rented, or through other means, nor does it require a school board to engage in a subsidy program of any kind regarding teacher housing;

(9) train persons required to report under AS 47.17.020, in the recognition and reporting of child abuse, neglect, and sexual abuse of a minor;

(10) provide for the development and implementation of a preventive maintenance program for school facilities; in this paragraph, "preventive maintenance" means scheduled maintenance actions that prevent the premature failure or extend the useful life of a facility, or a facility's systems and components, and that are cost-effective on a life-cycle basis;

(11) establish procedures for providing the training under AS 14.18.060, AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362, AS 14.33.100, AS 18.66.310, and AS 47.17.022; the procedures established under this paragraph must include a training schedule that ensures that not less than 50 percent of the total certificated staff employed by the district receives all of the training not less than every two years and that all of the certificated staff employed by the district receive all of the training not less than every four years.

Credits

SLA 1966, ch. 98, § 1; SLA 1981, ch. 17, § 3; SLA 1983, ch. 105, § 3; SLA 1986, ch. 1, § 3; SLA 1990, ch. 173, § 8; SLA 2002, ch. 130, § 3; SLA 2003, ch. 114, § 4. Amended by 2nd Sp. Sess. 2015, ch. 2, § 7, eff. Oct. 7, 2015; SLA 2016, ch. 54, §§ 13, 14, eff. Oct. 26, 2016; SLA 2017, ch. 3, § 13, eff. July 1, 2017; SLA 2018, ch. 73, § 5, eff. Oct. 28, 2018.

Notes of Decisions (20)

AS § 14.14.090, AK ST § 14.14.090

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 14. Local Administration of Schools
Article 1. Operation of Districts

AS § 14.14.130

§ 14.14.130. Chief school administrator

Currentness

(a) A school board may select and employ a qualified person as the chief school administrator for the district. In this subsection, "employ" includes employment by contract.

(b) If the district employs a chief school administrator, the administrator shall administer the district in accordance with the policies that the school board prescribes by bylaw.

(c) If the district employs a chief school administrator, the administrator shall select, appoint, and otherwise control all school district employees that serve under the chief school administrator subject to the approval of the school board.

(d) This section does not prohibit two or more school districts from sharing the services of a chief school administrator.

Credits

SLA 1966, ch. 98, § 1; SLA 1969, ch. 29, § 1; SLA 1990, ch. 136, §§ 3, 4; SLA 1998, ch. 83, §§ 19, 20, 21.

Notes of Decisions (2)

AS § 14.14.130, AK ST § 14.14.130

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 14. Local Administration of Schools
Article 1. Operation of Districts

AS § 14.14.140

§ 14.14.140. Restriction on employment; compensation of board members

Currentness

(a) While serving on the school board, a member may not be employed by that local school board. Members of the immediate family of a school board member may not be employed by the school board except upon written approval of the commissioner.

(b) Members of the immediate family of a chief school administrator may not be employed by the chief school administrator except upon written approval of the school board.

(c) A school board member may receive compensation for time spent in the performance of duties as a school board member if the compensation is authorized by resolution adopted by the school board. The restriction in (a) of this section does not apply to this compensation.

Credits

SLA 1966, ch. 98, § 1; SLA 1969, ch. 29, § 2; SLA 1979, ch. 24, § 5; SLA 1980, ch. 26, § 2.

Notes of Decisions (7)

AS § 14.14.140, AK ST § 14.14.140

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

Alaska Administrative Code
Title 4. Education and Early Development (Refs & Annos)
Chapter 6. Government of Schools
Article 1. General Administration

4 AAC 06.060

4 AAC 06.060. Suspension or denial of admission.

Currentness

(a) In a public school, the superintendent or principal may suspend a pupil under the provisions of AS 14.30.045, and the pupil may be reinstated by the superintendent or principal or by the school board. A child who is diagnosed as having acquired immune deficiency syndrome (AIDS) or the human immunodeficiency virus (HIV) does not have a condition which "will cause the attendance of the child to be inimical of the welfare of other pupils," within the meaning of AS 14.30.045(4), unless the child has uncoverable oozing lesions or other symptoms, or displays behavior, such as biting, which in the opinion of a team made up of the child's physician, public health personnel, the child's parent or guardian, and school personnel associated with the child's educational placement, substantially increases the risk of transmission of HIV to other pupils.

(b) Expulsion or denial of admission of a pupil shall be only upon the action of the governing school board in a district school.

(c) A pupil suspended or expelled under this section may appeal to the district board.

Credits

(In effect before 7/28/59; am 9/24/65, Register 20; am 9/6/66, Register 24; am 1/9/68, Register 26; am 5/10/78, Register 66; am 12/13/87, Register 104; am 3/30/95, Register 133)

AUTHORITY: AS 14.07.060, AS 14.30.045

Current with amendments received through the Quarterly Supplement, July 2019 (Register 230).

Alaska Admin. Code tit. 4, § 06.060, 4 AK ADC 06.060

Alaska Administrative Code
Title 4. Education and Early Development (Refs & Annos)
Chapter 6. Government of Schools
Article 3. Prohibition of Sex Discrimination

4 AAC 06.560

4 AAC 06.560. Violations.

Currentness

(a) Each school district shall adopt and make available to the public a grievance procedure through which violations of AS 14.18 or 4 AAC 06.500 - 4 AAC 06.600 may be remedied. The grievance procedure must be posted in a public place in each school operated by that district. The district shall make copies available upon request.

(b) A district grievance procedure adopted under (a) of this section must

(1) provide for a hearing before the governing body of the district;

(2) require that the hearing be held on the record; and

(3) require that a final decision be issued within 60 days after the filing of the grievance.

(c) If, after exhausting the procedures established under (a) of this section, an aggrieved person believes that a violation has not been remedied, that person may file a complaint with the commissioner on a form prescribed by the department. The complaint must be filed within 180 days of the alleged violation.

(d) Upon receipt of a complaint received under (c) of this section, the commissioner or the commissioner's designee shall conduct an investigation of the complaint. If, after conducting the investigation, the commissioner determines that a violation has occurred and the violation justifies action against the school district, the commissioner shall file an accusation with the state board.

(e) Upon receipt of an accusation, the chair of the state board will request the appointment of a hearing officer sitting alone to hear the case.

(f) A hearing under (e) of this section will be conducted by the hearing officer in accordance with the procedures in AS 44.62.330 - 44.62.640.

(g) The state board will accept or reject the hearing officer's proposed decision no later than the first regularly scheduled meeting after the hearing officer has rendered the proposed decision.

(h) Nothing in this section precludes a school district and complainant from settling a complaint before holding a hearing before the governing body of the district under (b)(1) of this section.

Credits

(Eff. 10/31/82, Register 84; am 6/4/93, Register 126)

AUTHORITY: AS 14.18.010, AS 14.18.080, AS 14.18.090

Editors' Notes

EDITORS NOTES.

The forms mentioned in 4 AAC 06.560(c) may be obtained by writing to the Department of Education and Early Development, 801 West Tenth St., Suite 200, Juneau, AK 99811-0500. As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.

Current with amendments received through the Quarterly Supplement, July 2019 (Register 230).

Alaska Admin. Code tit. 4, § 06.560, 4 AK ADC 06.560

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 20. Teachers and School Personnel
Article 2. Employment and Tenure

AS § 14.20.140

§ 14.20.140. Notification of lay off or nonretention

Currentness

(a) If a teacher who has acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year, the employer shall notify the teacher of the layoff or nonretention by writing, delivered before May 15, or by registered mail postmarked before May 15.

(b) If a teacher who has not acquired tenure rights is to be laid off under AS 14.20.177 or is not to be retained for the following school year the employer shall notify the teacher of the layoff or nonretention by writing delivered on or before the last day of the school term or by registered mail postmarked on or before the last day of the school term.

(c) Notwithstanding a teacher's right to continued employment under AS 39.20.500-39.20.550, a school district may notify a teacher of layoff or nonretention under this section for the following school year for a permissible reason.

Credits

SLA 1960, ch. 92, § 1; SLA 1966, ch. 98, § 15; SLA 1992, ch. 96, § 3; SLA 1996, ch. 31, § 1. Amended by SLA 2013, ch. 69, § 2, eff. July 11, 2013.

Notes of Decisions (14)

AS § 14.20.140, AK ST § 14.20.140

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 20. Teachers and School Personnel
Article 2. Employment and Tenure

AS § 14.20.145

§ 14.20.145. Automatic reemployment

Currentness

If notification of nonretention or layoff is not given according to AS 14.20.140, a teacher is entitled to be reemployed in the same district for the following school year on the contract terms the teacher and the employer may agree upon, or, if no terms are agreed upon, the provisions of the previous contract are continued for the following school year, subject to AS 14.20.158. Except as provided in AS 14.20.177(e), the right to automatic reemployment under this section expires if the teacher does not accept reemployment within 30 days after the date on which the teacher receives a contract of reemployment. A teacher who is on family leave under AS 39.20.500-39.20.550 must comply with the 30-day deadline in this section to retain the teacher's reemployment rights under this section.

Credits

SLA 1966, ch. 98, § 16; SLA 1992, ch. 96, § 4; SLA 1996, ch. 31, § 2.

Notes of Decisions (16)

AS § 14.20.145, AK ST § 14.20.145

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 20. Teachers and School Personnel
Article 2. Employment and Tenure

AS § 14.20.170

§ 14.20.170. Dismissal

Currentness

(a) A teacher, including a teacher who has acquired tenure rights, may be dismissed at any time only for the following causes:

(1) incompetency, which is defined as the inability or the unintentional or intentional failure to perform the teacher's customary teaching duties in a satisfactory manner;

(2) immorality, which is defined as the commission of an act that, under the laws of the state, constitutes a crime involving moral turpitude; or

(3) substantial noncompliance with the school laws of the state, the regulations or bylaws of the department, the bylaws of the district, or the written rules of the superintendent.

(b) A teacher may be suspended temporarily with regular compensation during a period of investigation to determine whether or not cause exists for the issuance of a notification of dismissal according to AS 14.20.180.

(c) A teacher who is dismissed under this section is not entitled to a plan of improvement under AS 14.20.149.

Credits

SLA 1960, ch. 92, § 2; SLA 1966, ch. 98, § 21; SLA 1966, ch. 104, §§ 1, 2; SLA 1996, ch. 31, § 8.

Notes of Decisions (45)

AS § 14.20.170, AK ST § 14.20.170

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 20. Teachers and School Personnel
Article 2. Employment and Tenure

AS § 14.20.175

§ 14.20.175. Nonretention

Currentness

(a) A teacher who has not acquired tenure rights is subject to nonretention for the school year following the expiration of the teacher's contract for any cause that the employer determines to be adequate. However, at the teacher's request, the teacher is entitled to a written statement of the cause for nonretention. The boards of city and borough school districts and regional educational attendance areas shall provide by regulation or bylaw a procedure under which a nonretained teacher may request and receive an informal hearing by the board.

(b) A teacher who has acquired tenure rights is subject to nonretention for the following school year only for the following causes:

(1) the school district demonstrates that

(A) the district has fully complied with the requirements of AS 14.20.149 with respect to the tenured teacher;

(B) the teacher's performance, after completion of the plan of improvement, failed to meet the performance objectives set out in the plan; and

(C) the evaluation of the teacher established that the teacher does not meet the district performance standards;

(2) immorality, which is defined as the commission of an act that, under the laws of the state, constitutes a crime involving moral turpitude; or

(3) substantial noncompliance with the school laws of the state, the regulations or bylaws of the department, the bylaws of the district, or the written rules of the superintendent.

Credits

SLA 1966, ch. 98, § 22; SLA 1968, ch. 11, § 1; SLA 1970, ch. 46, § 13; SLA 1975, ch. 124, § 15; SLA 1996, ch. 31, § 9.

Notes of Decisions (8)

AS § 14.20.175, AK ST § 14.20.175

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West's Alaska Statutes Annotated
Title 14. Education, Libraries, and Museums (Refs & Annos)
Chapter 20. Teachers and School Personnel
Article 2. Employment and Tenure

AS § 14.20.180

§ 14.20.180. Procedures upon notice of dismissal or nonretention

Currentness

(a) Before a teacher is dismissed, the employer shall give the teacher written notice of the proposed dismissal and a pretermination hearing. A pretermination hearing under this section must comport with the minimum requirements of due process, including an explanation of the employer's evidence and basis for the proposed dismissal and an opportunity for the teacher to respond. If, following a pretermination hearing, an employer determines that dismissal is appropriate, the employer shall provide written notice, including a statement of cause and a complete bill of particulars, of the decision. The dismissal is effective when the notice is delivered to the teacher.

(b) An employer that has decided to nonretain a tenured teacher shall provide the teacher with written notice, including a statement of cause and a complete bill of particulars. The notice must comply with AS 14.20.140(a).

(c) Within 15 days after receipt of a decision of dismissal under (a) of this section or nonretention under (b) of this section, a teacher may notify the employer in writing that the teacher is requesting a hearing before the school board under (d) of this section or that the teacher is invoking the grievance procedures under (e) of this section.

(d) Upon receipt of a request for a hearing, the employer shall immediately schedule a hearing and notify the teacher in writing of the date, time, and place of the hearing. The teacher may elect to have either a public or a private hearing, and to have the hearing under oath or affirmation. The parties have a right to be represented by counsel and to cross-examine witnesses. The teacher has the right to subpoena a person who has made statements that are used as a basis for the employer's decision to dismiss or nonretain. A written transcript, tape, or similar recording of the proceedings shall be kept. A copy of the recording shall be furnished to the teacher, for cost, upon request of the teacher. A decision of the school board requires a majority vote of the membership, by roll call. The board's decision shall be in writing and must contain specific findings of fact and conclusions of law. A copy of the decision shall be furnished to the teacher within 10 days after the date of the decision. If the school board sustains the dismissal or nonretention, the teacher may appeal the decision to the superior court for judicial review based on the administrative record.

(e) Upon receipt of a notice invoking the grievance procedures, the school board shall immediately schedule an informal hearing and notify the teacher in writing of the date, time, and place of the hearing. The hearing is for the purpose of reviewing the statement of cause and bill of particulars and not for the purpose of taking evidence. The teacher may choose whether the informal hearing is held in public or in private. A decision of the school board requires a majority vote of the membership, by roll call. The board's decision shall be in writing. The board shall promptly furnish a copy of the decision to the teacher. If the board sustains the dismissal or nonretention, the teacher may, within 15 days after receipt of the decision, give written notice to the school board and submit the matter to arbitration under the rules of the American Arbitration Association. The decision of the arbitrator is final and binding on the school board, the teacher, and the bargaining organization representing

the teacher, if any. If the school board and the teacher agree, they may waive the informal hearing under this subsection and submit the matter directly to arbitration.

Credits

SLA 1960, ch. 92, § 3a; SLA 1966, ch. 98, § 23; SLA 1968, ch. 11, §§ 2, 3; SLA 1970, ch. 46, § 14; SLA 1975, ch. 124, §§ 16, 17; SLA 1996, ch. 31, § 11.

Notes of Decisions (41)

AS § 14.20.180, AK ST § 14.20.180

Current with emergency effective legislation through September 14, 2019 of the 2019 First Regular Session and 2019 First Special Session of the 31st Legislature.

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Alaska Administrative Code
Title 20. Miscellaneous Boards and Commissions
Chapter 10. Professional Teaching Practices Commission
Article 1. Professional Standards

20 AAC 10.020

20 AAC 10.020. Code of ethics and teaching standards.

Currentness

(a) The following code of ethical standards governs an individual holding a teaching, administrative, or special services certificate issued under 4 AAC 12, an individual authorized as a student teacher under 4 AAC 30.020, and all other members of the teaching profession. A violation of this section is grounds for discipline as provided in AS 14.20.030.

(b) In fulfilling obligations to students, an educator

(1) repealed 10/25/2000;

(2) may not deliberately distort, suppress, or deny access to curricular materials or educational information in order to promote the personal view, interest, or goal of the educator;

(3) shall make reasonable effort to protect students from conditions harmful to learning or to health and safety;

(4) may not engage in

(A) physical abuse of a student or sexual conduct with a student and shall report to the commission knowledge of such an act by an educator; or

(B) sexual conduct with a former student whom the educator taught, supervised, or exercised authority over, including in coaching or other school-sponsored activity; the restrictions against sexual conduct in this subparagraph apply to an educator for one year after the student has graduated from or ceased to attend high school, and an educator shall report to the commission knowledge of such an act by an educator;

(5) may not expose a student to unnecessary embarrassment or disparagement;

(6) may not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, gender identification, or sexual orientation; shall make reasonable effort to assure that a student is protected from harassment or discrimination on these grounds; and may not engage in a course of conduct that would encourage a reasonable student to develop a prejudice on these grounds;

(7) may not use professional relationships with students for private advantage or gain;

(8) shall keep in confidence information that has been obtained in the course of providing professional service, unless disclosure serves a compelling professional purpose or is required by law;

(9) shall accord just and equitable treatment to all students as they exercise their educational rights and responsibilities.

(c) In fulfilling obligations to the public, an educator

(1) repealed 10/25/2000;

(2) shall take reasonable precautions to distinguish between the educator's personal views and those of any educational institution or organization with which the educator is affiliated;

(3) shall cooperate in the statewide student assessment system established under [4 AAC 06.710](#) - [4 AAC 06.790](#) by

(A) safeguarding and maintaining the confidentiality of test materials and information; and

(B) adhering to all written rules, policies, procedures, and other requirements established by the department regarding the administration and operation of the statewide student assessment system as set out in [4 AAC 06.761](#) (test administration) and [4 AAC 06.765](#) (test security; consequences of breach);

(4) repealed 10/25/2000;

(5) may not use institutional privileges for private gain, to promote political candidates, or for partisan political activities;

(6) may not accept a gratuity, gift, or favor that might influence or appear to influence professional judgment, and may not offer a gratuity, gift, or favor to obtain special advantage;

(7) may not knowingly withhold or misrepresent material information in communicating with the school board regarding a matter before the board for its decision; and

(8) may not use or allow the use of district resources for private purposes not related to district programs and operation.

(d) In fulfilling obligations to the profession, an educator

- (1) may not, on the basis of age, race, color, creed, sex, national origin, marital status, political or religious beliefs, physical condition, family, social, or cultural background, gender identification, or sexual orientation, deny to a colleague a professional benefit, advantage, or participation in any professional organization, and may not discriminate in employment practice, assignment, or personnel evaluation;
- (2) shall accord just and equitable treatment to all members of the teaching profession as set out in AS 14.20.370 in the exercise of their professional rights and responsibilities;
- (3) may not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
- (4) may not sexually harass a fellow employee;
- (5) shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves a compelling professional purpose;
- (6) shall provide, upon the request of the affected party, who must be a member of the teaching profession as set out in AS 14.20.370, a written statement of specific reasons for recommendations that led to the denial of increments, significant changes in employment, or termination of employment;
- (7) may not deliberately misrepresent the educator's or another's professional qualifications;
- (8) repealed 10/25/2000;
- (9) may not falsify a document, or make a misrepresentation on a matter related to
 - (A) licensure;
 - (B) employment, including an employment application;
 - (C) employment evaluation;
 - (D) test results; or
 - (E) professional duties;
- (10) may not intentionally make a false or malicious statement about a colleague's professional performance or conduct;
- (11) may not intentionally file a false or malicious complaint with the commission;

(12) may not seek reprisal against any individual who has filed a complaint, provided testimony, or given other assistance in support of a complaint filed with the commission;

(13) shall cooperate fully and honestly in investigations and hearings of the commission;

(14) repealed 10/25/2000;

(15) may not unlawfully breach a professional employment contract;

(16) shall conduct professional business through appropriate channels;

(17) may not assign tasks to unqualified personnel;

(18) may not continue in or seek professional employment while unfit due to

(A) use of drugs or alcohol that impairs the educator's competence or the safety of students or colleagues;

(B) physical or mental disability that impairs the educator's competence or the safety of students or colleagues;

(19) may not interfere with a colleague's exercise of political or citizenship rights and responsibilities.

Credits

(Eff. 1/30/75, Register 53; am 8/10/80, Register 75; am 6/16/84, Register 90; am 8/5/90, Register 115; am 7/21/91, Register 119; am 7/28/94, Register 131; am 4/8/99, Register 150; am 10/25/2000, Register 156; am 9/27/2017, Register 223; am 8/2/2018, Register 227)

Authority: AS 14.20.030, AS 14.20.370, AS 14.20.450, AS 14.20.460, AS 14.20.480

Current with amendments received through the Quarterly Supplement, July 2019 (Register 230).

Alaska Admin. Code tit. 20, § 10.020, 20 AK ADC 10.020

Alaska Administrative Code
Title 20. Miscellaneous Boards and Commissions
Chapter 10. Professional Teaching Practices Commission
Article 1. Professional Standards

20 AAC 10.035

20 AAC 10.035. Moral turpitude.

Currentness

For the purposes of AS 14.20.030(a)(2),

(1) "moral turpitude" means conduct that is wrong in itself even if no statute were to prohibit the conduct; and

(2) "a crime involving moral turpitude" includes

(A) homicide;

(B) manslaughter;

(C) assault;

(D) stalking;

(E) kidnapping;

(F) sexual assault;

(G) sexual abuse of a minor;

(H) unlawful exploitation of a minor;

(I) robbery;

(J) extortion;

(K) coercion;

(L) theft;

(M) burglary;

(N) arson;

(O) criminal mischief;

(P) forgery;

(Q) criminal impersonation;

(R) bribery;

(S) perjury;

(T) unsworn falsification;

(U) interference with official proceedings;

(V) witness tampering;

(W) jury tampering;

(X) terroristic threatening;

(Y) possession or distribution of child pornography;

(Z) unlawful distribution or possession for distribution of a controlled substance;

(AA) unlawfully furnishing alcohol to a minor;

(BB) felony possession of a controlled substance;

(CC) unlawfully furnishing marijuana or products containing marijuana to a minor.

Credits

(Eff. 4/8/99, Register 150; am 12/25/2005, Register 176; am 8/2/2018, Register 227)

Authority: AS 14.20.030, AS 14.20.450, AS 14.20.460

Current with amendments received through the Quarterly Supplement, July 2019 (Register 230).

Alaska Admin. Code tit. 20, § 10.035, 20 AK ADC 10.035

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BP 0200 GOALS FOR THE SCHOOL DISTRICT

Note: The following sample language may be revised as needed to reflect district philosophy and needs. [AS 14.07.165](#) requires the State Board of Education to adopt statewide goals and to require that each governing body adopt written goals consistent with local needs. [AS 14.03.120](#) requires districts to annually file and make available to the public a report that establishes district goals and priorities and includes plans for achieving these goals and the means of measuring district achievement. Districts are required to encourage public participation in the preparation of this report.

The School Board is committed to excellence and self-evaluation and believes that the public schools exist to meet the needs of students, parents/guardians and other community members. It is, therefore, important that citizens may express their expectations of the schools. The Board encourages students, parents, teachers, and other community members to participate in educational planning for the district.

(cf. 0420 - School-Based Management)

The Board shall adopt written goals for the school district which reflect local needs. These goals shall be consistent with Board policy and statewide goals adopted by the State Board of Education. The Superintendent or designee shall develop objectives for meeting these goals. The development and adoption of the budget shall be consistent with district goals and objectives.

(cf. 0000 - Concepts and Roles)

(cf. 0100 - Philosophy)

(cf. 3100- Budget)

The Superintendent or designee shall annually file with the State Department of Education and make available to the public a report which includes the adopted district goals and priorities, plans for achieving these goals and priorities, and the means of measuring the district's success in reaching its goals and priorities.

(cf. 0500 - Review and Evaluation)

(cf. 0510 - School District Report Card)

Legal Reference:

ALASKA STATUTES

[14.03.120](#) Education planning; reports

[14.07.165](#) Duties

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.800-899](#) School and District Accountability

[4 AAC Chapter 4](#) Statewide goals

Revised: January 27, 2015

Adopted: May 23, 1995

Northwest Arctic Borough School District

BP 0210 GOALS FOR STUDENT LEARNING

Note: *The following policy is optional.*

The School Board believes that a quality education provides an opportunity for each student to develop:

1. The concept of self-worth and the ability to exercise self-discipline.
2. A positive attitude toward responsible citizenship.
3. Mastery of the basic skills and a working knowledge of mathematics, technology, reading, language arts (including effective oral and written communication), the sciences, geography, history, government and citizenship, world languages and fine arts.
4. Skills and other competencies leading toward economic independence consistent with the individual's interests and basic potential.
5. Skills to think logically and critically.
6. An awareness and understanding of our country's history and ideals and its diverse ethnic, racial and cultural heritage.
7. An awareness and understanding of the heritage, ideals and contributions of other cultures, races and countries.
8. The opportunity to develop the capability of students to appreciate beauty in literature, art, music and nature, and to recognize, value and use creativity.
9. A recognition of the importance of physical and mental health and an understanding of skills for a healthy life.
10. An ability to adapt and participate constructively in a changing society.
11. An understanding of the relationship of people and his/her environment.
12. Moral and ethical values based on the rights and responsibilities of individuals and their relationships to each other.

(cf. 6143 - Courses of Study)

Legal Reference:

ALASKA STATUTES

[14.03.015](#) *State education policy*

ALASKA ADMINISTRATIVE CODE

[4 AAC Chap. 4](#) *Statewide goals*

Revised: January 27, 2015

Adopted: May 23, 1995

Northwest Arctic Borough School District

BP 0410 NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: [4 AAC 51.270](#) mandates districts to adopt policies to assure equal opportunities and nondiscrimination. Discrimination in education programs and activities is prohibited by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Vocational Rehabilitation Act of 1973. The Office for Civil Rights of the U.S. Department of Education has authority to enforce these laws in all programs and activities that receive federal funds. [AS 14.18.010 - 14.18.100](#) prohibit discrimination on the basis of sex and race. [AS 14.18.090](#) provides that the State Board withhold state funds from districts if they are found to be out of compliance with state nondiscrimination laws and not actively working to comply with

The School Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability or any other unlawful consideration. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.3 - Nondiscrimination)

(cf. 4161.4 - Family and Medical Leave)

District programs and facilities, viewed in their entirety, shall be readily accessible to individuals with handicaps. The Superintendent or designee shall ensure that interested persons, including those with impaired vision and hearing, can obtain information about the programs, facilities and activities available to them.

(cf. 0411 - Service Animals)

(cf. 6164.2 - Guidance Services)

Note: Federal regulations ([45 CFR, Section 86.9](#)) require federal aide recipients to take "continuing steps" to notify applicants for admission, students and parents that, in compliance with Title IX, they do not discriminate on the basis of gender in their educational programs or activities. Title VI mandates that prior to the beginning of each school year, recipients of federal funds advise students, parents and the general public that all vocational opportunities will be offered without regard to race, color, national origin, gender or disability. Pursuant to Title VI, if the district serves a community of limited-English speaking persons, the notification must also be published in the language of that community and include a statement that lack of English skills will not

The Superintendent or designee shall annually notify students and parents/guardians of the district's policy on nondiscrimination and related complaint procedures.

(cf. 1312.3- Uniform Complaint Procedures)

(cf. 5145.6 - Notifications Required by Law)

(cf. 6178 - Vocational Education)

Legal Reference:

ALASKA STATUTES

[14.18.010 - 14.18.100](#) Prohibition Against Sex and Race Discrimination

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.500 - 4 AAC 06.600](#) Prohibition of Gender or Race Discrimination

UNITED STATES CODE

Title VI, Civil Rights Act of 1964, [42 U.S.C. §§ 2000d-2000d-7](#)

Title IX, Education Amendments of 1972, [20 U.S.C. §§ 1681-1688](#)

Vocational Rehabilitation Act of 1973, Sections 503 and 504, [29 U.S.C. § 794](#)

Individuals With Disabilities Education Act, [20 U.S.C. §§ 1401-1491](#)

Americans With Disabilities Act, [42 U.S.C. §§ 12101-12213](#)

Age Discrimination In Employment Act, [29 U.S.C. §§ 621-634](#)

Revised: July 2012

Adopted: May 23, 1995

Northwest Arctic Borough School District

BP 1140 RESPONSIBILITIES OF THE BOARD

The responsibility of the Board is the management and control of the district's schools. The Board's prime functions are the formulation of policies and the judgment of results. Its ultimate goal is the maintenance and upgrading of the educational standards and facilities so that the best possible education will be available to the children of the community.

(cf. 9300 - Governance)

The local school district was created as a unit of state government. The Board is, therefore, responsible to the local community and to the state government. The Board may take a public position on legislation which will directly affect the education program within the community.

Members of the Board individually will refer compliments, suggestions and constructive criticism about operational matters directly to the Superintendent or designee for appropriate consideration and action. Comments affecting policy will be routed through regular channels to the Board meeting agenda for consideration by the Board as a whole.

(cf. 1312 - Public Complaints Concerning the Schools)

(cf. 9000 - Role of the Board and Members)

(cf. 9010 - Public Statements)

Adopted: June 09, 2004

Northwest Arctic Borough School District

BP 1312 PUBLIC COMPLAINTS CONCERNING THE SCHOOLS

The School Board believes that the quality of the educational program can improve when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process using the chain of command.

The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Board chair who may in turn refer it to the Superintendent or Designee as deemed appropriate.

(cf. 1312.1 - Public Complaints Concerning School Personnel)

(cf. 1312.2 - Public Complaints Concerning Instructional Materials)

(cf. 1312.3 - Public Complaints Concerning Discrimination)

Note: Pursuant to [4 AAC 52.500](#), any person may file a complaint with the Department of Education alleging a violation of state regulations governing education for exceptional children.

Legal Reference:

ALASKA STATUTES

[14.18.100](#) Remedies (Sex or Race Discrimination)

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.560 - 06.580](#) Violations; Prohibition Against Sex Discrimination

[4 AAC 52.500 - 52.629](#) Procedural Safeguards; Education for Exceptional Children

CODE OF FEDERAL REGULATIONS

[34 CFR 200.74](#)

[34 CFR Part 300](#)

UNITED STATES CODE

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, [42 U.S.C. 2000](#) et. seq. (Ch. 21)

Title IX, Education Amendments of 1972

Section 504, Rehabilitation Act of 1973

General Education Provisions Act, [20 U.S.C. 1221](#) et. seq., especially:

Family Educational Rights and Privacy Rights Act, [20 U.S.C. 1232g](#)

Adopted: June 09, 2004

Northwest Arctic Borough School District

BP 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

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

(cf. 1250 - Visits to the School)

(cf. 1312 - Public Complaints Concerning the Schools)

(cf. 4112.6 - Personnel Records)

(cf. 9323 - Meeting Conduct)

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

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

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

(cf. E4119.21(a) Code of Ethics & Teaching Standards)

(cf. B1312.3(a) Public Complaints Concerning Discrimination)

Legal Reference:

ALASKA STATUTES

Government meetings public

Adopted: June 09, 2004

Northwest Arctic Borough School District

AR 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

Note: *The following optional regulation may be revised or deleted in light of district needs and collective bargaining obligations.*

1. In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage. Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.
2. All written complaints regarding district personnel other than administrators shall be initially filed with the principal or immediate supervisor. If the complaint regards a principal or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent or designee, it shall be initially filed with the Board. If the complaint is also against the district, the principal or designee shall provide a copy of the complaint to the district compliance officer so that appropriate procedures may be followed.
3. If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the school principal or immediate supervisor. When necessary, the district shall assist in the preparation of the written complaint so as to meet the requirements of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without help. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of a prior attempt to discuss the complaint with the employee involved and the failure to resolve the matter.
4. The principal or immediate supervisor shall investigate and attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the principal will so advise all concerned parties, including the Superintendent or designee.
5. If the complaint remains unresolved after review by the principal or the immediate supervisor, the principal shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the School Board regarding the complaint.
6. Except when a complaint is directed against the Superintendent, no party to a complaint may address the Board, either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint.
7. Complaints before the Board concerning an employee that may tend to be prejudicial to the employee's reputation or character shall be addressed in executive session of the Board. All parties to a complaint, including the school administration, may be asked to attend a Board meeting or part of such meeting for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue. The decision of the Board following the hearing shall be final.

(cf. 9321 - Executive Sessions)

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

Adopted: June 09, 2004

Northwest Arctic Borough School District

BP 1312.2 PUBLIC COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

The School Board takes great care in the adoption of instructional materials and is aware that all adopted materials may not be acceptable to all students, their parents/guardians, or other district residents.

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

(cf. 6161.11 - Supplementary Instructional Materials)

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

(cf. 1312.3 - Public Complaint Concerning Discrimination)

The Board believes the Superintendent and staff are well qualified to consider complaints concerning instructional materials. Complainants are advised to consider and accept the Superintendent or designee's decision as final. However, if the complainant finds the decision of the Superintendent or designee unsatisfactory, he/she may request that the matter be placed on the agenda of a regular Board meeting.

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

(cf. 6144 - Controversial Issues)

Adopted: June 09, 2004

Northwest Arctic Borough School District

AR 1312.2 PUBLIC COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

Complaints concerning instructional materials will be accepted only from staff, district residents, or the parents/guardians of children enrolled in a district school.

Complaints must be presented in writing to the principal on the appropriate district form. Complaints regarding printed material must specify the precise nature of the objection. The statement must be signed and identified in such a way that a proper reply will be possible.

Individual students may be excused from using challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternate materials of equal merit. Use of the materials by a class, school or the district, however, shall not be restricted until so directed by the Superintendent or designee.

Upon receiving a complaint, the principal will acknowledge its receipt and answer any questions regarding procedure. The principal will then notify the Superintendent or designee and the teacher(s) involved of the complaint. The Superintendent or designee will determine whether the complaint should be considered on an individual basis or whether a review committee should be convened.

The use of challenged materials by class, school or district shall not be restricted until final disposition has been made by the district.

A review committee may be formed under the direction of the Superintendent or designee. It shall be composed of five or more staff members selected by the Superintendent or designee from relevant administrative and instructional areas.

In deliberating challenged materials, the review committee shall consider the educational philosophy of the district; the professional opinions of other teachers of the subject and of other competent authorities; reviews of the materials by reputable bodies; the teacher's stated objectives in using the materials; and the objections of the complainant.

The review committee shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report and submit it to the Superintendent or designee for final action. The Superintendent or designee shall notify the complainant of his/her decision no later than 60 days after the complaint was filed.

The report of the review committee together with the Superintendent or designee's recommendation may be brought to the School Board for consideration and final decision.

When any challenged instructional material is reviewed by the district, it shall not be subject to any additional reconsideration for 12 months.

State-Adopted Material

If the challenged material has been adopted by the State Board of Education, the Superintendent or designee may forward the complaint, without action, to the Department of Education for reevaluation and decision.

Adopted: June 09, 2004

Northwest Arctic Borough School District

E 1312.2 CITIZEN'S REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

Date: _____

TITLE: _____ AUTHOR: _____

PUBLISHER: _____ DATE OF EDITION: _____

Request received by: _____ Title: _____

Citizen's Name: _____ Phone: _____

Citizen Represents:

Himself/Herself: _____ Organization or Group: _____

1. To what do you object? (Please be specific: cite pages, tape sequence, video frame, and words)
2. What do you feel would be the result of reading/viewing this material?
3. For what age group would you recommend this material?
4. Did you read/view the entire selection?
5. If not, what percentage did you read/view, or what parts?
6. Is there anything good about this material?
7. What would you like the school to do about this material?

_____ Do not assign it to my child.

_____ Withdraw it from all students.

_____ Reevaluate it.

8. Are you aware of how this work has been assessed by literary critics?
9. What do you believe is the thesis of this work?
10. In its place, what work would you recommend?

Signature of Citizen

Action taken: _____ Date: _____

Adopted: June 09, 2004

Northwest Arctic Borough School District

BP 1312.3 PUBLIC COMPLAINTS CONCERNING DISCRIMINATION

Note: [4 AAC 06.560](#) mandates that the district adopt and make available to the public written grievance procedures for violations of [A.S. 14.18](#) or [4 AAC 06.500 - 4 AAC 06.600](#), governing sex and race discrimination.

The School Board recognizes that the district has primary responsibilities that it complies with state and federal laws and regulations governing educational programs. The Superintendent or designee shall establish procedures to investigate and seek to resolve complaints alleging unlawful discrimination related to educational programs and activities.

The Board acknowledges and respects student and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights.

(cf. 1340 - Access to District Records)

(cf. 4112.6 - Personnel Records)

(cf. 5125 - Student Records)

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures.

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

(cf. 1213.1 - Complaints Concerning School Personnel)

(cf. 1213.2 - Complaints Concerning Instructional Materials)

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

Legal Reference:

ALASKA STATUTES

[14.18.010](#) Discrimination based on sex and race prohibited

[14.18.020](#) Discrimination in employment prohibited

[14.18.090](#) Enforcement by State Board of Education

[14.18.100](#) Remedies (Sex or Race Discrimination)

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.510](#) Discrimination in hiring practices.

[4 AAC 06.560 - 06.580](#) Violations; Prohibition Against Sex Discrimination

[4 AAC 52.500 - 52.629](#) Procedural Safeguards; Education for Exceptional Children

CODE OF FEDERAL REGULATIONS

[34 CFR 200.74](#)

[34 CFR Part 300](#)

UNITED STATES CODE

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964

Title IX, Education Amendments of 1972

Section 504, Rehabilitation Act of 1973

General Education Provisions Act, [20 U.S.C. 1221](#) et seq., especially:

Family Educational Rights and Privacy Rights Act, [20 U.S.C. 1232g](#)

Civil Rights Restoration Act [20 U.S.C. 1683](#) et seq.

Vocational Rehabilitation Act of 1973, Sections 503 and 504 [29 U.S.C. 791](#) et seq.

Age Discrimination in Employment Act [29 U.S.C. 621](#) et seq.

Vietnam Era Veterans Act [38 U.S.C. 2011](#) et seq.

Americans with Disabilities Act [42 U.S.C. 12101](#) et seq.

Adopted: June 09, 2004

Northwest Arctic Borough School District

AR 1312.3 PUBLIC COMPLAINTS CONCERNING DISCRIMINATION

Note: [4 AAC 06.560](#) requires that discrimination grievance procedures provide for a hearing before the Board on the record and a final decision within 60 days.

Compliance Responsibility

Note: Federal law requires the district to designate the person responsible for the overall implementation of the requirements of Title IX and Section 504, which prohibit discrimination on the basis of sex and handicap.

The School Board designates the following individual as the district's compliance officer responsible for receiving and investigating complaints concerning unlawful discrimination in district programs and activities:

Assistant Superintendent

PO Box 51, Kotzebue, Alaska 99752

(907) 442-1804

The compliance officer shall notify all parties involved when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The compliance officer shall maintain a record of each complaint and when it was received, attempts to resolve the complaint, including a record of any hearings, and the district's written decision regarding the complaint. The compliance officer shall ensure that a final decision regarding any complaint of unlawful sex or race discrimination is reached within 60 days of receipt of the complaint.

Filing of Complaint

Any district resident may file a written complaint of alleged noncompliance with the district compliance officer. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, district staff shall assist him/her to file the complaint.

Investigation of Complaint

The compliance officer shall hold an investigative meeting within five days of receiving the complaint or attempting to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative and the district's representatives to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses.

To ensure that all pertinent facts are made available, the compliance officer and the complainant may ask other individuals to attend this meeting and provide additional information.

Written Decision

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, including:

1. The findings and disposition of the complaint, including corrective actions, if any.
2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision and procedures to be followed for initiating such an appeal.

Appeal to the Board

Within five days of receiving the district's written decision, the complainant may appeal the compliance officer's decision to the School Board. The Board shall consider the matter at its next regular Board meeting or at a special Board meeting convened in order to provide a Board hearing and written district decision within 60 days of the district's initial receipt of the complaint or within an extended time period that has been specified in a written agreement with the complainant.

State or Federal Appeal

If dissatisfied with the resolution of a complaint alleging unlawful sex or race discrimination, the complainant may file an appeal with the Commissioner of Education within 180 days of the alleged violation. ([4 AAC 06.560](#))

If dissatisfied with the resolution of a complaint regarding a Title I program, the complainant may request its review by the U.S. Secretary of Education. ([34 Code of Federal Regulations, 200.74](#))

Adopted: June 09, 2004

BP 1312.4 PUBLIC COMPLAINTS CONCERNING ELEMENTARY AND SECONDARY EDUCATION ACT PROGRAMS

Note: At [4 AAC 06.888](#), the Department of Education and Early Development requires that complaints alleging that a district has violated the law in administering programs under the Elementary and Secondary Education Act (ESEA) be first submitted to the district for resolution. States are required to have a process for the receipt and resolution of complaints alleging violations in the administration of federal programs. [20 USC 7844](#).

The School Board expects that federal programs provided for in the Elementary and Secondary Education Act (ESEA) will be properly administered in the district to support and improve the quality of the educational program. The district will review and resolve complaints alleging violations of the law in administering education programs required by the ESEA.

The School Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a written complaint as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public.

(cf. 1312.1 - Public Complaints Concerning School Personnel)

(cf. 1312.2 - Public Complaints Concerning Instructional Materials)

(cf. 1312.3 - Public Complaints Concerning Discrimination)

Legal Reference:

ALASKA STATUTES

[14.03.123](#) - School and district accountability

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.560 - 06.580](#) Violations; Prohibition against sex discrimination

[4 AAC 06.888](#) - Informal review of complaints

[4 AAC 52.500 - 52.629](#) Procedural safeguards; Education for exceptional children

UNITED STATES CODE

[20 U.S.C. 7844](#), – General applicability of state educational agency assurances

Adopted: November 17, 2015

Northwest Arctic Borough School District

AR 1312.4 PUBLIC COMPLAINTS CONCERNING ELEMENTARY AND SECONDARY EDUCATION ACT PROGRAMS

Note: The following process for reviewing and resolving complaints under the ESEA is modeled after the Department of Education and Early Development's own complaint process set forth at [4 AAC 06.888](#)

Informal Review of Complaints

The following procedures will govern the receipt and resolution of complaints.

Filing a Complaint

Any district resident may file a written complaint alleging that the district has failed to comply with the requirements of the Elementary and Secondary Education Act as set forth at [20 USC 6301-7941](#); or with school and district accountability requirements set forth at [AS 14.03.123](#) and [4 AAC 06.800-899](#). The complaint must be submitted to the Superintendent.

In order to be reviewed, the complaint must include the following:

1. A statement describing the provision of law that the school or district has allegedly violated;
2. A statement of the facts supporting the alleged violation;
3. The name and address of the complainant; and
4. A description and documentation of prior efforts to resolve the concern informally.

If a complainant is unable to put a complaint in writing due to a disability, or reading or language barriers, district staff shall assist him/her to file the complaint.

Investigation of Complaint

Within five business days after receiving the complaint, the Superintendent will assign an investigator to conduct an informal review of the complaint. The investigator will be an employee of the district, may not have taken part in the action that is the subject of the complaint, and may not have a personal or financial interest in the subject matter of the complaint.

The investigator may conduct interviews of the complainant and district employees, and may request information and documents necessary to complete a review of the complaint. The complainant and district employees are expected to fully cooperate with the investigation.

PUBLIC COMPLAINTS CONCERNING DISCRIMINATION (continued)

Written Recommendation

Within 60 days after the date the complaint was assigned to the investigator, the investigator shall submit to the Superintendent and the complainant, a written recommendation setting forth one of the following determinations:

1. The complainant did not provide complete information for the investigator to review and therefore the Superintendent need not respond to the complaint. This finding does not bar the Superintendent from taking additional action based on the information already received; nor does it preclude the complainant from submitting a new complaint with the additional information, or from pursuing remedies available under state or federal law.
2. The complainant's allegations, even if true, do not establish a violation of [20 USC 6301-7941](#), [AS 14.03.123](#), or [4 AAC 06.800-899](#) and therefore the Superintendent need not respond to the complaint. This finding does not bar the Superintendent from rejecting the investigator's recommendation and taking additional action; nor does it bar the complainant from pursuing remedies available under state or federal law.
3. A violation of [20 USC 6301-7941](#), [AS 14.03.123](#), or [4 AAC 06.800-899](#) is likely to have occurred, based on information available to the investigator, and that the Superintendent should take action to correct or stop the violation. This finding does not bar the Superintendent from rejecting or declining to act upon the investigator's recommendation; nor does it bar the complainant from pursuing remedies available under state or federal law.

The written recommendation will also advise the complainant of his or her right to file a complaint with the Department of Education and Early Development under the procedures set forth at [4 AAC 06.888](#).

No Reprisals

Neither the complainant, the investigator, nor any other individual cooperating in the investigation shall be subject to retaliation or reprisals. An employee who engages in retaliation is subject to disciplinary action, up to and including termination.

Adopted: November 17, 2015

BP 2120 SUPERINTENDENT OF SCHOOLS

The Superintendent is the chief executive officer and educational leader of the district. He/she executes all School Board decisions and is accountable to the Board for managing the schools in accordance with the Board's policies. He/she informs the Board about school programs, practices and problems and provides professional advice on items requiring Board action.

The Board delegates to the Superintendent the power to make decisions concerning internal operations of the district. The Superintendent may delegate to other school staff any duties imposed upon him/her by the policies or vote of the Board, as far as the law permits. This delegation of power or duty shall not relieve the Superintendent of responsibility for actions taken by his/her designees.

The Superintendent shall have general supervision of all personnel and shall develop and execute consistent, fair and fiscally sound personnel procedures and practices, including an evaluation program for all district employees. He/she shall oversee all financial operations of the district and actively seek out new funding sources for the schools.

The Superintendent shall take an active leadership role in the development and improvement of the instructional program. He/she is expected to create a feeling of unity and enthusiasm among students and staff for the accomplishment of district vision and goals.

The Superintendent shall articulate educational issues and values before the community and other governmental agencies. He/she shall be accessible to community members and shall work with them to further the district's goals and build a strong, positive community attitude toward the school system.

The Board expects the Superintendent to remain current on educational thought and practices by reading educational publications, attending educational conferences, and visiting other school systems in the interest of improving the district's instructional program and overall operation. The Superintendent shall inform the Board and staff of new developments and significant events in the field of education.

(cf. 2122 - Superintendent of Schools: Job Description)

Legal Reference:

ALASKA STATUTES

[14.08.111](#) *Duties (Regional School Boards)*

[14.14.130](#) *Chief school administrator*

Adopted: February 25, 1994

Northwest Arctic Borough School District

BP 2122 SUPERINTENDENT OF SCHOOLS: JOB DESCRIPTION

The job of Superintendent entails many complex duties, some specified in law and some assigned by the Board. The Board shall provide the Superintendent with a job description that indicates his/her major responsibilities. The Board shall further define the Superintendent's responsibilities and duties through the adoption of Board policies.

The Superintendent may undertake outside professional activities such as speaking and writing, provided that the duties of his/her office receive adequate time and energy and always take precedence over any such outside activities.

(cf. 2000 - Concepts and Roles)

(cf. 2120 - Superintendent of Schools)

(cf. 2123 - Evaluation of the Superintendent)

Legal Reference:

ALASKA STATUTES

[14.14.130](#) *Chief School Administrator*

Adopted: February 25, 1994

Northwest Arctic Borough School District

E 2122 SUPERINTENDENT OF SCHOOLS: JOB DESCRIPTION

The Superintendent may delegate, according to guidelines, responsibility for administration of various segments of the District, but he/she shall be responsible to the Board for the results. His/her general responsibilities shall be to:

administer the implementation of board policy, with the central aim being the development and operation of an educational program designed to meet the specific needs of the learner served by the District. In accomplishing this, the Superintendent shall:

develop and promulgate administrative rules governing the internal operation of schools and District Office, and coordinate development of rules at each level;

develop an organizational plan suited to the achievement of board purposes and the implementation of board policies;

develop and implement procedures for the recruitment, selection, assignment, development, and evaluation of personnel to the end that the purposes and policies of the Board will be realized;

the Superintendent shall determine, subject to approval by the Board, the teachers and administrative personnel required for effective, efficient operation of the District. He/she shall also establish the duties and responsibilities for such personnel, shall conduct recruitment and selection processes, and shall appoint, assign, supervise, and evaluate personnel. He/she may also terminate such personnel within established laws, regulations, and policies;

develop and implement procedure, including broad-based involvement of those concerned, for orderly and effective improvement of programs for learning support;

do, or have done, all duties necessary to carry out the policies of the Board;

provide advice and counsel the Board;

prepare agendas, under the direction of the Board President, for all meetings;

attend and participate in all meetings of the Board;

conduct a continuous study of student needs and keep the Board informed of findings;

recommend policies to the Board on evaluation of the educational program;

recommend policies on all related topics, including operation of the Board and Advisory School Council, organization, personnel, student, fiscal and business management, public relations and other matters;

keep the Board continually informed on the program and conditions of schools;

conduct such other studies and prepare such other reports and recommendations as the Board requires or the Superintendent deems important to aid the Board in its operation and deliberations;

provide for broad-based involvement, in development of policy recommendations of all those affected by, or, with an interest in the effects, of such policies. These provisions should include the following:

within budgetary constraints, conduct a comprehensive information program to keep the public, students, staff, and others informed concerning needs, programs, progress, and plans.

Adopted: February 25, 1994

Northwest Arctic Borough School District

BB 9000 ROLE OF BOARD AND MEMBERS (POWERS, PURPOSES, DUTIES)

Powers and Duties

Note: Pursuant to [A.S. 14.12.030](#), school boards are delegated authority to operate public schools subject to laws and regulations applicable to regional school boards and other school districts.

The School Board's primary goal is to provide each student with an education of the highest quality in keeping with his/her capacity to learn. This goal shall be the basic factor motivating the Board's execution of its powers and duties.

(cf. 0200 - Goals for the School District)

The Board is responsible for the general control and direction of education in the district and is empowered to carry on and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. This broad authority shall be exercised in accordance with the State and Federal Constitutions, laws and regulations. The Board may execute any powers delegated by law to it or to the district which it governs, and shall discharge any duty imposed by law upon it or upon the district which it governs.

(cf. 0440 - Advisory School Councils)

(cf. 9200 - Board Members)

Governance Functions

The Board shall consider and approve or disapprove matters submitted to it by the Superintendent and the public and is committed to establishing policies to govern district activities. The Board shall prescribe bylaws for its own governance with law or with the rules prescribed by the State Board of Education.

(cf. 9300 - Governance)

Executive Functions

The Superintendent or designee shall serve as the chief executive officer of the Board. The Board delegates to the Superintendent or designee the authority to carry out Board decisions and to make and carry out any decisions which it delegates. The Superintendent or designee shall be fully responsible for the proper use of this authority. The Board retains ultimate responsibility for the performance of any powers or duties delegated.

(cf. 2210 - Administrative Leeway in Absence of Policy)

Judicial Functions

The Board believes that positive personnel and public relations rely upon the ability to hear and resolve of grievances, complaints and criticisms. The Board, convened, shall serve as a body of appeal for grievances, complaints and criticisms in accordance with Board policies and negotiated employee agreements.

(cf. 1312 - Complaints Concerning the Schools)

(cf. 4144 - Grievances/Complaints)

Legal Reference:

ALASKA STATUTES

[14.08.021](#) Authority (regional school boards)

[14.08.041](#) Regional school boards

[14.08.101](#) Powers (regional school boards)

[14.08.111](#) Duties (regional school boards)

[14.14.060](#) Relationship between borough school district and borough

[14.14.065](#) Relationship between city school district and city

[14.14.130](#) Chief school administrator

[29.35.160](#) Education (military reservations)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9010 PUBLIC STATEMENTS

Before voting on any issue, all Board members shall be encouraged to present whatever evidence they may feel important to the matter at hand. The Board shall fully consider the implications and relevancy of all information so presented. All opinions, reactions and positions shall be openly discussed, so that each member may understand all aspects of the issue before the Board makes its decision. Any Board member who may wish to criticize or oppose any specific Board action should do so during the Board meeting.

Once a Board decision has been reached, all Board members shall abide by that decision until it is amended or rescinded by subsequent Board action. When Board members express their opinions outside of the Board meeting, it is their responsibility to respect the democratic nature of Board decision-making and always identify personal viewpoints as such.

Public statements in the name of the School Board shall be issued by the Board president or, if appropriate, by the Superintendent or designee at the direction of the Board president.

(cf. 9011 - Disclosure of Confidential Information)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9011 DISCLOSURE OF CONFIDENTIAL INFORMATION

Confidential information which is produced for or which comes out during executive sessions of the Board shall not be divulged or released unless a majority of the Board agree to release the information, subject to applicable laws regarding executive sessions and confidential records. This bylaw is not intended to cause the withholding of information about the purpose of executive sessions of the Board.

(cf. 1340 - Access to District Records)

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

(cf. 5125 - Student Records)

Information from executive session shall be released by the president or chairman of the meeting in which the executive session is held.

Any Board member who releases confidential information contrary to the provisions of this bylaw may be publicly censured by a majority vote of the Board.

(cf. 4119.23 - Unauthorized Release of Confidential Information)

(cf. 9321 - Executive Sessions)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9012 COMMUNICATIONS TO AND FROM THE BOARD

The Board recognizes that appropriate communication procedures must be adhered to when communicating among Board members, and between Board members, district administration, and members of the public. Public communication by the Board should reflect positively on the district and serve the community by keeping it informed about the goals, programs, and achievements of the district and its schools.

Staff members, parents, and community members should submit questions or communications to the School Board through the Superintendent. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. If contacted individually, Board members will refer the person to the appropriate channel of authority, except in unusual situations. Board members will not take private action that might compromise the Board or administration.

Board Member Use of Electronic Communications

Electronic communications are an efficient and convenient way to communicate and can expedite the exchange of information. Board members shall exercise caution so as to ensure that these communications are not used to discuss, deliberate, or take action on Board business outside of a properly scheduled meeting. To ensure compliance with the Open Meetings Act, electronic communications by and between members shall not be used to conduct Board business but shall be limited to:

1. Disseminating information; and
2. Messages not involving deliberation, debate, or decision-making.

Board members may properly use electronic communications to provide:

1. Agenda item suggestions;
2. Reminders regarding meeting times, dates, and places;
3. Board meeting agenda or public record information concerning agenda items; or
4. Responses to questions posed by the community, administrators, or school staff, subject to the requirements of this policy.

Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010, Public Statements. Unless authorized to speak on behalf of the full Board, a Board member should clarify that the member is speaking as an individual member, and not as an official Board or district spokesperson.

A Board member sending an electronic communication concerning the district shall copy the Superintendent or designee, who shall store the message consistent with the district's practice of record retention.

Board members shall abide by the district's acceptable use policy when using district-issued devices or technology resources, including district Internet access on a personal device. There is no expectation of privacy for any Board Member messages sent or received by e-mail or other electronic communication, and these communications may be subject to public disclosure. Board members should keep public and personal communication totally separate.

Board Member Use of Social Media

Social media can be a positive tool for fostering community engagement with the district but this form of communication carries unique responsibilities. Board members desiring to utilize social media to communicate on matters of the district must adhere to the rules above. In addition, Board members must be cognizant to:

1. Keep public and personal social media accounts totally separate;
2. Post only content that the district has already released to the public;
3. Clarify that the posting is not an official record of Board meetings or Board business;
4. Conduct yourself online in a manner that reflects well on the district and on you as a publicly elected official;
5. Do not post anonymously about school business;
6. Immediately report harassing or defamatory communications to the Superintendent if they involve the district, its employees, or students;
7. Retain a copy of your posts and what others post on your account if required by the district's records retention procedures; and
8. Immediately report to the district any potential security breach.

Board members should not use social media as a vehicle for communicating with each other outside of properly noticed meetings.

(cf. 3523 - E-Mail)

(cf. 9010 - Public Statements)

(cf. 9320 - Meetings)

(cf. 9322 - Agenda/Meeting Materials)

Legal Reference:

ALASKA STATUTES

[40.25.110 - .220](#) - Alaska's Public Records Act

[44.62.310 - .312](#) - Alaska's Open Meetings Act

Revised: January 31, 2006

January 30, 2018

Adoption Date: May 25, 2005

Northwest Arctic Borough School District

BB 9110 BOARD MEMBERSHIP

Regular Members

The School Board shall consist of 11 members elected or appointed in accordance with law.

(cf. 9220 - Board Elections)

(cf. 9223 - Board Vacancies)

Student Board Members

The Board believes it is important to seek out and consider students' ideas, viewpoints and reactions to the educational program. In order to provide student input and involvement, the Board shall appoint student Board members as deemed necessary.

Student Board members shall have the right to attend public meetings of the Board, be recognized at meetings, participate in discussing issues and shall receive all materials presented to Board members except those related to executive sessions.

The Board of Education will develop procedures in conjunction with the Districtwide Student Council for the selection of one (1) student representative and one (1) alternate student representative to the Board of Education. These representatives shall be advisory non-voting members to the Board.

(cf. 1220 - Citizen committees)

Legal Reference:

ALASKA STATUTES

[14.08.091](#) Administration

[14.12.030](#) School boards

[14.12.040](#) Transition from five to seven member board

[14.12.110](#) Single body as assembly and school board

[14.14.070](#) Organization of school board

[14.14.120](#) Inoperative district

[14.14.250 - 14.14.310](#) Involvement of young people in government

[29.20.300](#) School boards

Revised: March 07, 2017

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

AR 9110 BOARD MEMBERSHIP

Selection of Student Representative to the Board

Each year, the following procedure will be followed for selection of one (1) student representative and one (1) alternate student representative to the Board:

1. The district shall advertise for applicants for one (1) student representative and one (1) alternate student representative to the Board no later than March 1.
2. The interested student representative and alternate student representative to the Board shall be in 8th through 11th grade during this school year and have a minimum GPA of 3.0, good attendance, leadership potential; and participation in school and community affairs.
3. Interested students shall submit an application, a letter of interest and two (2) references, which must be received by the Superintendent no later than March 31.
4. The Board shall interview all applicants at the April Board meeting via VTC, asking the same questions of all applicants.
5. One (1) student representative and one (1) alternate student representative to the Board will be selected by vote at the April Board meeting.
6. When the student representative is not available to attend the Board Meeting, the alternate student representative will attend in their absence.

Role of the Student Representative While Serving on the Board

The student representative and alternate will serve from August through May of the school year following the year of his/her selection. The student representative or alternate will be considered in attendance when away from the school site to attend to Board matters.

The student representative or alternate will meet with the Board as necessary for work sessions, will be seated with the Board at regular meetings and can speak as a Board member on agenda items. He/she will not attend executive sessions, unless requested by the Board.

The student representative or alternate will receive a copy of the agenda in advance of meetings and packets of information pertaining to Board items where student opinion is desired. The Board will instruct the student representative or alternate on Board policies and procedures.

At the Board's desire, an independent course of study may be developed for the student representative and alternate that includes all of the activities and responsibilities mentioned above plus other additional activities as appropriate.

Responsibilities of the Student Representative

The student representative or alternate to the Board will regularly call all school liaisons prior to Board meetings to receive student input and will schedule regular audio conferences with the entire student council. After each Board meeting, the student representative will send copies of Board minutes to the school liaisons.

On occasion, the Board may request that the student representative or alternate report back to the Board on a specific item. Such reports will be in writing and can be an agenda item, if the Board so desires. If student opinion is sought, a record of the vote by the district student council will be included in the report.

The student representative or alternate shall maintain good attendance, behavior and scholarship while serving on the Board. Failure to comply with all the student representative responsibilities may lead to dismissal by the Board.

Student Liaison

Each school will select one (1) student representative and one (1) alternate student representative to serve as a liaison between that school and the student representative to the Board. Each school will establish criteria for selection of a liaison that will include, but not be limited to: scholarship (minimum of 3.0 GPA); good attendance; leadership potential; and participation in school and community affairs.

Revised: February 08, 2018

Adoption Date: March 07, 2017

E 9110 APPLICATION STUDENT REPRESENTATIVE TO THE NWABSD BOARD OF EDUCATION



NORTHWEST ARCTIC BOROUGH SCHOOL DISTRICT

Ambler · Buckland · Deering · Kiana · Kivalina · Kobuk · Kotzebue · Noatak · Noorvik · Selawik · Shungnak

PO Box 51 · Kotzebue, Alaska 99752 · Phone (907) 442-1800

Application

Student Representative

to the NWABSD Board of Education

Name: _____ Grade: _____

School: _____ GPA: _____

Attach a letter of interest explaining why you wish to serve as the Student Representative.

Criteria:

The interested student representative to the Board shall be in 8th through 11th grade during this school year and have a minimum GPA of 3.0, good attendance, leadership potential, and participation in school and community affairs.

c.f. BB 9110 and AR 9110

Letters of Recommendation

Each applicant must submit with this application, two (2) letters of recommendation for the position. One letter should be from a school administrator/teacher and one from a local community member.

Student Statement of Commitment

I confirm that I would like to participate as a Student Representative to the NWABSD Board of Education. I agree to make a commitment to fully participate in the process.

Applicant's signature:

Date

Parents' statement of consent and support

I support my child participating as a Student Representative to the NWABSD Board of Education and he/she has my permission to participate in all associated activities.

Parent/guardian signature:

Date

Note: The NWABSD Board of Education will interview applicants. One student representative and one alternate student representative will be selected by vote of the Board at a regular school Board meeting.

Revised: February 8, 2018

Adoption Date: March 07, 2017

Northwest Arctic Borough School District

BB 9120 OFFICERS AND DUTIES

At its organizational meeting, held within seven (7) days after receipt of the certification of the results of the election, the Board shall elect officers in the following order: President, Vice-President, Secretary and Treasurer. Before taking office, each new member shall sign the oath of office.

(cf. 9121 - Board President)

(cf. 9122 - Vice President/Clerk)

(cf. 9123 - Secretary/Treasurer)

Legal Reference:

ALASKA STATUTES

[14.08.091](#) Administration

[14.12.110](#) Single body as assembly and school board

[14.14.070](#) Organization of school board

[29.20.300](#) School boards

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9121 PRESIDENT

The Board president shall preside at all School Board meetings. He/she shall:

1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies relating to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure;
8. Put motions to a vote, and state clearly the results of the vote.

The president shall have the same right as other members to offer resolutions, participate in discussions, vote, and to initiate or second motions upon relinquishment of the chair.

The president shall also perform other duties as directed by the Board, and state laws, regulations and the Board, including the duty to:

1. Sign all instruments, acts, and orders necessary to carry out state requirements and the will of the Board;
2. Consult with the Superintendent or designee on the preparation of the Board's agendas;
3. Appoint and disband all committees, subject to Board approval;
4. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law;
5. Excuse board member absences from regular board meetings.

(cf. 9223 - Board Vacancies)

6. Confer with the Superintendent or designee on crucial matters which may occur between Board meetings;
7. Be responsible for the orderly conduct of all Board meetings.
8. Share informational mail with other Board members.
9. Counsel Board members regarding behavior that potentially erodes public confidence in the Board as a whole.
10. Authorize individual Board member travel.

President Pro-Tem

In the absence of the President and Vice President, the President, will in advance, designate a board member to act as President pro-tem.

(cf. 9120 - Officers and Auxiliary Personnel)

(cf. 9320 - Meetings)

(cf. 9322 - Agenda/Meeting Materials)

Legal Reference:

ALASKA STATUTES

14.14.070 Organization of school board

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9122 VICE PRESIDENT

In the absence of the President, the Vice-President shall discharge all the duties of the President.

(cf. 9120 - Officers and Auxiliary Personnel)

Legal Reference:

ALASKA STATUTES

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

[14.14.020](#) *Bond required*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9123 SECRETARY

The Secretary shall ensure that an accurate record of the proceedings of the Board is kept, and that a copy of the record is distributed to each member, the Superintendent and others requesting it.

The Board delegates to the Superintendent's office the performance of all ministerial duties of the Secretary.

(cf. 9324 - Board Minutes)

Legal Reference:

ALASKA STATUTES

[14.08.091](#) Administration

[14.14.070](#) Organization of school board

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9124 TREASURER

The Treasurer shall ensure that all fiscal documents are properly executed and signed, shall review disbursement, and shall ensure preparation of a summary of disbursement for information to the Board at periodic intervals.

The Treasurer shall obtain a surety bond as required by [AS 14.14.020](#). The Board delegates to the Superintendent's office the performance of all ministerial duties of the Treasurer.

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9125 ATTORNEY

The School Board may use the services of private attorneys to meet the needs of the district. The Board-appointed legal counsel shall render legal advice to the Superintendent or designee and the Board and perform other administrative duties as assigned by the Board and Superintendent or designee.

The Superintendent or designee may confer with the district's legal counsel at his/her discretion.

(cf. 9200 - Members Limits of Authority)

(cf. 9321 - Executive Sessions)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9130 BOARD COMMITTEES

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

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

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

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

Committee meetings are subject to the state open meetings act.

(cf. 1220 - Citizen committees)

(cf. 9330 - Meetings)

(cf. 9321 - Executive Sessions)

Legal Reference:

ALASKA STATUTES

[29.20.020 Meeting public](#)

[44.62.310 Agency meetings public](#)

[44.62.312 State policy regarding meetings](#)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9140 BOARD REPRESENTATIVES

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

(cf. 1020 - Youth Services)

(cf. 9110 - Board Membership)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9200 BOARD MEMBERS

Limits of Board Members Authority

The School Board has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting. Individual Board members shall submit requests for research or administrative studies to the entire Board for consideration.

(cf. 6162.8 - Research)

(cf. 9322 - Agenda/Meeting Materials)

The Board is the unit of authority. An individual Board member is a part of the governing body which represents and acts for the community as a whole. Apart from the normal function as part of the unit, the Board member has no individual authority. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor, as an individual, command the services of any school employee. Individually, the Board member may not commit the district to any policy, act or expenditure.

No members of the Board shall be asked to perform any routine or clerical duties which may be assigned to an employee, nor shall any Board member become an employee of his/her district while serving on the Board.

A Board member should resign from the Board before seeking to secure district employment. In no event shall a final decision for hire be made prior to receiving the Board member's resignation.

(cf. 9250 - Remuneration, Reimbursement and other Benefits)

(cf. 9270 - Conflict of Interest)

Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.

(cf. 1250 - Visits to the Schools)

Obligations of Members

Members of the Board must endeavor to attend all meetings, study all materials presented with the agenda prior to attending the meeting, participate in the discussion of any items which come before the Board, and vote on all motions and resolutions, abstaining only for compelling reasons. If a Board Member knows they will be unable to attend scheduled meetings, worksession, or committee assignments they must notify the Board President or the Superintendents Office of this intended absence. If a Board Member notifies the Superintendent's Office with a request for an excused absence, this information will be communicated to the Board President for his/her decision and action.

The Board member should not subordinate the education of children and youth to any partisan principle, group interest, or the member's own personal interest.

The Board member should be prepared and willing to devote a sufficient amount of time to the study of the problems of education in the district, the state, and the nation in order to interpret them to the people of the district.

(cf. 9230 - Meetings)

Legal Reference:

ALASKA STATUTES

[14.14.140](#) *Restrictions on employment*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9220 SCHOOL BOARD ELECTIONS

School Board members shall be elected for a three-year term in accordance with procedures established by ordinance for municipal elections or by state regulations for regional educational attendance areas.

Any person eligible to be a voter in the district is eligible for Board membership. However, a district employee elected to the Board must resign his/her position with the Board in order to qualify for Board membership.

(cf. 9110 - Board Membership)

Note: If subject to the provisions of [A.S. 39.50.020](#), elected municipal officers, including school board members are required to file financial disclosure statements upon filing for office and annually after election.

(cf. 9270 - Conflict of Interest)

Legal Reference:

ALASKA STATUTES

[14.08.041](#) Regional school boards

[14.08.051](#) School board sections

[14.08.061](#) Term of office

[14.08.071](#) Elections

[14.08.081](#) Recall

[14.12.050](#) School board terms

[14.12.080](#) Qualification of members

[14.12.110](#) Single body as assembly and school board

[14.14.140](#) Restrictions on employment

[29.20.300](#) School boards

[29.26.060](#) Runoff elections

[39.50.020](#) Report of financial and business interests

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9222 RESIGNATION

A School Board member who wishes to resign may do so by submitting his/her written resignation to the School Board.

The Board shall declare the board member's seat vacant upon acceptance of the resignation. The Board may accept the resignation with a deferred effective date.

(cf. 9223 - Board Vacancies)

Legal Reference:

ALASKA STATUTES

14.08.045 Vacancies

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9223 BOARD VACANCIES

The School Board may declare a regional school board seat vacant if the person elected:

1. fails to qualify for Board membership within 30 days of certification of the election,
2. refuses to take office,
3. resigns,
4. is convicted of a felony involving moral turpitude or a violation of the oath of office,
5. no longer resides within the boundaries which he/she was elected to represent and a two-thirds vote of the Board declares the seat vacant.

(cf. 9220 - School Board Election)

The school board shall declare a vacancy on the Board for any actions which disqualify a member from service in accordance with state laws and local ordinances.

Note: *A.S. 14.14.080 allows a school board to declare a board vacancy when a member fails to attend three consecutive regular board meetings without being excused by the Board President.*

Three consecutive unexcused absences from regular board meetings shall be sufficient cause for the Board to declare a Board vacancy.

(cf. 9121 - President)

cf. 9320 - Meetings)

Appointment to the Board

A vacancy on the Board shall be filled within 30 days of the vacancy by Board appointment. When making an appointment to the Board, the Board desires to draw from the widest possible number of candidates.

The Board shall:

1. Provide candidates with appropriate information regarding Board member responsibilities.
2. Announce names of candidates and accept public input either in writing or at a public meeting.
3. Interview the candidates at a public meeting.
4. Select the provisional appointee by majority vote at a public meeting.

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment.

Legal Reference:

ALASKA STATUTES

[14.08.041](#) *Regional school boards*

[14.08.045](#) *Vacancies*

[14.08.081](#) *Recall*

[14.12.070](#) *Vacancies*

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

[29.26.240 - 29.26.360](#) *Recall*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9224 OATH OR AFFIRMATION

Before taking office, all School Board members shall take and sign the oath or affirmation required by law.

Legal Reference:

ALASKA STATUTES

[14.08.091](#) *Administration*

[14.12.090](#) *Oath*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9230 ORIENTATION

The Board encourages all Board candidates to attend public Board meetings during the period of their candidacy so that insofar as possible, new members will be prepared to discuss and cast informed votes on matters before the Board from the time that they are sworn into office.

The Superintendent or designee shall cooperate impartially with all candidates in providing them with information about district activities and school programs.

The Board and the Superintendent or designee shall help each newly elected member to understand district operations and the Board's functions, policies and procedures as soon after election as possible. Incoming members are encouraged to read the Board's policies and informational materials on the function of the Board and the school system, to visit school facilities, and to meet with the Superintendent or designee and Board president, as needed to become oriented to Board service.

The incoming member may attend, at district expense, workshops for newly elected members, including such workshops conducted by the Association of Alaska School Boards.

(cf. 9240 - Board Development)

Legal Reference:

ALASKA STATUTES

14.14.160 *Cooperation and support of certain association functions*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9240 BOARD DEVELOPMENT

The public entrusts the Board with the governance of its schools. Board members, like teachers and administrators, need in-service training. As part of their job, Board Members need to participate in professional development activities that help them understand their responsibilities, stay abreast of new developments in education, and learn new ways to cope effectively with the problems they confront.

Board members are strongly encouraged to attend at least one or more Board development activities each year.

Board members shall report on the development activities they attend at a regular Board meeting as soon as possible after the Board member's return.

Funds for Board development and related travel shall be budgeted annually. Such activities may include state, regional, and national workshops, conferences, conventions, such as those offered by the Association of Alaska School Boards.

(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Legal Reference:

ALASKA STATUTES

[14.14.160](#) *Cooperation and support of certain association functions*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9250 REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

Compensation

Board members are entitled to an honorarium of \$250.00 per day the Board is conducting board approved District business. District business is defined as: regular meetings, special meetings, work sessions, budget hearings, committee assignments, official assignments; and attendance at a convention, conference, workshop or similar gathering.

Board members who are required to travel from their normal place of residence for District business shall be entitled to actual transportation, hotel expenses and per diem. Per diem shall be at the rate of sixty dollars for all travel within the boundaries of the School District and eighty dollars for all travel outside the boundaries of the School District. Board members meeting locally are entitled to one-half daily per diem rate.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program as provided for district employees.

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program.

Legal Reference:

ALASKA STATUTES

14.14.140 *Restriction on employment*

Revised: July 26, 2011

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9260 LEGAL PROTECTION

The School Board shall provide insurance necessary to protect Board members, officers, and employees from any judgment resulting from suits brought against them alleging their liability while acting within the scope of their employment and/or under the direction of the Board. The insurance shall cover claims in such matters as civil rights actions, negligence, or other act resulting in accidental injury to any person or property damage in or out of the school buildings

(cf. 3530 - Risk Management)

Legal Reference:

ALASKA STATUTES

[14.12.115](#) *Indemnification*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9270 CONFLICT OF INTEREST

Note: [Alaska Statute 29.20.010](#) requires each municipality to adopt a conflict of interest code. [Alaska Statute 39.50.145](#) authorizes a municipality to exempt municipal officers from state conflict of interest financial reporting requirements. Accordingly, districts should consult local law to determine if additional conflict of interest requirements must be addressed. The following sample bylaw should be revised as appropriate to reflect district philosophy and needs.

In order to instill public confidence in public office and provide public accountability, School Board members shall disclose and avoid conflicts of interest involving any matter pending before the School Board. A conflict of interest exists when a member has a personal or financial interest on a matter coming before the Board that could render the member unable to devote complete loyalty and singleness of purpose to the public interest. School Board members owe the public a duty to act in the best interests of the district.

Decision making. The Board recognizes that when no conflict of interest requires abstention, its members must vote on issues before the Board. If a board member or his or her family member may benefit personally or financially from a Board decision, that board member must provide full disclosure of the conflict or potential conflict of interest to the Board. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting on the issue. If the Board determines a conflict of interest prohibits participation, the member shall abstain from deliberations and voting.

Appearance of impropriety. When a situation may create the appearance of impropriety, even where state and federal laws do not require any action, the board member shall fully disclose the circumstances. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting.

Board members who have an actual or potential conflict of interest requiring disclosure shall not seek to influence the decisions of staff or other board members on the underlying matter, or on the member's participation in the matter.

Other duties. School Board members are expected to avoid conflicts of interest in their other duties. This includes:

- a. **Confidential information.** School Board members shall not disclose or use confidential information acquired during the performance of official duties as a means to further their own personal or financial interests or the interests of a family member.
- b. **Gifts.** School Board members shall not accept a gift or economic benefit that would tend to improperly influence a reasonable person or where board members know or should know the gift is offered for the purpose of influencing or rewarding official action.
- c. **Business dealings with staff.** School Board members shall not engage in financial transactions for private business purposes with district staff whom board members directly or indirectly supervise.
- d. **Compensation for services.** School Board members shall not receive any compensation for services rendered to the district from any source, except compensation for serving on the School Board and reimbursement of expenses incurred as a board member, as allowed by policy and law.

Other legal obligations. School Board members shall comply with state and federal laws pertaining to conflicts of interest. Nothing in this policy restricts or affects board members' duties to comply with those laws.

(cf. 3115 - Relations with Vendors)

(cf. 4112.8 - Employment of Relatives)

(cf. 2300 - Conflict of Interest Code: Designated Personnel)

Legal Reference:

ALASKA STATUTES

[14.08.131](#) Disqualification from voting for conflict of interest

[14.14.140](#) Restriction on employment

[11.56.100 - 11.56.130](#) Bribery and related offenses

[29.20.010](#) Conflict of interest

ADMINISTRATIVE CODE

[4 AAC 18.031](#) Employment of members of immediate families of school board members

[4 AAC 18.900](#) Definitions

Revised: August 30, 2016

Adopted: May 23, 1995

Northwest Arctic Borough School District

BB 9271 CODE OF ETHICS

This code of ethics expresses the personal ideals which the School Board believes should guide each school Board member's activities.

In all actions as a school Board member, the member's first commitment is to the well-being of our youth. His/her primary responsibility is to every student in the district.

Board members also have other major commitments to:

- The Community. Each Board member is responsible to all residents of the district and not solely to those who elected him/her; nor solely to any organization to which he/she may belong, or which may have supported his/her election.
- Individuals. Each Board member has a direct concern for every individual in the community. As an integral part of his/her duties, he/she represents the authority and responsibility of government. This authority must be exercised with as much care and concern for the least influential as for the most influential member of the community.
- Employees. The Board member's actions may affect the capability of district employees to practice their trade or profession and should encourage their increasing competence and professional growth.
- Laws, Policies. Each Board member must be aware of, and comply with, the constitutions of State and Nation, the Alaska Education Statutes, other laws pertaining to public education, and the established policies of the district.
- Decision making. Each Board member is obliged by law to participate in decisions pertaining to education in the district. As an elected representative of the people, the Board member can neither relinquish nor delegate this responsibility to any other individual or group.
- Individual Feelings and Philosophy. Every individual Board member has something to contribute to society.

Understanding and acting upon the foregoing premises, each Board member shall:

- Consider his/her position on the Board as a public trust and not use it for private advantage or personal gain.
- Be constantly aware that he/she has no legal authority except when acting as a member of the Board. Board members shall present their concerns and concepts through the process of Board debate. If in the minority of any decision, they shall abide by and support the majority decision. When in the majority, they shall respect divergent opinions.
- Encourage ideas and opinions from the residents of the district and endeavor to incorporate community views into the deliberations and decisions of the Board.
- Devote sufficient time, thought, and study to proposed actions so as to be able to base decisions upon all available facts and vote in accordance with honest convictions, unswayed by partisan bias of any kind.
- Remember that the basic functions of the Board are to establish the policies by which district schools are administered and to select the Superintendent and staff who will implement those policies.
- Promote and participate actively in a concerted program of timely exchange of information with all district residents, parents, employees and students.
- Recognize that the deliberations of the Board in executive session may be released or discussed in public only with Board approval.
- Make use of opportunities to enlarge his/her potential as a Board member through participation in educational conferences, workshops and training sessions made available by local, state and national agencies.

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9300 GOVERNANCE

The formulation and adoption of written Board policies shall constitute the basic method by which the Board shall govern the school district. This right shall be retained solely by the Board. The study and evaluation of reports concerning the execution of its policies shall constitute the basic method by which the Board shall exercise its accountability for the governance of the schools.

(cf. 0500 - Review and Evaluation)

The School Board has the power of establishing its own procedures within the parameters of law. All actions of the Board shall be taken only in official Board meetings according to these bylaws and the statutes of the state.

(cf. 9310 - Policy Manual)

Legal Reference:

ALASKA STATUTES

[14.08.021](#) *Authority (regional school boards)*

[14.08.041](#) *Regional school boards*

[14.08.101](#) *Powers (regional school boards)*

[14.12.010](#) *Districts of state public school system*

[14.12.020](#) *Support, management and control*

[14.12.035](#) *Advisory School Councils in borough school districts*

[14.14.100](#) *Bylaws and administrative rules*

[29.35.160](#) *Education (borough school district)*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9310 POLICY MANUAL

In governing the district, the School Board has pledged to consider the will and needs of the community. The district's policy manual is developed, distributed and maintained for the purpose of communicating to interested parties the policies, regulations and bylaws within which our schools will operate.

The School Board desires that the community and district employees have access to the policy manual. The School Board welcomes suggestions from the public regarding its adopted policies and regulations. A public copy of the manual shall be maintained in the district central office. Districts publishing policies online shall provide access to policies at each school and at the district office. Districts with no online access will maintain a policy manual at each school site so that it may be examined by students, staff and other interested parties during normal business hours.

(cf. 1340 - Access to District Records)

The Superintendent or designee shall provide access to copies of the district policy manual to School Board members, central office administrators, principals, recognized employee organizations, and other key district personnel.

As necessary, the district shall develop or revise policies and regulations in order to reflect new legislation and changing community views. The Superintendent or designee shall maintain procedures for distributing to all authorized manual holders copies of new or revised policies, bylaws and regulations after adoption. The Superintendent or designee shall annually arrange to have all district policy manuals monitored to ensure that they are up to date and complete.

(cf. 9311 - School Board Policies)

(cf. 9312 - School Board Bylaws)

(cf. 9313 - Administrative Regulations)

Legal Reference:

ALASKA STATUTES

14.14.100 *Bylaws and administrative rules*

Revised: January 29, 2013

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9311 BOARD POLICIES

The School Board recognizes that its most important function is to establish policies which communicate its direction for the management and control of the schools. Policies are written statements adopted by the Board which communicate the guidelines and limits within which the Superintendent or designee and staff may take discretionary action.

(cf. 2210 - Administrative Leeway in Absence of Board Policy)

The Board encourages members of the community to contribute information and opinions for the Board's consideration and propose revisions to policy.

The adoption of policy shall conform with Board bylaws governing agenda, meetings, and voting. Only those written statements adopted and recorded in the minutes shall constitute official Board policy.

Prior to adoption, policies shall normally be given two readings by the Board. At its second reading, the policy may be adopted by a majority vote of all members of the Board. The Board may waive the second reading or may require additional readings.

In addition to presenting drafts or suggestions for new policy and policy revisions when changes in law occur or when a specific need arises, the Superintendent or designee, shall maintain procedures for the continuous orderly review of existing policies at a time allocated for this purpose on the agenda of regular Board meetings. When policies are amended, the Superintendent or designee shall review corresponding administrative regulations to ensure that they conform to the intent of the revised policy.

When drafting or revising Board policies which affect other governmental agencies or areas of common interest, the Superintendent or designee shall seek input from these agencies and shall express the Board's desire to cooperate with them in addressing matters of mutual concern.

(cf. 1020 - Youth Services)

Legal Reference:

ALASKA STATUTES

[14.14.100](#) *Bylaws and administrative rules*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9312 BOARD BYLAWS

The School Board shall adopt Board bylaws to govern the internal operations of the Board. When the need for a new bylaw or modification of an existing bylaw is recognized, the Superintendent or designee shall draft a new or modified bylaw for consideration by the Board.

Bylaws may be adopted and amended by a majority vote of all members of the Board at a regular Board meeting in the same manner as Board policies.

(cf. 9311 - Board Policies)

Legal Reference:

ALASKA STATUTES

[14.14.100](#) *Bylaws and administrative rules*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9313 ADMINISTRATIVE REGULATIONS

The implementation of policies is an administrative task to be performed by the Superintendent or designee who shall be held responsible for the effective administration and supervision of the entire school system.

The Superintendent or designee shall develop administrative regulations when required by law or Board policy or when, in his/her judgment, Board endorsement of district procedures is desired.

Administrative regulations shall be consistent with Board policies, education-related laws, negotiated employee contracts, and rules and regulations of the State Board of Education. The Board may review administrative regulations and require the revision of any regulations which it finds inconsistent with Board policy.

Administrative regulations shall be included in the district's policy manual. District and site level procedures will be maintained in appropriate district and/or site locations and readily available to school personnel.

Legal Reference:

ALASKA STATUTES

14.14.100 *Bylaws and administrative*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9314 SUSPENSION OF POLICIES, BYLAWS, ADMINISTRATIVE REGULATIONS

Policies, bylaws and administrative regulations may be suspended for a specific purpose and limited time by majority vote of the Regional Board.

Superintendent or Designee's Authority

The Superintendent or designee may suspend all or part of any policy, bylaw or administrative regulation when it conflicts with state or federal law or regulations. The Superintendent or designee shall report the suspension to the Board. Suspension shall be valid until the policy, bylaw or administrative regulation is rescinded, amended or reaffirmed.

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9320 MEETINGS

All meetings of the School Board shall be open to the public, except for executive sessions authorized in accordance with law.

(cf. 9321 - Executive Sessions)

The Superintendent or designee shall provide reasonable public notice of open meetings of the Board. Such notice shall include the date, time and place of the meeting, and shall be provided to the local news media and posted at district and school sites before the meeting. Public Meetings may not be held in a private home or private business.

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Regular Meetings

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.

Continued Meetings

The Board, by official action, may recess a regular or special meeting and designate a future date for the purpose of continuing the consideration of one (1) or more topics, provided that:

the total number of days for the session, including all those added after recess, shall not exceed the statutory limitations of fifteen (15) days for a regular meeting and five (5) days for a special meeting;

public notification shall be made of the recess;

any absent members of the Board shall be notified of the recess.

Special Meetings

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

Except in cases of an emergency, notice of special meetings shall be delivered at least 24 hours before the meeting to all Board members, the Superintendent, and to the local media. This notice also shall be posted at district and school sites at least 24 hours before the meeting. This notice shall specify the date, time and place of the meeting.

Notice of special meeting shall include a statement of the purpose of the meeting. No business may be transacted other than that stated in the notice of the meeting.

The Board president 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. As soon after the meeting as possible, the Board 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.

Board Action Between Meetings

When, in the opinion of the Superintendent, circumstances arise of such an urgent nature as to require Board action prior to the regular or special meetings, and the President of the Board, or in the President's unavailability, the Vice-President, concurs with this opinion, a poll vote by phone may be taken of Board members. In taking such a poll, the following conditions shall apply:

1. There shall be twenty-four (24) hours advance public notice of the poll vote given by public radio, unless the urgent matter prevents a twenty-four (24) hour delay of the vote. In such an event, at least three (3) hours advance notice shall be given by public radio;
2. The public notice will state the question being voted upon. In addition, the notice will advise the public of their right to be present at the time and place when the poll vote is being conducted by the Board's Recording Secretary;
3. The poll vote will be conducted by the Board's Recording Secretary in the Boardroom at the District Office. As many Board members as possible will be placed on a conference call that will be broadcast via speaker phone into the Boardroom. Board members who are not on the conference call shall be called individually and that phone call shall also be broadcast by speaker phone into the Boardroom;
4. The Board shall confirm the results of the poll vote by a vote taken at the next regular or special meeting.

Teleconferencing/Video-Conferencing

The Board may use teleconferences/and or video-conferences, if available, for Board meetings when receiving public comment

or testimony and during Board deliberations. Agendas and supporting materials shall be available at conference locations.

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*

Revised: March 27, 2007

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9321 EXECUTIVE SESSIONS

The Board may hold executive sessions of the Board in order to discuss:

1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit,
2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion, or
3. matters which by law, municipal charter, or ordinance are required to be confidential.

In order to hold an executive session, the Board shall meet in open session and obtain a majority vote of the Board authorizing the executive session to discuss a particular matter determined by the Board to be exempt from open meeting.

(cf. 1340 - Access to District Records)

No decisions may be made in executive session. Any formal action must be made in an open meeting.

Legal Reference:

ALASKA STATUTES

[44.62.310](#) *Agency meetings public*

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

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9322 AGENDA/MEETING MATERIALS

Agenda

The Superintendent, at the direction of the President of the Board, shall prepare all agendas for meetings of the Board. The agenda shall be distributed to board members at least ten (10) days prior to regular meetings and, if practical, one (1) week prior to special meetings.

(cf. 9320 - Meetings)

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and submitted to the Superintendent with supporting documents and information.

When constructing the agenda, the Board president and Superintendent will decide whether a request is within the subject matter jurisdiction of the Board and whether the agenda item is appropriate for discussion in open or executive session.

The Board shall also give members of the public the opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. An agenda item for such input shall be included on Board agendas. The Board shall not take action on such matters at that meeting.

(cf. 9323 - Meeting Conduct)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

(cf. 1312 - 1312.3 - Complaints Concerning Schools)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9323 MEETING CONDUCT

The School Board desires to conduct its meetings effectively and efficiently. All Board meetings shall begin on time and shall be guided by an agenda prepared and delivered in advance to all Board members and other designated persons.

Parliamentary Procedure

Board meetings shall be conducted by the president in a manner consistent with adopted Board bylaws and generally accepted parliamentary procedures.

Quorum

Seven (7) members of the Board constitutes a quorum which may legally call the meeting to order. A quorum of six (6) members is required to continue a meeting and conduct business after it has been called to order. However, a smaller number may adjourn from day-to-day for a period not to exceed ten (10) days.

Abstentions

In order to ensure that the public may know the vote of each person entitled to vote, all voting shall be conducted by roll call or show of hands. The names of each member voting shall be recorded in the minutes, with an indication of which members voted yes, no, or abstained.

If a member abstains, a reason must be given. The only acceptable reasons for abstaining are:

1. inadequate knowledge of the item being voted on;
2. conflict of interest as defined in BB 9270.

Public Participation

Because the Board has a responsibility to conduct district business in an orderly and efficient way, the following procedures shall regulate public presentations to the Board.

1. The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each agenda item.
2. At a time so designated on the agenda, members of the public also may bring before the Board matters that are not listed on the agenda of a regular meeting. The Board may refer such a matter to the Superintendent or designee or take it under advisement. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the Board.
3. A person wishing to be heard by the Board shall first be recognized by the president. He/she shall then identify himself/herself and proceed to comment as briefly as the subject permits.
4. Individual speakers will be allowed 3 minutes to address the Board, 5 minutes will be allowed for groups or organizations.
5. With Board consent, the president may modify the time allowed for public presentation or may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.
6. No oral presentation shall include charges or complaints against any employee of the Board, including the Superintendent, regardless of whether or not the employee is identified by name or by another reference which tends to identify. Charges or complaints against employees must be submitted to the Board under the provisions of Board policy and administrative regulations related to such complaints.

(cf. 1312.I - Complaints Concerning School Personnel)

(cf. 9312 - Executive Sessions)

7. No disturbance or willful interruption of any Board meeting shall be permitted. Persistence, by an individual or group, shall be grounds for the chair to terminate the privilege of addressing the meeting. The Board may remove disruptive individuals and order the room cleared if necessary.

Legal Reference:

ALASKA STATUTES

29.20.020 Meetings public

Adoption Date: May 23, 1995

BB 9324 BOARD MINUTES

The Board secretary or designee shall keep minutes and record all official Board actions.

(cf. 9123 - Secretary/Treasurer)

Official Board minutes and the master copy of the policy manual shall be stored in a fire-proof location at the District office.

Copies of the minutes of each regular or special meeting shall be distributed to all Board members with the agenda for the next regular meeting, and will be available for public review at the district office and each school site.

(cf. 1340 - Access to District Records)

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed. Individual votes shall be recorded unless the action was unanimous. All Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

Recording Devices

A video or audio tape recording may be made at any open Board meeting. The presiding officer shall announce that a recording is being made at the beginning of the meeting, and the recorder shall be placed in plain view of all persons present, insofar as possible.

Legal Reference:

ALASKA STATUTES

[14.14.090](#) *Additional duties*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9330 MEMBERSHIP IN ASSOCIATIONS

Membership in recognized associations such as Association of Alaska School Boards will be maintained by the schools for several reasons, including:

1. The inservice education benefits to our staff and School Board which come from participation in meetings, conferences, clinics and conventions.
2. Access to the communication media of such associations, such as newsletters, periodicals and advisory services.
3. Representation in actions affecting education in general and the school district in particular.

The Board in maintaining such membership in no way abdicates its authority over the responsibility for the schools of the district as outlined in state law and Board policy.

The Superintendent is directed to budget funds for such memberships, and for paying the costs of adequate participation of Board, administration and staff in the activities of such association to achieve the purposes listed above.

Legal Reference:

ALASKA STATUTES

[14.07.058](#) *Alaska School Activities Association*

[14.14.150](#) *Association of Alaska School Boards the representative agency of board members*

ALASKA ADMINISTRATIVE CODE

[4 AAC 66.010](#) *Regional resource centers*

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

BB 9400 BOARD SELF-EVALUATION

Effective and efficient School Board operations are an integral part of creating a successful educational program. In order to measure progress towards its stated goals and objectives, the Board will annually schedule a time and place at which all its members may participate in a formal self- evaluation.

The Board shall be evaluated as a whole and not as individuals. The evaluation will focus on the internal operations and performance of the Board. The Board members shall develop goals and objectives against which the Board will be evaluated. A self-evaluation instrument will be based on these goals and objectives and not on goals set for the district.

Each Board member will complete the self-evaluation instrument independently. The ensuing evaluation will be based on the resulting composite picture of Board strengths and weaknesses. The Board will discuss the tabulated results as a group.

The evaluation process should include the establishment of strategies for improving Board performance. Revised priorities and new goals will be set for the following year's evaluation.

The Board may invite the Superintendent or others to participate in the evaluation and suggest specific criteria to measure Board success as a governing body.

The Board recognizes that adequate opportunities for Board member orientation and inservice are an essential component of conducting meaningful self-evaluation. The evaluation process shall include suggestions for continued Board member development.

(cf. 9240 - Board Development)

Adoption Date: May 23, 1995

Northwest Arctic Borough School District

**NORTHWEST ARCTIC BOROUGH SCHOOL DISTRICT
SCHOOL BOARD MEMBERS ORIENTATION QUIZ**

**By Jeannie Sleeper
Jermain, Dunnagan & Owens, P.C.
October 16, 2021**

For each scenario below, please indicate whether the statement is TRUE or FALSE

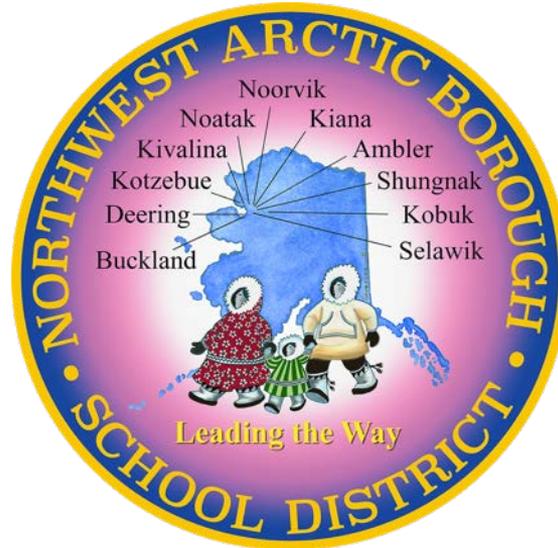
		NOTES
___1.	The Alaska Open Meetings Act, which requires meetings to be open to the public, applies to school boards and also applies to school board committees or subcommtees. (AS 44.62.310(h); AS 44.62.312)	
___2.	A meeting for purposes of the Open Meetings Act occurs when more than three or a majority of members whichever is less, are present; a matter on which the body is empowered to act is considered by the members collectively, and the governmental body has authority to establish policies or make decisions.	
___3.	The Alaska Open Meetings Act requires that there must be at least twenty-four (24) hours public notice for all meetings required to be open under the law. (AS 44.62.310(e))	
___4.	The school board may go into executive session for any reason the school board considers confidential. (AS 44.62.310(c))	
___5.	A NWABSD Board member wishes to go in to executive session to discuss a matter that may prejudice the reputation and character of a District employee. Before going in to executive session, the person in question must be notified and given the opportunity to have the discussion in an open meeting. A.S. 44.62.310(c)	
___6.	Four Board members go to a local restaurant but do not discuss Board business. A meeting has occurred for purposes of the Open Meetings Act	

___7.	During a local potluck four Board members debate a matter that would otherwise be addressed in executive session. The Open Meetings Act is not violated because the matter under consideration would not be addressed in an open meeting in any event. AS 44.62.310(b).	
___8.	Electronic communications from a Board member concerning the District are required to be copied to the Superintendent, who is to store the message consistent with the district’s records retention practice.	
___9.	Board members may use electronic communication to discuss matters within the Board’s authority so long as the communication is copied to the Superintendent to be preserved in accordance with the District’s records retention practice, and the communication does not violate the district’s acceptable use policy.	
___10.	Once the NWABSD Board is properly convened in a special meeting, it may consider and act upon any matter within its jurisdiction.	
___11.	Emails between Board members concerning school district matters are public records even if they are exchanged through a Board member’s private email and not through the District’s email account. (AS 40.25.220(3), AS 40.21.150(6))	
___12.	The Family Educational Rights & Privacy Act (“FERPA”) governs all “education records” of a student which is defined broadly to include those records that are directly related to a student and that are maintained by the educational institution	
___13.	FERPA allows school districts to freely share student records with law enforcement and may do so without parental consent.	
___14.	The school district must report any FERPA violations to the U.S. Department of Education which may withhold federal funds as a result of the violation. (34 CFR 99.67)	

___15.	<p>A principal at one of the district’s village schools determined that the school’s star player is ineligible for travel to the regional basketball tournament. Many residents believe the principal’s decision was unfair, and adversely impacted the student, other students on the team, and the community as a whole. After hearing powerful statements from community residents at a tribal council meeting it is decided that principal’s continued presence would be detrimental to well-being of the community, and he is ordered banished from the community. A copy of the banishment order is provided to the Superintendent. The banishment order is sufficient cause to terminate the Principal’s employment contract with the District.</p>	
___16.	<p>A Principal in the district receives a report that a teacher has been using his district-issued laptop to visit porn sites during class study time. As part of her investigation, the Principal searches the laptop issued to the teacher and confirms the porn sites were visited and the dates and times they were accessed; she also finds images of child pornography on the laptop. Based on this information, the teacher is subject to immediate dismissal without further action or notice, because possession of child pornography is a violation of district policy and Alaska law. (AS 14.20.170, .180; 4 AAC 10.035).</p>	
___17.	<p>A tenured teacher in your District has appealed his dismissal to the Board. Since the Board will need to decide whether or not to uphold or overturn the dismissal, Board members should interview as many people in the school as possible, so they have a good understanding about what occurred prior to the hearing.</p>	
___18.	<p>NWABSD has entered into a Collective Bargaining Agreement (CBA) with the Northwest Arctic Education Association as the exclusive representative of the district’s teachers. In the event of a conflict between the provisions of the CBA and district’s policies and regulations, the terms of the CBA will control.</p>	

___19.	If a school board wishes to restrict or modify the rights of teachers to criticize the district, the administration, or the board outside of normal school hours, the school board must adopt a formal policy to that effect. (AS 14.20.095)	
___20.	A school board member is sued for allegedly discriminating against an applicant for employment. The school district is required to protect the board member from financial loss and expense, including legal fees and costs arising from the lawsuit. (AS 14.12.115)	

NWABSD



Mitigation Plan

American Rescue Plan (ARP) Act

Last Updated September 1, 2021

Leading the Way

Serving the communities of:

Ambler • Buckland • Deering • Kiana • Kivalina • Kobuk • Kotzebue • Noatak • Noorvik • Selawik • Shungnak

Mitigation Plan

American Rescue Plan (ARP) Act



Plan Requirements:

1. Develop and make publicly available
2. Periodically review and revise through 9/2023
 - ✓ No less frequently than every 6 months
3. Seek public input
4. Utilize up-to-date guidance from the Centers for Disease Control and Prevention
5. Include district adopted for each mitigation strategy listed

Mitigation Plan

American Rescue Plan (ARP) Act



Plan Components:

1. Masks
2. Physical Distancing
3. Handwashing and Respiratory Etiquette
4. Cleaning and Maintaining Healthy Facilities
5. Contact Tracing
6. Diagnostic and Screening Testing
7. Efforts to Provide Vaccinations
8. Appropriate Accommodations for Children with Disabilities
9. Continuity of Services



Mitigation Plan

American Rescue Plan (ARP) Act



1. Masks

- ✓ Quick pivot the beginning of August when the CDC updated guidance for universal masking
- ✓ Supplied to schools and departments as needed
- ✓ Ordered and shipped to site through the Assistant Superintendents office
- ✓ Continual work towards wearing masks consistently and correctly
- ✓ Accommodations are made per federal law



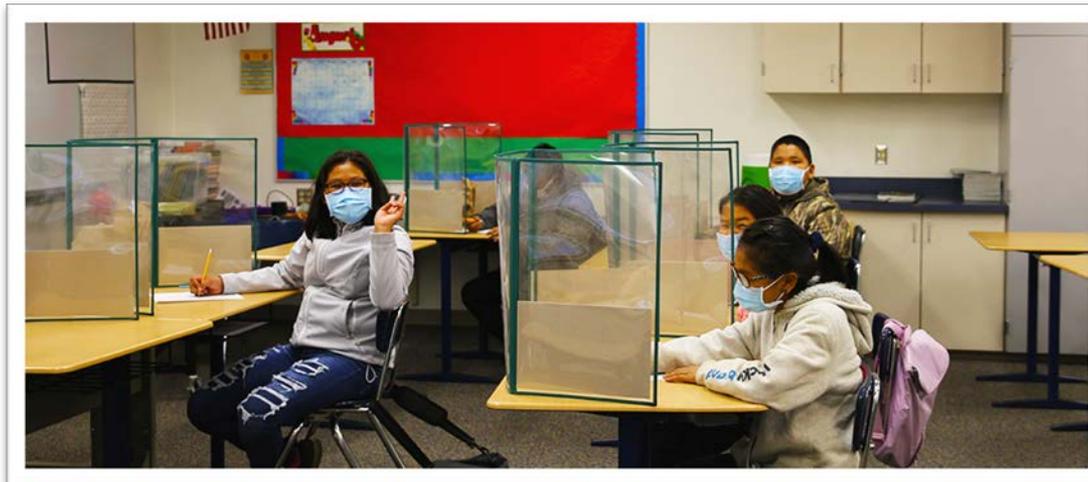
Mitigation Plan

American Rescue Plan (ARP) Act



2. Physical Distancing

- ✓ Desk shields provided by the Property Services department
- ✓ Students use during instruction and mealtimes
- ✓ Minimum distance is 3ft; strive for 6ft



Mitigation Plan

American Rescue Plan (ARP) Act



3. Handwashing & Respiratory Etiquette

- ✓ Taught and reinforced in all schools
- ✓ TikTok bathroom soap challenge averted losing an abundance of supplies



Mitigation Plan

American Rescue Plan (ARP) Act



4. Cleaning & Maintaining Healthy Facilities

- ✓ Schools have regular cleaning schedules
- ✓ Contaminated areas are closed off and then deep cleaned
- ✓ Air filters provided to areas in need



Mitigation Plan

American Rescue Plan (ARP) Act



5. Contact Tracing

- ✓ Schools work with families and student/staff schedules to contact trace within our buildings
- ✓ Parents and/or staff of possible exposed students are notified of that exposure
- ✓ All parents/staff are notified of the incident
- ✓ CDC has new recommendations for contact tracing
- ✓ Vaccination status matters greatly



Mitigation Plan

American Rescue Plan (ARP) Act



6. Diagnostic & Screening Testing

- ✓ Reduced required diagnostic tests due to the Manillaq test shortage
- ✓ CUE Covid screening occurring at all sites including the District Office
- ✓ DRG, IAN, JNES, WTK, ORV, WLK, and SHG all have hired COVID screeners
- ✓ 3,200 CUE test kits have been distributed; 4,000 more are ordered and on the way from the Department of Health and Social Services (DHSS)
- ✓ 520 Successful screenings performs so far this school year



Result	August	September	October (1-13)
Negative	71	276	165
Positive	1	4	3
Invalid	3	9	10

Mitigation Plan

American Rescue Plan (ARP) Act



7. Efforts to Provide Vaccinations

- ✓ Coordination with Maniilaq and Public Health
- ✓ Student vaccination clinic at KMHS
- ✓ Staff booster and flu vaccination clinic for all Kotzebue-based staff
- ✓ Anticipating 5–11-year-old vaccinations in early November
 - NWABSD Nurse will travel to schools for vaccination clinics
- ✓ Ongoing vaccination promotions
- ✓ Open gym facility use requires 70% vaccination rate in the community & individual participant vaccination



Mitigation Plan

American Rescue Plan (ARP) Act



8. Appropriate Accommodations for Children with Disabilities



Depending on individual needs:

- ✓ Cellular iPads are available for assessment as needed
- ✓ Students may be still attending in person during a Red High-Risk Operational Zone
- ✓ Transportation modifications as needed
- ✓ Increased use of tele-therapy services

Mitigation Plan

American Rescue Plan (ARP) Act



Continuity of Services

Green Low-Risk Operational Zone

- ✓ Services regularly provided for in-person
- ✓ Meals occur at the schools
- ✓ Teachers prepare 2 weeks of remote learning materials ahead “just-in-case”

Red High-Risk Operational Zone

- ✓ 1:1 student devices go home for remote learning
- ✓ Food is packed to go home
- ✓ Learning materials go home
- ✓ Arrange for students to get help as needed



Mitigation Plan

American Rescue Plan (ARP) Act



Other COVID Related Updates

- ✓ NWABSD School Nurse, Bryan Wright was onboarded October 4th
 - Funded by the Department of Health and Social Services (DHSS)
 - 90 days – until the end of December
- ✓ Anticipating all school age children to be eligible for a vaccination
- ✓ Occupational Safety and Health Administration (OSHA) is working to put rules together for the Emergency Temporary Standard (ETS) that includes mandatory vaccinations for organizations with at least 100 employees

