

Board of Education Policy Committee Meeting

Friday, January 16, 2026 1:00 PM

Microsoft Teams, 744 Third Ave., Kotzebue, AK 99752

1. **Roll Call**

Presenter: Kristen Walker, Executive Assistant

2. **Chairperson Nomination / Election**

3. **Items for 2nd Reading (Public Comment has been sought via the District Website)**

4. **Items for 1st Reading:**

5. **Items for Board Bylaw Review for the Worksession (These will become 1st Readings for the XXX Board Meeting Agenda):**

6. **New (or Previously Tabled) Items for Committee Review (These will become 1st Readings for the February Board Meeting Agenda):**

7. **Other Items Being Worked On:**

8. **Questions**



NORTHWEST ARCTIC BOROUGH SCHOOL DISTRICT

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

NWABSD BOARD OF EDUCATION

Board Policy Committee Meeting

Conducted via Teams and in the NWABSD Boardroom

Agenda

January 16, 2026

1. Roll Call
2. Chairperson Nomination/Election
3. Items for 2nd Reading (Public Comment has been sought via the [District Website](#))
 - a. None at this time.
4. Items for 1st Reading:
 - a. **BP 5138 Student Possession and Use of Portable Electronic Devices Including Cellular Phones**
 - i. This policy makes a number of changes to the model cell phone policy, in light of HB 57. It provides districts several options on how to regulate cell phones in schools, and provides clarifying definitions.
 - b. **BP 6151 Class Size ***New Board Policy*****
 - i. This new policy establishes the class size requirement provisions that districts must create under HB 57.
 - ii. The administration is drafting an AR to outline the District's target ratio and procedures for reducing class sizes when possible and appropriate.
5. Items for Board Bylaw Review for the Worksession (These will become 1st Readings for the XXX Board Meeting Agenda):
 - i. **None at this time.**
6. New (or Previously Tabled) Items for Committee Review (These will become 1st Readings for the February Board Meeting Agenda):
 - a. **BP 5111 Admission**
 - i. This policy update reflects current statutory rules on when a student may begin school, based on their age at admission. It also includes the statutory provision stating that students who are suspended or expelled are not guaranteed admission.
 - b. **BB 9320 Meetings**
 - i. This update includes additional language to clarify virtual/remote meetings.
 - ii. This update also includes "virtual" by all references to "teleconference" for clarity and the addition of language to notify the Board President/Superintendent when attending an in-person meeting virtually.

Committee Members: Carol Schaeffer, Jeanne Gerhardt-Cyrus, Marie Greene, Millie Hawley, Erica Nelson
Technology Director: Amy Eakin

MISSION: To provide a learning environment that inspires and challenges students and employees to excel.
VISION: To graduate all students with the knowledge, skills, and attitudes necessary for a successful future.

c. **NEW 10000 CHARTER SCHOOL SECTION******

- i. **BP 10000 Concepts and Roles**
- ii. **BP 10010 Establishment of Charter Schools**
 - 1. **AR 10010 Organization of a Non-Profit for a Charter School**
- iii. **BP 10020 Charter School Application**
 - 1. **E 10020 DEED Initial Charter School Application Form**
- iv. **BP 10021 Charter School Application Appeals**
- v. **BP 10030 General Requirements**
 - 1. **AR 10030.1 Organization of a Charter School**
 - 2. **AR 10030.2 Operation of a Charter School**
- vi. **BP 10040 Academic Policy Committee**
 - 1. **AR 10040.1 Code of Ethics**
- vii. **BP 10050 Principal/Lead Teacher**
 - 1. **AR 10050 Charter School Principal and Lead Teacher Evaluation**
- viii. **BP 10060 Meetings**
- ix. **BP 10070 Review of the Charter School**
 - 1. **AR 10070 Charter School Annual Review**
- x. **BP 10080 Amendment of Charter and Termination of Contract**
- xi. **BP 10090 Communication**

7. Other Items Being Worked On:

a. BP 4180 Residency and Remote Work *New Board Policy*****

- i. This policy is new and recommended by AASB to formally establish that employees may be permitted to work remotely, if permitted by the District.
- ii. Administration is scheduled to review the AR and supporting documents in February

b. BB 9123 Clerk/Secretary and Treasurer

- i. This update clarifies the responsibilities of the responsibilities to the Board. The title of the policy is also updated to include all positions cited in within the policy to be aligned to model policy.
 - 1. 12/1/25 confirmation from AASB that they are still working on the verbiage for 9123

c. AR 5111.2 Part-time Enrollment Procedures

- i. Remove all activities participation information not pertaining to part-time enrolled students
- ii. On hold per the Board's further discussion

d. BP/AR 6145 Extracurricular and Cocurricular Activities

- i. Add activity participation information from AR 5112.2
- ii. Outline fees for participation of non-NWBASD students
- iii. On hold per the Board's further discussion

8. Questions

- a. **BP 5131.6 Alcohol and Other Drugs** – Does the NWABSD receive Public Law 99-570 funds?
 - i. Checking
- b. **Can the Board hold an executive session during a worksession?**

RESPONSE FROM LEGAL via AASB [the “I” in the response is Michael Caulfield]:

While unusual, executive sessions can occur during work sessions. This is because they are generally “meetings” under the Open Meetings Act. As you note, a meeting is defined by the Open Meetings Acts (AS 44.62.310(h)(2)) as:

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.

Work sessions usually fall under this “meeting” definition because they are a gathering of the Board, and matters upon which the Board is “empowered to act” are considered. Importantly, a Board does **not** need to make a decision or a vote on an item to be in an open meeting under the act – consideration of the item is enough.

Note that it’s possible some work sessions would not be “meetings” under the Act (for instance, if the only purpose of the work session is for board training it likely is not technically a “meeting.”) However, the Open Meetings Act construes the definition of a “meeting” broadly. Out of caution and deference for the broad nature of the Open Meetings Act, I recommend work sessions be publicly noticed, even if they are for something that may not technically qualify as an open meeting.

Next, when a Board is in a “meeting,” they can enter executive session – regardless of the type of meeting. AS 44.63.310(b). So, executive sessions can be held in work sessions that are publicly noticed as an open meeting. However, there are three caveats to consider that may be creating some confusion:

1. Executive sessions, like any other agenda item at an open meeting, must be included on the public notice of the meeting. That means if a Board is going to go into executive session in a work session, that must be included in the public notice. So, a Board could not choose to go into executive session during a work session if there was not prior public notice they would do so. Further, courts will look at the seriousness and significance of an issue to determine whether notice under the Open Meetings Act

was sufficient. For instance, if there is a discussion around the closure of schools, that should be done in a regular meeting with ample public notice, and not in a special meeting with only 24 hours' notice. The same consideration goes for executive sessions during work sessions.

2. If a work session is noticed only as a work session where no votes will be taken, that holds true regardless of whether an executive session is held. So, a board could not come out of a work session executive session and hold a vote – the vote would have to wait for the next non-work session meeting.
3. The terms “regular meeting,” “special meeting,” “emergency meeting” and “work session” are not defined by the Open Meetings Act. Those are policy terms (guided in some cases by court decisions) to establish how much public notice is required before the meeting. I generally recommend work sessions be treated like any of the other three meeting types when it comes to notice. Note that work sessions are usually scheduled and noticed well in advance because they are not emergencies.

In sum, provided a work session is a public meeting (which they usually are) and there was proper public notice of an executive session on the work session agenda, a Board can go into executive session during the work session. However, the Board should consider the reason for going into the executive session during the work session, and should not do so to try and “hide” that it is happening. A couple real world examples of the times I most commonly see executive sessions held during work sessions are: 1) to provide guidance to a bargaining team during negotiations, and 2) to hold a student or employee discipline appeal hearing.

I think it's a good idea to add a paragraph about work sessions in BB 9320, to clarify how they relate to regular, special, and emergency meetings. I'll put that on the list for this upcoming release. Please let me know if you or the districts have any follow up questions about this.

BP 5138 STUDENT POSSESSION & USE OF PORTABLE ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES

The School Board recognizes that many students possess and use cell phones and other portable electronic devices. These devices serve an important purpose in facilitating communication between the student and ~~his or her~~their family, as well as serving as tools to access electronic information. In the school setting, portable electronic devices are permitted so long as their use is consistent with this policy and does not interfere with the educational process or with safety and security.

(cf. 5030 - School Discipline and Safety)

Educational Uses

In many instances, there is educational value in utilizing portable electronic devices in the classroom when such devices deliver content, and extend, enhance, and/or reinforce a student's learning process related to the student's learning style, the instructional objectives of the class and/or the learning environment. The appropriateness of in-class use of these devices consistent with the instructional objectives within instructional time will be determined by the classroom teacher with the approval by the building administrator.

Use of portable electronic devices for students with disabilities will be outlined in a student's Individualized Education Program (IEP) or Section 504 plan, as determined appropriate by the IEP or 504 Team.

(cf. 6159 - Individualized Education Program)

If use of a portable electronic device is required in individual instances (not provided for in an IEP or 504 plan) to assist a student with the student's education, permission must be obtained in writing from a building administrator prior to use of the portable electronic device at any time when such use would otherwise be prohibited by this policy. In case of an emergency, verbal permission by a teacher or administrator is required in situations where permission can be obtained.

Conditions of Use – Cellular Phones

Note: School boards may select one of the two options for the use of cellular phones in schools. These conditions may be modified as desired.

(Option 1): High school students (grades 9 – 12) may use cellular phones and other personal portable electronic devices before and after school, during passing periods, and during the student's lunch period. Elementary and middle school students (grades K-8) may use such devices only before and after school. Devices should be powered off and put away at all other times.

~~(Option 2): Students may use cellular phones and other personal portable electronic devices only before and after school. Such devices should be powered off and put away at all other times. The School Board shall delegate the responsibility to Advisory School Councils for determining whether students in Middle and/or High School may use cellular phones and other personal, portable electronic devices during their lunch period.~~

~~Students may possess and use portable electronic devices including, but not limited to, cell phones, smartphones, music players, tablets, laptops, etc., subject to limitations of this and other policies of the district.~~

~~Portable electronic devices~~Cellular phones shall not be turned on or used in any way: ~~(1) be powered off~~ during ~~other school sponsored~~instructional time and supervised group activities during the school day (for example, student assemblies, awards, or other public ceremonies, etc.); ~~or (2) when their use is otherwise prohibited by school., unless authorized by supervising~~ personnel.

~~(cf. 6116—Classroom Interruptions)~~

Instructional time includes the entire period of a scheduled class and other time when students are directed to report to and participate in any instructional activity. The principal site administrator may establish, and school personnel may enforce, additional guidelines limiting or prohibiting the possession and use of portable electronic devices as appropriate to campus needs. The learning environment includes all times that a student is on school grounds during the school day and when school sponsored and supervised group activities are held.

~~Note: The following optional paragraph reflects the guidelines used by the Anchorage School District to specify permitted uses based on grade level. It may be revised or deleted as appropriate.~~

No student may use a cellular phone or portable electronic device in a manner, or at a time, that interferes with or is disruptive of another student's instructional timelearning environment. The learning environment includes all times that a student is on school grounds during the school day and when school sponsored and supervised group activities are held.~~High school students may use cellular phones and other portable electronic devices before and after school and during the student's lunch period. Elementary and middle school students (grades K-8) may use such devices only before and after school. Additionally, no student may use a cellular phone or portable electronic device in a manner, or at a time, that interferes with or is disruptive of other students' instructional time.~~

(cf. 6116 - Classroom Interruptions)

During the school day and school-sponsored activities/instructional time, students will comply with this policy and with administrative and staff member directives regarding use. Students are required to turn cell phones and other portable electronic devices over to school personnel when requested. Students who refuse to do so are subject to disciplinary action.

A cellular phone or portable electronic device that has been confiscated by the District and not turned over to law enforcement will be released/returned to the parent/guardian when no longer necessary for investigation or disciplinary proceedings. As appropriate, the cellular phone or portable electronic device may be returned directly to the student.

The district-District assumes no responsibility for loss or damage to personal property of students, including cell phones and other portable electronic devices, whether in the possession of students or if confiscated by school personnel pursuant to this policy.

Prohibited Conduct

Possession of a cellular ~~tele~~phone or other portable electronic device by students is a privilege. This privilege will be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of the device so as to violate the law or any other school or District rule. In addition to those conduct rules set forth elsewhere, the following actions are strictly prohibited and may result in disciplinary action:

1. Accessing and/or viewing an Internet site that is otherwise blocked to students at school.
2. Sending an e-mail, text message or other communication that harasses, intimidates, threatens, bullies, or discriminates against another individual.
3. Taking, sending, downloading or uploading a harassing, threatening, or inappropriate photograph of anyone.
4. Using a cell phone/smartphone or camera to take photos in a restroom, dressing room, or locker room, or to take a photo of any person who has requested that you not do so.
5. Using a camera or other recording device to record or capture the content of tests, assessments, homework, or class work without express prior permission from the instructor.
6. Hacking or intentionally obtaining, accessing, or modifying files, passwords, or data belonging to others.

Exceptions and Permitted Use

Nothing in this policy shall be interpreted to prohibit the use of cellular phones or other electronic devices when used for medical or translation purposes, or when a teacher or administrator of the school grants permission for a student to use a cellular phone or electronic device for educational purposes.

6.

(cf. 5131 - Conduct)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.41 - Violent and Aggressive Conduct)

(cf. 5131.42 - Threats of Violence)

(cf. 5131.43 - Harassment, Intimidation and Bullying)

(cf. 5131.9 - Academic Honesty)

(cf. 5137 - Positive School Climate)

(cf. 6161.4 - Internet)

(cf. 6161.5 - Web Sites/Pages)

Searches

The contents of a cell phone/smartphone, camera, or other portable electronic device may be searched to determine ownership, to identify emergency contacts, or upon reasonable suspicion that a school or District rule or the law has been violated.

(cf. 5145.12 - Search and Seizure)

Legal Reference:

ALASKA STATUTES

14.33.300 Wireless telecommunications device policy

~~Revised: November 27, 2012~~

Adopted: November 23, 2010

Revised: November 27, 2012

Revised:

Northwest Arctic Borough School District

BP 6151 CLASS SIZE

The Superintendent or designee shall establish and make available to the public a target average class size for each grade level. The target average class size may not exceed the following:

- **Pre-Kindergarten through Grade 6:** 23 students
- **Grade 7 through Grade 12:** 30 students

The class size targets may exclude mixed grade classes and courses in art, library, music, computer science, vocational-technical, and physical education.

The Superintendent or designee shall also establish a procedure to reduce class sizes when possible and appropriate.

Legal Reference:

ALASKA STATUTES

14.03.065 Maximum classroom size

Adopted:

Northwest Arctic Borough School District

BP 5111 ADMISSION

Note: Pursuant to [4 AAC 06.060](#), authority to deny admission to a student is vested with the School Board. The following sample policy authorizes the Superintendent or designee to deny admission to children who don't meet established entrance requirements.

The School Board believes that all children should have the opportunity to receive a free appropriate public education. Staff shall encourage parents/guardians to enroll all school-aged children in school.

The School Board reserves the right to verify the residency or anticipated residency of any student and the validity of any affidavit of guardianship. These admission policies are not intended to be a barrier to the enrollment and retention of homeless children and youth.

The Superintendent or designee shall verify compliance with all entrance requirements established by law or School Board policy.

(cf. 5112.6 - Education for Homeless Children and [Children in Foster Care Youths](#))

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5116 - School Attendance Boundaries)

(cf. 5117 - Interdistrict Attendance)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Note: A child who is six years of age on or before September 1 following the beginning of the school year, and who is under the age of 20 and has not completed the 12th grade, is of school age. [AS 14.03.070](#). The school year begins on July 1 and ends June 30. ~~Pursuant to [AS 14.03.080](#), the School Board may admit children under school age who meet School Board standards of mental, physical, and emotional capacity necessary to perform satisfactorily in school and may admit children under school age to kindergarten, as provided below. In 2003, the legislature amended the early-entrance statute for the purpose of clarifying that two-year kindergarten programs are not authorized. Districts with early entry into kindergarten must have an educational program prescribing that under school age students advance through the curriculum or grade level by the following school year. This is a programmatic requirement and is not meant to limit individualized student assessment. In 2004, the~~

~~early entrance statute was again amended to provide School Boards with the option of delegating early entrance decisions to the Superintendent or designee. The School Board may establish a kindergarten class for children who are five on or before September 1 following the beginning of the school year; must admit children under school age who move into the district and who were previously enrolled in public school in another district or state; and may admit students over school age and charge them tuition.~~

A child five years of age on or before September 1 may be admitted to kindergarten.

~~Early Admission~~

There is no early admission for pre-kindergarten.

Students in kindergarten and above are eligible for early admission through the acceleration process.

(cf. 5123 - Promotion/Acceleration/Retention)

The Superintendent or designee is the delegated authority to make early-entrance determinations. The School Board authorizes the admission of students under school age who are at least four years of age at the beginning of the school year, provided they exhibit the mental, physical, and emotional capacity to perform satisfactorily, including advancement through the curriculum or grade level by the following year.

The cutoff date to apply for early admission to kindergarten will be ten (10) school days after school opening.

~~The School Board authorizes the admission of students under school age who exhibit the ability to perform satisfactorily, including advancement through the curriculum or grade level by the following year. The Superintendent or designee is delegated authority to make early-entrance determinations.~~ Students under school age who were previously enrolled in public school shall be admitted to school at the grade level determined by the Superintendent or designee. (AS 14.03.080)

Students subject to suspension or expulsion under AS 13.03.160 in the District or another district are not guaranteed admission.

Legal Reference:

ALASKA STATUTES

[14.30.010](#) When attendance compulsory

[14.03.020](#) School year

[14.03.070](#) School age

[14.03.080](#) Right to attend school

[14.30.045](#) Grounds for suspension or denial of admission

[14.03.160](#) Suspension or expulsion of students for possessing weapons

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.055](#) Immunizations required

UNITED STATES CODE

[42 U.S.C. 11432 - 11433](#) McKinney-Vento Homeless Assistance Act

~~Revised: July 28, 2004~~

~~June 11, 2018~~

Adopted: April 28, 2004

Revised: July 28, 2004

Revised: June 11, 2018

Revised:

Northwest Arctic Borough School District

BB 9320 MEETINGS

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

Meetings of the Board are conducted for the purpose of accomplishing district business. A meeting of the Board shall consist of any gathering of the members of the Board when more than three members of the Board, or a majority of the members, whichever is less, are present and collectively consider a matter upon which the Board is empowered to act. As a matter of district policy and state law, meetings ordinarily shall be open to the public. The Board may meet in closed sessions only to discuss certain matters as permitted or required by Alaska's Open Meetings Act. All business of the Board must be conducted at a duly convened meeting of the Board. Poll voting between meetings is not allowed.

(cf. 9321 - Executive Sessions)

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

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

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Regular Meetings

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

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

All members shall attend in-person for regular, non-primarily teleconference/virtual meetings.

Special Meetings

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

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

Emergency Special Meetings

The Board 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. In that event, as soon after the meeting as practicable, 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.

Teleconferences/Virtual

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

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

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

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

a.—

Teleconference executive sessions:

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

Legal Reference:

ALASKA STATUTES

[14.08.091](#) *Administration*

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

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

[29.20.020](#) *Meetings public*

[44.62.310](#) *Agency meetings public*

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

Adoption Date: May 23, 1995

Revised: March 27, 2007

Revised: April 29, 2025

Northwest Arctic Borough School District

BP 10000 CONCEPTS AND ROLES

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

The [NWABSD Regional](#) School Board Shall:

1. Prescribe an application procedure, including the formation of an Academic Policy Committee ([APC](#)).
- ~~4.~~ [\(cf. 10040 – Academic Policy Committee\)](#)
2. Make decisions on charter school applications in writing and issued within 60 days, including relevant findings of fact and conclusions of law.
3. Provide an annual program budget based on student enrollment.
4. Require that Academic Policy Committees support the mission and strategic plan goals of the District by communicating feedback to the School Board, including recommended responses and actions.

Role of the Superintendent

1. Once the [NWABSD Regional](#) School Board has a decision in regards to a contract with the Charter School, they will work with [Department of Education and Early Development \(DEED\)](#) to communicate the decision of the Board in regards to the Charter School.
2. Work with the Principal and APC to ensure reports are timely to the School Board.
3. Ensure that the Charter is following their contract with the School District

To guide these efforts, the [NWABSD Regional](#) School Board adopts the following definitions:

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

"Principal" means a person selected by the Academic Policy Committee to select, appoint, or otherwise supervise employees of the charter school. This person is required to possess an Alaska Type B Administrative Certificate. The [S](#)school [D](#)istrict

assumes no responsibility for employing this person after the termination of the charter school contract unless the person has tenure.

“Head Lead Teacher” means a person selected by the Academic Policy Committee to select, appoint, or otherwise supervise employees of the charter school. This person is not required to possess an Alaska Type B Administrative Certificate. If a type B is not possessed, the individual may not conduct certificated employee evaluations. The school district assumes no responsibility for employing this person after the termination of the charter school contract unless the person has tenure.

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

Note: Charter schools operating correspondence programs must comply with the requirements for state approval and operation as set forth in 4 AAC 33.405 – 4 AAC 33.490. Charter schools operating residential programs must comply with the requirements set forth in AS 14.16.100 and 4 AAC 33.090.

Legal Reference:

Alaska Statutes

14.03.250-14.03.280 Charter Schools

AS 14.16.100 Application for residential school

Alaska Administrative Code

4 AAC 33.110-119 Charter Schools

4 AAC 33.405 - .490 Correspondence Study Programs

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

Adopted:

Northwest Arctic Borough School District

BP 10010 ESTABLISHMENT OF CHARTER SCHOOLS

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

Charter school applications must be in accordance with AS 14.03.250. Charter school applications and renewals may be submitted at any time; however, they must be received by the sSchool eDistrict no later than October 1 preceding the school year for which applicants propose commencement of charter school operations. All applications will be subject to administrative review and comment prior to the School Board's review. A charter school shall begin operation as agreed with the School Board, but no later than the first day of the count period of the year approved for opening.

Legal Reference:

Alaska Statutes

14.03.250 Application for Charter Schools

Adopted:

Northwest Arctic Borough School District

AR 10010 ORGANIZATION OF A NON-PROFIT FOR A CHARTER SCHOOL

A district charter school may organize as a nonprofit corporation pursuant to the Alaska Non-profit Corporations Act (AS 10.20.005) Organization as a nonprofit corporation shall not affect the charter school's status as a public school in the District. A charter school organized as a nonprofit corporation, but not a distinct non-profit corporation organized to support the school, must include in its articles of incorporation a provision specifying that upon dissolution, voluntary or otherwise, assets of the corporation not required for discharge of existing liabilities and obligations of the charter school, shall be returned/transferred to the District.

Adopted:

Northwest Arctic Borough School District

BP 10020 CHARTER SCHOOL APPLICATION

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

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

(cf. BP 10010 Establishment of Charter Schools)

~~2.~~

3. The contract between the charter school and the School Board shall reflect all agreements regarding the operation of the charter school. Any revisions of the terms of the contract may be made only with the approval of the School Board and charter school Academic Policy Committee. The contract will take effect upon the State Board of Education's approval of the application.
4. Following the timely receipt of the complete application form and the proposed written contract between the charter school and the School Board, the Board shall hold a public work session with the charter school representatives. During this work session, the charter school representatives shall present their proposal for a charter school and the contract with the School Board. The School Board and the charter school representatives may negotiate provisions of the contract during this meeting.
5. Following the work session the School Board shall place the charter school proposal on the agenda for a School Board meeting. A public hearing may be held prior to the approval or denial of the charter school application. The School Board will take action to approve or deny the request to establish the charter school.
6. Upon approval of a charter school application, the School Board will submit to the State Board of Education a copy of the charter school application and a report on

the action taken by the School Board not later than 30 working days following the School Board's action, in accordance with 4 AAC 33.110(b).

(cf. E 10020 - Sample Bylaws)

Legal Reference:

Alaska Statutes

14.03.250-14.03.280 Charter Schools

Adopted:

Northwest Arctic Borough School District

E 10020 DEED INITIAL CHARTER SCHOOL APPLICATION FORM

Department of Education and Early Development (DEED) provides a model initial application form for all proposed charter schools in Alaska.

The DEED Initial Charter School Application Form is available at:
https://education.alaska.gov/alaskan_schools/charter

Adopted:

Northwest Arctic Borough School District

BP 10021 CHARTER SCHOOL APPLICATION APPEALS

If the [NWABSD Regional](#) School Board denies an application for a charter school, the applicant may appeal the denial to the Commissioner of Education and Early Development within 60 days of the School Board's denial, in accordance with AS 14.03.250(d). A decision of the Commissioner upholding the denial may be appealed by the charter school applicant within 30 days to the State Board of Education. If the Commissioner approves the application, they shall forward it to the State Board of Education for review and approval.

[\(cf. BP 10020 Charter School Application\)](#)

Legal Reference:

Alaska Statutes

14.03.250(d) – Application for charter school

Adopted:

Northwest Arctic Borough School District

BP 10030 GENERAL REQUIREMENTS

1. A charter school shall comply with all district policies, regulations, and procedures, except to the extent that the charter school is specifically exempted from compliance under its charter school contract. For example, a charter school shall comply in all respects with district discipline policies and the district's accounting, purchasing, audit, and other fiscal procedures.
2. A charter school shall operate in compliance with state and federal laws, and with sSchool dDistrict policies and administrative regulations.
3. A charter school shall comply with the provisions of collective bargaining agreements applicable to teachers or employees of the school, unless the dDistrict and the affected bargaining unit agree to an exemption from the agreement's requirements.
4. A charter school shall operate under the annual program budget established in the charter school's contract with the School Board.
5. A charter school may not be affiliated with a religious organization or promote religion or any particular religious ideology or philosophy.
6. Facilities: All charter school lease and purchase agreements will adhere to local laws and regulations. No lease agreement or purchase agreement may be entered into without the approval of the charter school's Academic Policy Committee and the Superintendent. A lease agreement will not be approved unless the agreement includes: a provision for termination of the lease agreement, without further financial obligation of the charter school or the dDistrict, in the event of a lack of appropriation/funding for the charter school or in the event of termination of the charter school's authorization to operate as a charter school. A charter school shall conduct its program in a facility that satisfies all health and safety requirements applicable to other dDistrict schools. A charter school shall have insurance that complies with dDistrict policy.
7. The charter school shall comply with the requirements of the dDistrict facility safety and security standards.
8. The charter school shall be designed to advance basic skills areas (mathematics, science, language arts, and social studies) appropriate to the age of students included in the program. The charter school disciplinary program shall enforce Alaska statutes, state and federal regulations, and dDistrict policies with respect to drugs, alcohol, weapons, tobacco, harassment, and violence.

9. The charter school shall participate in all academic reporting processes as required by the eDistrict policies and regulation and by Alaska statute.

10. The charter school shall participate in all tests and assessments required by either the State Department of Education and Early Development or the eDistrict unless the contract specifies otherwise.

11. A charter school shall not charge tuition to students who reside within the eDistrict. Fees collected in adherence with eDistrict policies and regulations and the charter contract, such as for supplies, educational enhancement, or activities, must be deposited in a eDistrict account.

12. A charter school operating as a correspondence program or a residential program shall comply with all requirements of Alaska statute and regulation.

(cf. 3530 - Risk Management)

Adopted:

Northwest Arctic Borough School District

AR 10030.1 ORGANIZATION OF A CHARTER SCHOOL

A charter school operates as a school in the ~~s~~School ~~d~~District except a charter school:

1. Is exempt from the ~~s~~School ~~d~~District's textbook, program, curriculum, and scheduling requirements.
2. Is exempt from AS 14.14.130(c) which states "If the district employs a chief school administrator, the administrator shall select, appoint, and otherwise control all school district employees who serve under the chief school administrator subject to the approval of the School Board." The principal of the charter school shall be selected by the Academic Policy Committee.
3. Operates under the charter school's annual program budget as set out in the contract between the School Board and the charter school.
4. Shall designate a contact person for all communications between the charter school and the ~~d~~District ~~a~~Administration.

Adopted:

Northwest Arctic Borough School District

AR 10030.2 OPERATION OF A CHARTER SCHOOL

A charter school shall:

1. Keep financial records of the charter school;
2. Oversee the operation of the charter school to ensure that the terms of the contract are being met;
3. Meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; and
4. Meet with the Academic Policy Committee at least once each year-quarter (4 times annually) to monitor progress in achieving the committee's policies and goals.

Adopted:

Northwest Arctic Borough School District

BP 10040 ACADEMIC POLICY COMMITTEE

Charter schools shall establish an Academic Policy Committee. Each application for a charter school shall include a description of the Academic Policy Committee and its procedures. The Academic Policy Committee shall consist of parents of students attending (or planning to attend) the charter school, teachers at the charter school (or teachers who agree to teach at the charter school), ~~and~~ employees of the charter school (or employees who agree to work at the charter school), and a Superintendent designee. The committee composition details are documented in the By-Laws of the Charter School.

The Academic Policy Committee shall supervise the academic operation of the charter school and ensure the fulfillment of the mission of the charter school. The Academic Policy Committee will meet regularly and not less than four times during the academic year with teachers and staff to monitor progress in achieving the policies and goals established for the school and to review, evaluate, and improve its operations.

The Academic Policy Committee shall select the principal/head teacher of the charter school. The principal/head teacher shall select, appoint, or otherwise supervise employees of the charter school in accordance with District ~~HR~~ policies and procedures. If the person selected as the principal/head teacher by the Academic Policy Committee does not possess an Alaska Type B administrative certificate, the Superintendent shall designate an administrator to evaluate the certified staff/teacher(s) in the charter school.

The Academic Policy Committee will function according to the terms of law.

The Academic Policy Committee shall report directly to the Superintendent or designee.

Adopted:

AR 10040.1 CODE OF ETHICS

Members of Academic Policy Committees (APCs) represent their charter school community. They are subject to the following code of ethics:

1. My school community has entrusted me with the educational development of the children and youth of this community;
2. The public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be;
3. The future welfare of the school community, dDistrict, sState, and of the Nnation depends upon the quality of education we provide in the public schools to fit the needs of every learner;
4. My fellow Academic Policy Committee members and I must take the initiative in helping all the people in this school community to have all the facts, all the time, about our school;
5. I must never neglect my personal obligation to the school community and my obligation to the dDistrict, sState, nor surrender these responsibilities to any other person, group, or organization.

In view of the foregoing consideration, it shall be my constant endeavor:

1. To devote time, thought, and study to the duties and responsibilities of an Academic Policy Committee member, as outlined in our by-laws so that I may render effective and creditable service;
2. To work with my fellow Academic Policy Committee members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue;
3. To base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter, abide by and uphold the final majority decision of the Academic Policy Committee and the School Board;
4. To remember at all times that as an individual I have no authority outside the meeting of the Academic Policy Committee, and to conduct my relationships with the school staff, local citizenry, media representatives and all other agencies or individuals on the basis of this fact.

5. To resist every temptation and outside pressure to use my position as an Academic Policy Committee member to benefit either myself or any other individual or agency apart from the total interest of the school;
6. To recognize it is as important for the Academic Policy Committee to understand and evaluate the educational program of the school as it is to plan for the business of school operation;
7. To bear in mind under all circumstances that the primary function of the Academic Policy Committee is to recommend procedures by which the school is to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed principal or designee of the school and staff;
8. To welcome and encourage active cooperation by citizens, organizations and the media of communication in the district with respect to making recommendations on current school operations and proposed future developments;
9. Finally, to strive step by step toward ideal conditions for the most effective Academic Policy Committee service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

Adopted:

Northwest Arctic Borough School District

BP 10050 PRINCIPAL / H_LLEAD TEACHER

Charter School Principal

A charter school principal must possess a current Alaska Administrative Certificate and be either an existing principal in the district or be eligible for hire as a d_District administrator. A retired district administrator may serve as a charter school principal if the administrator left the d_District in good standing, had satisfactory performance evaluations, and has a current administrative certificate. The s_SSchool d_District assumes no responsibility for employing this person after the termination of the charter school contract except as required by state statute and/or an applicable negotiated agreement. If the charter school Academic Policy Committee desires to contract by addendum with a principal who is currently employed as a d_District principal, the superintendent's approval is required prior to entering into the contract.

Charter School H_LLead Teacher

A charter school h_Llead teacher is not required to possess an Alaska type B administrative certificate. A h_Llead teacher must possess an Alaska type A certificate and be either an existing teacher in the district or be eligible for hire as a district teacher. A retired district teacher may serve as a charter school h_Llead teacher if the teacher left the district in good standing, had satisfactory performance evaluations, and has a current teacher certificate. The school district assumes no responsibility for employing this person after the termination of the charter school contract except as required by state statute and/or an applicable negotiated agreement.

Adopted:

Northwest Arctic Borough School District

AR 10050 CHARTER SCHOOL PRINCIPAL AND HLEAD TEACHER EVALUATION

Principal Evaluation

The eDistrict will designate a qualified evaluator to conduct an evaluation of the charter school principal. The individual conducting the evaluation will meet the requirements of AS 14.20.149 and will utilize the eDistrict's administrator evaluation procedures.

The evaluator shall ensure that during the evaluation process, the Academic Policy Committee will have the opportunity to provide written information on the performance of the administrator, including the administrator's performance in meeting obligations set forth in sSchool bBoard policy and the charter school contract.

The eDistrict's evaluation of the charter school principal does not preclude additional assessment by the Academic Policy Committee regarding the professional performance of the principal. Any additional assessment should be arranged between the Academic Policy Committee and the principal.

Any members of charter school staff (classified or certified) who serve on the Academic Policy Committee shall recuse themselves from any votes, discussions, or other Academic Policy Committee proceedings pertaining to the principal's salary, contract, evaluation, and termination.

A copy of any additional assessment conducted by the Academic Policy Committee will be provided by the Academic Policy Committee to the eDistrict upon request.

HLead Teacher Evaluation

If the charter school administrator performs both administrative and teaching functions, the procedures for evaluation shall be those for a principal/administrator identified above. However, the eDistrict administration will determine an appropriate evaluation instrument that must be used for accurate evaluation of both teaching and administrative duties based on eDistrict performance standards.

Confidentiality of Evaluations

The Academic Policy Committee is neither responsible nor authorized to take personnel actions with respect to any employee other than the Charter School principal/HLead teacher. Before receiving any information that is confidential under law or contract, each member of the Academic Policy Committee must sign a confidentiality agreement acknowledging and agreeing to abide by that confidentiality.

Certificated teacher evaluations are confidential and may not be publicly disclosed, including disclosure to members of the Academic Policy Committee, absent a written waiver signed and dated by the employee.

The Charter School principal/~~h~~lead teacher's evaluation conducted by the ~~e~~District may not be publicly disclosed without the written permission of the principal/~~h~~lead teacher but may be shared with the Academic Policy Committee without a waiver.

Legal Reference:

Alaska Statutes

14.03.270(c) – Teacher or employee transfers, evaluations, and negotiated agreements.

Adopted:

Northwest Arctic Borough School District

BP 10060 MEETINGS

All meetings of the Academic Policy Committee (APC) shall comply with Alaska's Open Meetings Act. The Academic Policy Committee shall provide public notice of its meetings and allow for public participation at its meetings.

The Principal/HLead Teacher or designee shall establish regulations to ensure compliance with law.

Adopted:

Northwest Arctic Borough School District

BP 10070 REVIEW OF THE CHARTER SCHOOL

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

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

If any allegations of noncompliance with the charter school contract are presented either during the annual review or at any other time, then the School Board, through the Superintendent or designee, shall investigate these allegations. Prior to terminating the charter school contract, the School Board and the charter school Academic Policy Committee shall attempt to remedy any violations of the contract. The School Board shall provide written notice to the charter school Academic Policy Committee of its intent to terminate the contract and the reasons therefore.

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

Adopted:

AR 10070 CHARTER SCHOOL ANNUAL REVIEW

Written Report:

Annually, the charter school will submit a written report to the dDistrict and the NWABSD Regional School Board no later than May-February 1 of each school year.

The report will include:

1. A cover letter, including:
 - name of the charter school,
 - school year/annual report title, and
 - name(s) of person(s) responsible for report,
 - Vision and Mission statements and strategic plan goal areas.
2. Student achievement assessment results, including:
 - recommendations for remediation of poor student performance, and
 - school goal attainment;
3. Student enrollment and mobility data;
4. Descriptions of charter school activities;
5. Data on the meetings of the governing bodies of the charter school, including:
 - a list of the Academic Policy Committee meetings, including officers, and staff members by position,
 - minutes of the meetings,
 - current bylaws of the Academic Policy Committee,
 - a list of employees and job titles, and
 - a list of officers in any PTA/PTO or other parent organization;
6. Any major changes planned for the following school year including:
 - changes to the contract between the charter school and the district, and
 - modifications to the school's charter; and
7. Other information of interest to the school board and/or the school district administration.

Presentation to School Board:

Annually the charter school may will make a presentation to the school board and the public. ~~If p~~Presentations are requested by the board, they will be scheduled on a board meeting agenda in ~~the spring~~ February of each year. Written reports will be received by the dDistrict prior to the charter school's presentation to the school board. Presentations will include student achievement results, highlights of the year, and changes being requested to the contract or charter.

Commented [AE1]: add to Board agenda guidelines after approval

The school board will act on the charter school's contract renewal (including changes to the contract language and estimated budget) as required following the school's written report and presentation (if applicable).

Adopted:

Northwest Arctic Borough School District

BP 10080 AMENDMENT OF CHARTER AND TERMINATION OF CONTRACT

A charter school may apply to the [NWABSD Regional](#) School Board for an amendment to its charter during the term of its contract. If the School Board approves the amendment, an amended contract must be executed to conform to the amended charter. The School Board must forward an amended charter and amended contract to the Department of Education and Early Development ([DEED](#)). A charter school may make minor changes to its program without review by ~~the Department~~[DEED](#), if they are approved by the ~~d~~[District](#). A change of program that involves the addition of an elementary or secondary program must be approved by the [NWABSD Regional](#) School Board and the State Board of Education and Early Development.

When the charter school updates their vision and mission statements or the strategic plan the Academic Policy Committee shall send this information to the [NWABSD Regional](#) School Board.

The School Board may terminate a contract with a charter school pursuant to the causes set forth in AS 14.03.256.

Legal Reference:

Alaska Statutes

14.03.256 Charter school termination

Alaska Administrative Code

4 AAC 33.113 Amendment of Charter

Adopted:

Northwest Arctic Borough School District

BP 10090 COMMUNICATION

Charter schools are an integral part of the District. Open communication between the charter school and the ~~e~~District is essential to the effective functioning of each.

The District shall:

1. Respond in a timely manner to requests for information from the charter school.
2. Develop materials such as calendars, time-lines, or forms to assist charter schools in meeting ~~e~~District deadlines and reports.
3. Invite charter school employees to participate in ~~district~~ District-sponsored professional development workshops and programs.
4. Designate a contact person as the primary contact person between the charter school and the ~~e~~District administration.

The Charter School shall:

1. Respond in a timely manner to requests for information from the ~~e~~District.
2. Designate a contact person as the primary contact between the charter school and the ~~e~~District administration.

Adopted:

Northwest Arctic Borough School District