



# Nome Public Schools

## Board of Education Meeting Agenda

February 15, 2022 - 1:30 PM  
Board Policy Review Committee, District Office  
Conference Room  
2920 3.5 Nome-Teller Hwy  
Nome, Alaska 99762

PO Box 131  
Nome, AK 99762

*We inspire and empower students to be culturally grounded responsible citizens who are deeply connected to our community and world.*

### SCHOOL BOARD MEMBERS

Mrs. Sandy Martinson, President  
Dr. Barb Amarok, Vice President/Clerk  
Mrs. Darlene Trigg, Treasurer  
Mrs. Nancy Mendenhall  
Mr. Bob Metcalf

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Food and  
Nutrition  
Service

1320 Braddock Place  
Alexandria, VA 22314

DATE: December 15, 2021

MEMO CODE: SP 02-2022, CACFP 03-2022; SFSP 01-2022 (Corrected)

SUBJECT: Updates to the Federal Micro-Purchase Threshold in 2 CFR 200.320(a)(1)

TO: Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

Issuing Agency/Office:	FNS/Child Nutrition Programs
Title of Document:	Updates to the Federal Micro-Purchase Threshold in 2 CFR 200.320(a)(1)
Document ID:	
Z-RIN	
Date of Issuance:	December 15, 2021
Replaces:	N/A
Summary:	<p>(1) This memorandum notifies State agencies and Child Nutrition Program operators of the changes made by OMB to the Federal informal procurement method, micro-purchases, and the micro-purchase threshold in 2 CFR 200.320(a)(1)(i)-(v).</p> <p>(2) This memorandum applies to Program operators administering the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program. This memorandum relates to 2 CFR Part 200 and 7 CFR Parts 210, 220, 225, and 226.</p>

The previous version of this memorandum contained incorrect references to State agencies throughout. FNS is correcting this memorandum to remove the incorrect references and so that it more clearly and accurately reflects the Federal regulations.

The Food and Nutrition Service (FNS) has received questions regarding changes made in November 2020 by the Office of Management and Budget (OMB) to the Federal informal procurement method, micro-purchases, and the micro-purchase threshold in government-wide regulations at [2 CFR 200.320\(a\)\(1\)\(i\)-\(v\)](#). The purpose of this guidance is to make State agencies and Program operators aware of regulatory changes made by OMB which they may utilize at their discretion. These changes may be helpful to Program operators experiencing challenges related to supply chain disruptions.

As a reminder, Federal procurement standards outlined in 2 CFR Part 200 apply government-wide to all Program operators conducting procurement with Federal funds. These regulations fall under the purview of OMB and FNS is not able to modify or waive these regulations. Additionally, State and local regulations will also apply to procurements made by Program operators.

### **Micro-Purchase Distribution**

Previously, government-wide regulations at 2 CFR 200.320(a) required that to the extent practicable, Program operators must distribute micro-purchases equitably among qualified suppliers. This language has been changed to state that to the maximum extent practicable, Program operators *should* distribute micro-purchases equitably among qualified suppliers (2 CFR 200.320(a)(1)(i)).

### **Micro-Purchase Awarded Without Competition**

Government-wide regulations at 2 CFR 200.320(a) previously stated that micro-purchases may be awarded without soliciting competitive quotations if the Program operator considers the price to be reasonable. This language has been updated to state that micro-purchases may be awarded without soliciting competitive price or rate quotations, if the Program operator “considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly.” (2 CFR 200.320(a)(1)(ii)).

### **Micro-Purchase Thresholds**

Government-wide regulations at 2 CFR Part 200 were updated to include new language around micro-purchase thresholds available to all Program operators. These are outlined below.

Government-wide regulations at 2 CFR 200.320(a)(1)(iii) now provide that Program operators are “responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures.” The regulations also provide that the micro-purchase threshold used “must be authorized or not prohibited under State, local, or tribal laws or regulations.” Program operators may establish a micro-purchase threshold that is higher than the Federal threshold established in the Federal Acquisition Regulations (FAR), as outlined below.

#### *Increases to the micro-purchase threshold up to \$50,000*

Government-wide regulations at 2 CFR 200.320(a)(iv) provide that Program operators may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation of such self-certification. Program operators choosing to self-certify must prepare and include a justification for the choice. The self-certification must include a justification, clear indication of the threshold, and supporting documentation of any of the following:

1. A qualification as a low-risk auditee, in accordance with the criteria in 2 CFR 200.520;
2. An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
3. For public institutions, a higher threshold consistent with State law.

As provided for in government-wide regulations at 2 CFR 200.320(a)(1)(v), in certain circumstances, Program operators may request increases to the micro-purchase threshold over \$50,000 from their cognizant agency for indirect costs, as applicable (see definition for *cognizant agency for indirect costs* in 2 CFR 200.1). State agencies may contact their FNS Regional Office for more information.

State agencies are reminded to distribute this memorandum to Program operators immediately. Program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Sincerely,

Sarah Smith-Holmes  
Division Director  
Program Monitoring and Operational Support  
Child Nutrition Programs

## BP 3311 BIDS

The district shall purchase equipment, supplies and services on a competitive bidding basis when required by law and whenever it appears to be in the best interest of the district to do so. The Superintendent or designee shall establish procedures to implement these requirements. Prior to any purchase, the District should review the federal funding award or grant to determine if it requires compliance with OMB's procurement procedures.

### Purchases Made Under Federal OMB Funding Awards

All bids under federal awards must be made in accordance with the standards set forth in [2 CFR 200.320](#), set forth below. One of the following five methods of procurement shall be used for each purchase under a federal award:

1. <sup>\$50,000</sup> Micro-purchases: Less than ~~\$3,000~~ (\$2,000 for purchases subject to the Davis-Bacon Act)
  - a. No competitive quotes required
  - b. Purchases should be spread among qualified suppliers
2. <sup>\$50,000</sup> Small Purchases: Between ~~\$3,000~~ and \$150,000
  - a. Rate quotes must be obtained from an adequate number of qualified sources
  - b. Quotes can be obtained from suppliers or from public websites
3. Sealed bids: Purchases more than \$150,000
  - a. Two or more qualified bidders are required
  - b. Bids must be publicly advertised and solicited from adequate suppliers
  - c. Lowest bidder for the fixed price contract with specific requirements shall be awarded the contract
4. Competitive Proposals: Purchases more than \$150,000
  - a. A written policy must be adopted for conducting technical evaluations of reviewing proposals and selecting the recipient
5. Sole Source: Purchases of any amount that meet one of the following four requirements
  - a. Good/service is only available from a single source
  - b. Only one source can provide the good/service in the time frame required
  - c. Written pre-approval from the Federal awarding agency
  - d. Competition is deemed inadequate, after solicitation attempts through one of the other methods

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

### Minority Bidding

When procuring contracts under federal awards set forth in [2 CFR 200.320](#), the District must take affirmative steps to utilize minority businesses, women's business enterprises, and labor surplus area firms when possible. Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

(cf. [9270](#) - Conflict of Interest)

(cf. [4030](#) - Nondiscrimination in Employment)

(cf. [3310](#) – Purchasing Procedures)

Legal Reference:

#### ALASKA STATUTES

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

[14.14.060](#) (h) Procurement of supplies and equipment

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

[14.03.085](#) Procurement preference for recycled Alaska products

[29.71.050](#) Procurement preferences for recycled Alaska products

[35.15](#) Construction Procedures

[36.15.020](#) Insertion of clause in calls for bids and in contracts

#### ALASKA ADMINISTRATIVE CODE

[4 AAC 31.080](#) Construction and acquisition of public school facilities

#### CODE OF FEDERAL REGULATIONS

8

[2 C.F.R. 200.317-326](#), Procurement Standards

COURT DECISIONS

[Fairbanks North Star Borough School District V. Bowers](#), 851 P.2d 56 (AK 1992)

Revised 03/2019

Revised 11/2017

Revised 09/2017

Revised 04/2008

Adopted: June 10, 2003

**Nome Public Schools**

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## **(4400) Nome Public Schools Social Media Policy Draft**

Public online posts and conversations in social media may blur the lines between our personal and professional lives. Understanding this, Nome Public Schools has designed the following policy to help clarify our expectations around social media. The policies below apply to any content posted or shared in a public online setting.

Nome Public Schools employees should follow the same professional behavior standards online as they would in the classroom or school/district office. The same laws, expectations, and guidelines for interacting with clients, students, and community members apply online as offline. Employees may be liable for anything they post to public websites, whether it be to a personal or district/school/program account, page, or group.

Policies for use of all social media sites:

- Do not use your Nome Public Schools email address for personal online accounts.
- Do not post confidential or proprietary information about Nome Public Schools, including any of its programs, staff, students, and/or community members. Employees must follow applicable laws (such as FERPA, CIPA, and HIPAA) along with adhering to all Nome Public Schools privacy and confidentiality policies. Employees who share confidential information do so at the risk of disciplinary action or termination.
- Pictures that include recognizable imagery of students cannot be uploaded to any social media site without a signed release. If the subject is a minor, releases must be signed by a parent or legal guardian. Any personally identifiable information about a student is prohibited.
- Do not use Nome Public Schools, school, or program logos or iconography on personal social media sites without permission from the Superintendent or designee. Do not use district or school names to promote a cause, political party or candidate. Promotion of a product using district or school names requires the written permission of the Superintendent.

- Nome Public Schools' resources and time on the job are reserved for district or school-related business as approved by administration. Improper use of district Internet, computers, and other resources may be grounds for disciplinary action.
- Posts and comments on social media sites should protect Nome Public School's institutional voice by remaining professional in tone and in good taste. No individual district employee or program should construe its social media account/group/page as representing the district or school.
- Follow all district- and school-approved procedures for posting to district or school social media sites.
- Obey the Terms of Service of any social media platform employed for school or district use.
- The opinions of others will be respected, even if they are not shared. Insults or use of offensive, racist, violent, or xenophobic language, and the promotion of illegal activities on school or district social media sites is prohibited and subject to disciplinary review.
- Nome Public Schools reserves the right to remove content from any district/school account/page/group that does not meet the standard of this social media policy.

**AASB POLICY REFERENCE MANUAL UPDATE SERVICE**

**2020-2021 UPDATE**

**INSTRUCTION SHEET**

NOTE: This packet includes only those policy manual pages that have been revised, deleted or newly established. Full text pages are included and are to be substituted as indicated below.

A supplemental update, primarily focusing on updates to model policies on business operations, will be forthcoming in the summer/fall of 2021.

For ease of School Boards, AASB has identified those portions of the Update that require formal Board action in order to implement the policy changes. This is indicated by a “Yes” or “No.” A “No” is used if changes have been made only to an AR or an Exhibit, or if policy changes are limited to explanatory notes, legal reference or cross-reference updates, or minor grammatical or stylistic changes that have not changed the policy meaning.

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
<b><u>ARTICLE 0, Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans</u></b>		
<b>AR 0410</b>	No	<p>***NEW ADMINISTRATIVE REGULATION***</p> <p>This AR may be used as a District policy to investigate sexual harassment complaints under Title IX. It implements the revised Title IX regulations promulgated by the Department of Education in the fall of 2020. It provides comprehensive procedures a district shall take upon receiving reports and complaints regarding sexual harassment, including investigation requirements, appeal procedures, and responsive mechanisms. The process includes:</p> <ul style="list-style-type: none"> <li>• The designation of a Title IX Coordinator and decision maker.</li> <li>• Intake and processing procedures.</li> <li>• Formal complaint investigation requirements and timelines.</li> <li>• Investigative report policies.</li> <li>• Disciplinary options and remedies.</li> <li>• Appeal procedures.</li> </ul>

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
<b>BP 0520</b>	No	This update modifies BP 0520 to reflect current policies regarding school accountability and improvement. It removes references to previous regulations that have sunset. As the updates are limited to revisions of the explanatory note, board approval is not required.

**ARTICLE 1, Series 1000 – Community Relations**

<b>AR 1312.1</b>	No	This update revises the model complaint policy for complaints regarding school personnel, removing the school board from serving in a role of automatic appeal. This change insulates boards from personnel matters and streamlines complaint investigation processes.
<b>BP 1340</b>	Yes	This update revises the model records retention policy to clarify that records shall be maintained in accordance with the State of Alaska Model Records Retention Schedule for Alaska School Districts. It standardizes retention rules for all AASB districts.

**ARTICLE 6, Series 6000 – Instruction**

<b>BP 6146.3</b>	Yes	This update removes a reference to a rescinded regulation regarding college and career readiness assessments. It is updated to clarify that a district’s assessment policies must be in accordance with current assessment regulations, allowing the policy to be untied to changing assessment rules.
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**TITLE IX POLICY**

AR 0410

**1. Introduction**

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using Alaska law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with federal and State law, unless they preempted by the Title IX regulations.

**2. Title IX Coordinator**

Questions concerning Title IX may be referred to as the District’s Title IX Coordinator.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on District property, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. The Title IX Coordinator will make an assessment to determine if there is a safety risk to the District. If the Title IX coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant’s consent or cooperation.

**3. Title IX Harassment Complaints and Investigations**

These Title IX sexual harassment procedures protect students, employees, applicants for employment, and applicants for admission.

**Jurisdictional Requirements – Application of Procedures**

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control; and
- The conduct meets the definition of Title IX “sexual harassment”

**4. Definitions**

**TITLE IX POLICY**

AR 0410

**Complainant:** A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

**Consent:** Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
  - Asleep or unconscious;
  - Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
  - Unable to communicate due to a mental or physical condition.

**Decision-maker:** The person who will make a determination of responsibility. The Decision-maker cannot be the Title IX Coordinator or the investigator.

**Formal Complaint:** A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

**Parties:** As used in this procedure, this means the Complainant and Respondent.

**Respondent:** A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual Harassment under Title IX:** Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, as defined in 20 U.S.C. § 1092(f)(6)(A)(v);

**TITLE IX POLICY**

AR 0410

- Dating violence, as defined in 34 U.S.C. 12291(a)(10);
- Domestic violence as defined in 34 U.S.C. 12291(a)(8); or
- Stalking as defined in 34 U.S.C. 12291(a) (30).

**5. Reporting Options**

Any individual may report sexual harassment to the District’s Title IX Coordinator. All District employees with knowledge of allegations of sexual harassment must report the allegations, including the name of the Complainant, the Respondent, and any other witnesses, and the date, time, and location of the alleged incident to the Title IX Coordinator promptly.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, or witness statements. A delay may limit the District’s ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder the legal process or proceedings.

**Mandatory Reporting by District Employees to the Title IX Coordinator**

All District employees must report allegations of sexual harassment to the Title IX Coordinator promptly.

**6. Intake and Processing of Report**

**Receipt of Report**

After receiving a report of sexual harassment, the Title IX Coordinator will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Coordinator will discuss supportive measures with the Parties.

**Timeframe for Reporting**

The District does not limit the timeframe for reporting sexual harassment. However, to promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible, because a delay in reporting may affect the District’s ability to collect relevant evidence.

**Supportive Measures**

**TITLE IX POLICY**

AR 0410

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activity. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other class-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

**7. Removal of Respondent Pending Final Determination**

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

**Emergency Removal**

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

Emergency removal is not appropriate to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Superintendent or designee will conduct the individualized safety and risk analysis.

If the Superintendent or designee determines emergency removal is appropriate, they or a designee will provide the person the District is removing from campus on an emergency basis with notice and an opportunity to attend a meeting and challenge the basis of their removal. The Superintendent or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

**Administrative Leave**

The District may place an employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

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**8. Formal Complaint Grievance Procedures**

**Notice to Parties**

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing to the known Parties:

- Notice of the District’s Title IX grievance process;
- Notice of the sexual harassment allegations with sufficient detail to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct;
- Statement that the determination of responsibility will not be made until the conclusion of the grievance process;
- Notice that the Parties have a right to an advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or other source; and
- Notice of any provision in the District’s code of conduct or discipline rules that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- If in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide written notice of the additional allegations to the Parties whose identities are known.

**Dismissal of Formal Complaint**

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District’s education program or activity; or
- If the conduct alleged did not occur against a person in the United States.

The District has the discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the grievance process the Complainant notifies the Title IX Coordinator in writing that he/she/they would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or

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- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator will simultaneously provide the Parties with written notice of the dismissal and reason(s). The District will also provide the Parties with their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

**Consolidation of Formal Complaints**

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant, against one or more Respondents, or by one Party against the other Party where the allegations of sexual harassment arise out of the same facts or circumstances.

**Equitable Treatment of the Parties**

The District’s determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably such that the procedures will apply equally to both Parties. The District will not discipline a Respondent until it reaches a determination of responsibility for sexual harassment against the Respondent at the conclusion of the grievance process.

**Statement of Non-Responsibility**

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

**Bias or Conflict of Interest**

The District’s Title IX Coordinator, Investigator(s), Decision-maker(s), or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-makers in the process. The District will provide training on bias, conflict of interest, and impartial service to the Title IX Coordinator, investigator, Decision-maker, and facilitator.

**Timeline for Completion**

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility within 180 calendar days.

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When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation.

The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case record keeping.

### **Role of Advisor**

Throughout the grievance process, both the Complainant and Respondent have a right to an advisor of their choice. An advisor may not be a witness or have a conflicting role in the process, or with a Party. The role of the advisor is to provide support and assistance in understanding and navigating the investigation process. The advisor may not participate in the process as a witness or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this procedure.

### **Confidentiality Agreements**

To protect the privacy of those involved, the Parties and advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts the dissemination of any of the evidence subject to inspection and review or use of such evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

### **Use of Privileged Information**

The District's grievance procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek, disclosure of information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

### **Investigations**

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and these procedures. The Title IX Coordinator can also conduct investigations.

### **Trained Investigators**

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The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment, Title IX, and how the District's grievance procedures operate. The District will also provide investigators training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

### **Gathering Evidence and Burden of Proof**

The District, and not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that the reported conduct occurred.

### **Notice of Investigative Interview**

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to an individual whose participation is invited or expected, with sufficient time for the individual to prepare to participate.

### **Evidence Review**

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least 10 days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

### **Investigative Report**

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- An executive summary of the allegations and findings as to each allegation;
- A summary of the procedural steps taken during the investigation, including the individuals contacted;
- An analysis of relevant evidence, including witness statements, gathered during the course of the investigation;
- A discussion of the investigator's conclusions about whether the allegations occurred using a preponderance of the evidence standard;
- A list of the relevant documents; and
- A table of contents for any report that exceeds 10 pages.

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The investigator may redact information that is not directly related to the allegations or that is privileged. However, the investigator will keep a log of information that is not produced to the Parties. The log will be provided only to the Title IX Coordinator and will not be disclosed to the Parties.

The District will send to the Parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review. The Parties will have at least 10 days to submit written, relevant questions that a Party wants to be asked of any Party or witness. The District will provide relevant questions to the Party or witness and set a deadline of no less than 10 calendar days to submit a response. The District will provide each Party with the submitted responses and allow the Parties to submit additional, limited follow-up questions within 10 calendar days. The District will provide each Party with the submitted responses. The Decision-maker must explain to the Party proposing the questions any decision to exclude a question as not relevant.

### **Decision-maker**

The Decision-maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-maker on the basis of a conflict of interest, the Complainant or Respondent may request that the Title IX Coordinator select a different Decision-maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing no later than five (5) business days after the District identifies the Decision-maker to the Parties.

The Decision-maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility. The Decision-maker must receive training on issues of relevance.

### **Determinations of Responsibility**

When the Decision-maker makes a determination of responsibility or non-responsibility, the Decision-maker will issue a written determination regarding responsibility, no later than 4 weeks after the deadline for the Parties to submit a written response to the investigative report.

When making a determination regarding responsibility, a Decision-maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-maker will use a preponderance of the evidence standard. Thus, after considering all the evidence, the Decision-maker will determine whether it is more likely than not that sexual harassment occurred.

The Decision-maker will issue a written determination that will include the following:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation gave notifications to the Parties. The determination will also state when, where, and date the investigator interviewed Parties and witnesses, conducted site visits, and the methods used to gather

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- other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence;
- Findings of fact supporting the determination. In making these findings, the Decision-maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
  - Conclusions regarding the application of the District’s code of conduct or relevant rules to the facts;
  - A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
  - Whether the District will provide remedies designed to restore or preserve equal access to the District’s education program or activity to the Complainant.
  - A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent,

The District need not disclose to the Respondent remedies that do not impact them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent.

The District’s procedures and permissible bases for the Complainant and Respondent to appeal. The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be considered timely.

**9. Disciplinary Sanctions and Remedies**

The District must have completed the grievance procedures (investigation and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant’s academic record; and

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- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for students Respondents include written or verbal reprimand, training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, demotion, suspension, or discharge.

### **10. Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility**

A Complainant or Respondent may appeal (1) the District's determination regarding responsibility or (2) the dismissal of a formal complaint or any allegations under Title IX. A Complainant or Respondent must submit a written appeal within ten business days from the date of the notice of determination of responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

#### **Grounds for Appeal**

The Superintendent or designee will serve as the Decision-maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

#### **Appeal Procedure**

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Party at least ten business days of receipt of the appeal to submit a written response in support of, or challenging, the outcome.

The Decision-maker, on appeal, will issue a written decision on whether to grant or deny the appeal and the rationale for the decision, within 45 business days after the Decision-maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide notice of the written decision simultaneously to both Parties.

The Decision-maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Decision-maker on appeal explaining the need for the extension and the proposed length of the extension. The

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Decision-maker on appeal will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

### **Informal Resolution**

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

### **11. Retaliation Prohibited**

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

### **12. Dissemination of Policy and Procedures**

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

### **13. Training**

The District will provide training to Title IX Coordinators, investigators, Decision-makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials<sup>25</sup> used to train the District's Title IX Coordinator,

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investigators, Decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

**14. File Retention**

The District will retain, on file, for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;

The investigative report including all evidence gathered and any responses from the Parties;

- The District’s determination regarding responsibility;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an informal resolution process. These training materials are publicly available on this website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

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

*(cf. 4030 Nondiscrimination in Employment)*

*(cf. 4119.12 Harassment)*

*(cf. 5145.3 Nondiscrimination)*

*(cf. 5145.7 Sexual Harassment)*

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

*Added 3/2021*

**AASB POLICY REFERENCE MANUAL  
9/92**

## **BP 0410 NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

**Note:** District policies must assure equal opportunities and nondiscrimination as required by federal and state law. 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, Section 504 of the Vocational Rehabilitation Act of 1973, the Individuals with Disabilities Education Act and the Americans with Disabilities Act. 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-.100](#) prohibit discrimination on the basis of gender and race. [AS 14.18.090](#) provides that the State Board shall withhold state funds from districts determined to be out of compliance with state nondiscrimination laws and measures ordered to remedy the situation have been ineffective.

The School Board is committed to equitable opportunity for all individuals in education. District programs and activities shall be free from discrimination based on age, gender, 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 and disproportional are eliminated in all district activities.

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 5145.3 - Nondiscrimination)*

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

District programs and facilities, viewed in their entirety, shall be readily accessible to individuals with disabilities. The superintendent shall ensure that interested persons, including individuals with disabilities, can obtain information about the programs, facilities and activities available to them.

*(cf. 6164.2 - Guidance and Counseling Services)*

**Note:** Federal regulations ([45 CFR, Section 86.9](#)) require federal aid 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 be a barrier to participation in vocational education programs.

The superintendent shall annually notify students and parents of the district's policy on nondiscrimination and related complaint procedures.

*(cf. 1312.3 – Public Complaints Concerning Discrimination)*

*(cf. 6178 - Vocational Education)*

Legal References:

### 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 04/2019

Revised 10/2012

Adopted: June 10, 2003

**Nome Public Schools**

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# **AR 0410 NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES – TITLE IX COMPLIANCE**

## **1. Introduction**

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using Alaska law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with federal and State law, unless they preempted by the Title IX regulations.

## **2. Title IX Coordinator**

Questions concerning Title IX may be referred to as the District’s Title IX Coordinator.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on District property, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. The Title IX Coordinator will make an assessment to determine if there is a safety risk to the District. If the Title IX coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant’s consent or cooperation.

## **3. Title IX Harassment Complaints and Investigations**

These Title IX sexual harassment procedures protect students, employees, applicants for employment, and applicants for admission.

### **Jurisdictional Requirements – Application of Procedures**

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control; and
- The conduct meets the definition of Title IX “sexual harassment”

## **4. Definitions**

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and <sup>30</sup>voluntary agreement to engage in sexual activity.

Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
  - Asleep or unconscious;
  - Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
  - Unable to communicate due to a mental or physical condition.

Decision-maker: The person who will make a determination of responsibility. The Decision-maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, as defined in [20 U.S.C. 1092\(f\)\(6\)\(A\)\(v\)](#);
- Dating violence, as defined in [34 U.S.C. 12291\(a\)\(10\)](#);
- Domestic violence as defined in [34 U.S.C. 12291\(a\)\(8\)](#); or
- Stalking as defined in [34 U.S.C. 12291\(a\)\(30\)](#).

## **5. Reporting Options**

Any individual may report sexual harassment to the District's Title IX Coordinator. All District employees with knowledge of allegations of sexual harassment must report the allegations, including the name of the Complainant, the Respondent, and any other witnesses, and the date, time, and

location of the alleged incident to the Title IX Coordinator promptly.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, or witness statements. A delay may limit the District's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder the legal process or proceedings.

### **Mandatory Reporting by District Employees to the Title IX Coordinator**

All District employees must report allegations of sexual harassment to the Title IX Coordinator promptly.

## **6. Intake and Processing of Report**

### **Receipt of Report**

After receiving a report of sexual harassment, the Title IX Coordinator will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Coordinator will discuss supportive measures with the Parties.

### **Timeframe for Reporting**

The District does not limit the timeframe for reporting sexual harassment. However, to promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible, because a delay in reporting may affect the District's ability to collect relevant evidence.

### **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activity. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other class-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

## **7. Removal of Respondent Pending Final Determination**

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an

employee, place the employee on administrative leave.

## **Emergency Removal**

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

Emergency removal is not appropriate to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Superintendent or designee will conduct the individualized safety and risk analysis.

If the Superintendent or designee determines emergency removal is appropriate, they or a designee will provide the person the District is removing from campus on an emergency basis with notice and an opportunity to attend a meeting and challenge the basis of their removal. The Superintendent or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

## **Administrative Leave**

The District may place an employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

## **8. Formal Complaint Grievance Procedures**

### **Notice to Parties**

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing to the known Parties:

- Notice of the District's Title IX grievance process;
- Notice of the sexual harassment allegations with sufficient detail to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct;
- Statement that the determination of responsibility will not be made until the conclusion of the grievance process;
- Notice that the Parties have a right to an advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or other source; and
- Notice of any provision in the District's code of conduct or discipline rules that prohibits knowingly making false statements or knowingly submitting false information during the

grievance process.

- If in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide written notice of the additional allegations to the Parties whose identities are known.

### **Dismissal of Formal Complaint**

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity; or
- If the conduct alleged did not occur against a person in the United States.

The District has the discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the grievance process the Complainant notifies the Title IX Coordinator in writing that he/she/they would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator will simultaneously provide the Parties with written notice of the dismissal and reason(s). The District will also provide the Parties with their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

### **Consolidation of Formal Complaints**

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant, against one or more Respondents, or by one Party against the other Party where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Equitable Treatment of the Parties**

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably such that the procedures will apply equally to both Parties. The District will not discipline a Respondent until it reaches a determination of responsibility for sexual harassment against the Respondent at the conclusion of the grievance process.

### **Statement of Non-Responsibility**

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

## **Bias or Conflict of Interest**

The District's Title IX Coordinator, Investigator(s), Decision-maker(s), or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-makers in the process. The District will provide training on bias, conflict of interest, and impartial service to the Title IX Coordinator, investigator, Decision-maker, and facilitator.

## **Timeline for Completion**

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation.

The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case record keeping.

## **Role of Advisor**

Throughout the grievance process, both the Complainant and Respondent have a right to an advisor of their choice. An advisor may not be a witness or have a conflicting role in the process, or with a Party. The role of the advisor is to provide support and assistance in understanding and navigating the investigation process. The advisor may not participate in the process as a witness or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this procedure.

## **Confidentiality Agreements**

To protect the privacy of those involved, the Parties and advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts the dissemination of any of the evidence subject to inspection and review or use of such evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

## **Use of Privileged Information**

The District's grievance procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek, disclosure of information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

## **Investigations**

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and these procedures. The Title IX Coordinator can also conduct investigations.

## **Trained Investigators**

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment, Title IX, and how the District's grievance procedures operate. The District will also provide investigators training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

## **Gathering Evidence and Burden of Proof**

The District, and not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that the reported conduct occurred.

## **Notice of Investigative Interview**

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to an individual whose participation is invited or expected, with sufficient time for the individual to prepare to participate.

## **Evidence Review**

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least 10 days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

## **Investigative Report**

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- An executive summary of the allegations and findings as to each allegation;
- A summary of the procedural steps taken during the investigation, including the individuals contacted;
- An analysis of relevant evidence, including witness statements, gathered during the course of the investigation;
- A discussion of the investigator's conclusions about whether the allegations occurred using a preponderance of the evidence standard;
- A list of the relevant documents; and
- A table of contents for any report that exceeds 10 pages.

The investigator may redact information that is not directly related to the allegations or that is privileged. However, the investigator will keep a log of information that is not produced to the Parties. The log will be provided only to the Title IX Coordinator and will not be disclosed to the Parties.

The District will send to the Parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review. The Parties will have at least 10 days to submit written, relevant questions that a Party wants to be asked of any Party or witness. The District will provide relevant questions to the Party or witness and set a deadline of no less than 10 calendar days to submit a response. The District will provide each Party with the submitted responses and allow the Parties to submit additional, limited follow-up questions within 10 calendar days. The District will provide each Party with the submitted responses. The Decision-maker must explain to the Party proposing the questions any decision to exclude a question as not relevant.

### **Decision-maker**

The Decision-maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-maker on the basis of a conflict of interest, the Complainant or Respondent may request that the Title IX Coordinator select a different Decision-maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing no later than five (5) business days after the District identifies the Decision-maker to the Parties.

The Decision-maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility. The Decision-maker must receive training on issues of relevance.

### **Determinations of Responsibility**

When the Decision-maker makes a determination of responsibility or non-responsibility, the Decision-maker will issue a written determination regarding responsibility, no later than 4 weeks after the deadline for the Parties to submit a written response to the investigative report.

When making a determination regarding responsibility, a Decision-maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-maker will use a preponderance of the evidence standard. Thus, after considering all the evidence, the Decision-maker will determine whether it is more likely than not that sexual harassment occurred.

The Decision-maker will issue a written determination that will include the following:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation gave notifications to the Parties. The determination will also state when, where, and date the investigator interviewed Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence;
- Findings of fact supporting the determination. In making these findings, the Decision-maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct or relevant rules to the

facts;

- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- Whether the District will provide remedies designed to restore or preserve equal access to the District's education program or activity to the Complainant.
- A statement of, and rationale for, any disciplinary sanctions the District Respondent,

The District need not disclose to the Respondent remedies that do not impact them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent.

The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be considered timely.

## **9. Disciplinary Sanctions and Remedies**

The District must have completed the grievance procedures (investigation and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for students Respondents include written or verbal reprimand, training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, demotion, suspension, or discharge.

## **10. Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility**

A Complainant or Respondent may appeal (1) the District's determination regarding responsibility or (2) the dismissal of a formal complaint or any allegations under Title IX. A Complainant or Respondent must submit a written appeal within ten business days from the date of the notice of determination of responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

### **Grounds for Appeal**

The Superintendent or designee will serve as the Decision-maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

### **Appeal Procedure**

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Party at least ten business days of receipt of the appeal to submit a written response in support of, or challenging, the outcome.

The Decision-maker, on appeal, will issue a written decision on whether to grant or deny the appeal and the rationale for the decision, within 45 business days after the Decision-maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide notice of the written decision simultaneously to both Parties.

The Decision-maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Decision-maker on appeal explaining the need for the extension and the proposed length of the extension. The Decision-maker on appeal will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

### **Informal Resolution**

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and

adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

### **11. Retaliation Prohibited**

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

### **12. Dissemination of Policy and Procedures**

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

### **13. Training**

The District will provide training to Title IX Coordinators, investigators, Decision-makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

### **14. File Retention**

The District will retain, on file, for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;

The investigative report including all evidence gathered and any responses from the Parties;

- The District's determination regarding responsibility;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an informal resolution process. These training materials are publicly available on this website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

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

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4119.12 - Harassment)*

*(cf. 5145.3 - Nondiscrimination)*

*(cf. 5145.7 - Sexual Harassment)*

Legal References:

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 Sex 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](#)

Adopted: April 2021

**Nome Public Schools**

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**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

**NOTICE OF RIGHTS UNDER SECTION 504**

The following rights are granted to students with disabilities, and their parents, by Section 504 of the Rehabilitation Act of 1973. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

As a parent of a student with disabilities, you have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disabling condition. If you are identified as a disabled parent you also have the right to ask for reasonable accommodations so that you may participate in the planning of your child's educational program.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities.
5. Have your child educated in facilities and receive services comparable to those provided non-disabled students.
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student, the evaluation data, and placement options.
8. Have transportation provided to and from school if necessary to allow your child to take part in educational services.

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

9. Have your child be provided an equal opportunity to participate in nonacademic and extra-curricular activities offered by the district.
10. Examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child.
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you.
15. File a local grievance.

The person in this district who is responsible for coordinating 504 compliance and identification procedures is: building principal or their designee.

[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Philosophy-Goals-Objective and Comprehensive Plans

**SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT**

BP 0520(a)

Note: The following policy reflects the Alaska Accountability System which measures both school performance and school progress and results in a school designation of Priority, Focus, or Reward. The school rating may result in required interventions as well as specific supports.

The School Board is committed to the successful performance of the district and its schools. Successful performance is indicated through student academic achievement, student progress over prior year performance, strong attendance and graduation rates, and participation and achievement in college and career readiness exams. The [Superintendent/Chief School Administrator] shall implement requirements for school and district accountability as determined by the Department of Education and Early Development.

Note: The Alaska School Performance Index measures schools by a combination of data: student achievement on SBAs in reading, writing and math; growth in the school's student body in those assessments from the prior year; and attendance. Schools with high school students are also measured by graduation rates; and student performance on college-readiness assessments, including SAT, ACT, and WorkKeys. ASPI points will result in a Star Rating for a school from 1-5 stars, the higher number representing stronger school performance.

If any district school receives a star rating of one, two, or three stars, the [Superintendent/Chief School Administrator] or designee shall develop and implement a school improvement plan in accordance with state law. School improvement plans shall be presented to the Board for approval. If the plan is for a school that receives one or two stars, the plan will be submitted to the Department. If the school has been designated as a priority or focus school, the plan will be prepared in consultation with the Department and subject to Department approval.

The [Superintendent/Chief School Administrator] or designee shall develop and implement a school improvement plan for schools receiving a four or five star rating when necessitated due to failure to meet annual measurable objectives, a decline in the school's growth and proficiency, a decline in graduation rate, or insufficient participation in standards-based assessments.

The [Superintendent/Chief School Administrator] or designee shall develop and implement a district improvement plan when required due to the number of one- or two-star schools; the number of students who attend one- or two-star schools; deficiencies in curriculum, assessment practices, instruction, learning environment, professional development, or leadership; or lack of progress by a subgroup towards annual measurable objectives. The District improvement plan shall be approved by the School Board and submitted to the Department.

**Deleted:** Since 2013, Alaska has been operating under a flexibility waiver of certain ESEA/NCLB requirements, including school accountability. All flexibility waivers are void as to August 2016.

**Deleted:** However, under the Every Student Succeeds Act, which amended the ESEA in December 2015, schools identified as priority or focus schools must continue to implement improvement plans and interventions through the 2016-2017 school year.

[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Philosophy-Goals-Objective and Comprehensive Plans

**SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT** (continued) BP 0520(b)

### **School Interventions**

The [Superintendent/Chief School Administrator] or designee shall implement comprehensive interventions for any school identified as a priority school by the Department. The comprehensive interventions will use turnaround principles that accomplish the following: provide strong leadership; ensure effective teachers; redesign the school calendar to include additional time for student learning and teacher collaboration; improve the instructional program; use student data to inform instruction; establish a school environment that improves safety and discipline; and provide mechanisms for family and community involvement.

Targeted interventions will be implemented to meet the specific needs of schools identified by the Department as focus schools. A plan and timeline to implement the targeted interventions shall be created by the [Superintendent/Chief School Administrator] or designee. Interventions should consider each of the turnaround principles for priority schools, some or all of which may be appropriate for the school or targeted subgroups. Decisions should be data-driven.

The district will utilize state provided supports in implementing comprehensive or targeted interventions.

### **School Success**

The Board believes that all of its schools can be high performing and high progress schools. The district will annually recognize those schools identified as reward schools by the Department.

### **Parent Notification**

The [Superintendent/Chief School Administrator] or designee shall communicate with the parents of children attending schools designated as one- or two-star schools. The information should be in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand. Parents should be promptly advised of:

1. What the star designation means, and how the school compares in terms of academic achievement to other schools in the district and state;
2. The reasons for the designation;
3. Information about how the parents can become involved in addressing the academic issues that led to the designation; and

[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Philosophy-Goals-Objective and Comprehensive Plans

**SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT** (continued) BP 0520(c)

4. Any action taken to address the problems that led to the designation, including: an explanation of what the school is doing to address low achievement; an explanation of what the district and Department are doing to help; and a description of interventions being taken by the district.

The information in item 4 above shall also be disseminated to the public. Information provided to parents will be sent through direct means such as mail or email. Communications must respect the privacy of students and their families.

*Legal Reference:*

ALASKA STATUTE  
14.03.123 School and District Accountability

ALASKA ADMINISTRATIVE CODE  
4 AAC 06.800 - .899 School and District Accountability

UNITED STATES CODE  
Elementary and Secondary Education Act, 20 U.S.C. §§ 6301, et. seq., as amended by the Every Student Succeeds Act (P.L. 114-95, December 10, 2015)

Revised 3/2021

Deleted: 2016

## **BP 0520 SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT**

**Note:** *Since 2013, Alaska has been operating under a flexibility waiver of certain ESEA/NCLB requirements, including school accountability. All flexibility waivers are void as to August 2016. However, under the Every Student Succeeds Act, which amended the ESEA in December 2015, schools identified as priority or focus schools must continue to implement improvement plans and interventions through the 2016-2017 school year. The following policy reflects the Alaska Accountability System which measures both school performance and school progress and results in a school designation of Priority, Focus, or Reward. The school rating may result in required interventions as well as specific supports.*

The School Board is committed to the successful performance of the district and its schools. Successful performance is indicated through student academic achievement, student progress over prior year performance, strong attendance and graduation rates, and participation and achievement in college and career readiness exams. The [Superintendent/Chief School Administrator] shall implement requirements for school and district accountability as determined by the Department of Education and Early Development.

**Note:** *The Alaska School Performance Index measures schools by a combination of data: student achievement on SBAs in reading, writing and math; growth in the school's student body in those assessments from the prior year; and attendance. Schools with high school students are also measured by graduation rates; and student performance on college-readiness assessments, including SAT, ACT, and WorkKeys. ASPI points will result in a Star Rating for a school from 1-5 stars, the higher number representing stronger school performance.*

If any district school receives a star rating of one, two, or three stars, the [Superintendent/Chief School Administrator] or designee shall develop and implement a school improvement plan in accordance with state law. School improvement plans shall be presented to the Board for approval. If the plan is for a school that receives one or two stars, the plan will be submitted to the Department. If the school has been designated as a priority or focus school, the plan will be prepared in consultation with the Department and subject to Department approval.

The [Superintendent/Chief School Administrator] or designee shall develop and implement a school improvement plan for schools receiving a four or five star rating when necessitated due to failure to meet annual measurable objectives, a decline in the school's growth and proficiency, a decline in graduation rate, or insufficient participation in standards-based assessments.

The [Superintendent/Chief School Administrator] or designee shall develop and implement a district improvement plan when required due to the number of one- or two-star schools; the number of students who attend one- or two-star schools; deficiencies in curriculum, assessment practices, instruction, learning environment, professional development, or leadership; or lack of progress by a subgroup towards annual measurable objectives. The District improvement plan shall be approved by the School Board and submitted to the Department.

### **School Interventions**

The [Superintendent/Chief School Administrator] or designee shall implement comprehensive interventions for any school identified as a priority school by the Department. The comprehensive interventions will use turnaround principles that accomplish the following: provide strong leadership; ensure effective teachers; redesign the school calendar to include additional time for student learning and teacher collaboration; improve the instructional program; use student data to inform instruction; establish a school environment that improves safety<sup>47</sup> and discipline; and provide mechanisms for

family and community involvement.

Targeted interventions will be implemented to meet the specific needs of schools identified by the Department as focus schools. A plan and timeline to implement the targeted interventions shall be created by the [Superintendent/Chief School Administrator] or designee. Interventions should consider each of the turnaround principles for priority schools, some or all of which may be appropriate for the school or targeted subgroups. Decisions should be data-driven.

The district will utilize state provided supports in implementing comprehensive or targeted interventions.

## **School Success**

The Board believes that all of its schools can be high performing and high progress schools. The district will annually recognize those schools identified as reward schools by the Department.

## **Parent Notification**

The [Superintendent/Chief School Administrator] or designee shall communicate with the parents of children attending schools designated as one- or two-star schools. The information should be in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand. Parents should be promptly advised of:

1. What the star designation means, and how the school compares in terms of academic achievement to other schools in the district and state;
2. The reasons for the designation;
3. Information about how the parents can become involved in addressing the academic issues that led to the designation; and
4. Any action taken to address the problems that led to the designation, including: an explanation of what the school is doing to address low achievement; an explanation of what the district and Department are doing to help; and a description of interventions being taken by the district.

The information in item 4 above shall also be disseminated to the public. Information provided to parents will be sent through direct means such as mail or email. Communications must respect the privacy of students and their families.

Legal Reference:

### ALASKA STATUTE

[14.03.123](#) School and District Accountability

### ALASKA ADMINISTRATIVE CODE

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

### UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. §§ 6301](#), *et. seq.*, as amended by the Every Student Succeeds Act ([P.L. 114-95](#), December 10, 2015)

## Nome Public Schools

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## AR 0520 SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT

### School Improvement Plan – Development, Approval and Implementation

**Note:** All schools in a district designated as one-, two-, or three-stars by the Department of Education and Early Development are required to develop, issue, and implement a school improvement plan. A school improvement plan is required even if the school does not receive Title I funds. The following procedures for development of the plan are consistent with the requirements of [4 AAC 06.845](#), School Improvement Plan, and [4 AAC 06.852](#), Technical Assistance.

The [Superintendent/Chief School Administrator] shall designate the individual responsible to oversee development of school improvement plans. Required plans must be developed by November 1 of each school year.

#### **A. Schools Requiring A Plan**

The following schools require a school improvement plan:

1. Any school designated with a rating of one, two, or three stars;
2. Any school identified by the Department as a priority or focus school; and
3. Any school designated with a rating of four or five stars if the school:
  - a. Has failed to meet its annual measurable objectives for two consecutive years for the school as a whole or any subgroup;
  - b. Has experienced a decline in the school's graduation rate on the whole or for any subgroup (high schools only); or
  - c. Has a participation rate of less than 95% on state standards-based assessments.

#### **B. State Involvement**

If the school is identified by the Department of Education and Early Development as a priority or focus school, the school improvement plan will be prepared in consultation with the Department and is subject to Department approval.

If the school has received a one- or two-star rating, the school improvement plan must be submitted to the Department.

#### **C. Plan Preparation**

**Note:** State regulation, [4 AAC 06.845](#), requires as a general rule that school improvement plans be developed using the Department's computerized self-assessment and improvement program. An alternative process may be utilized by a district in limited instances if approved by the Department. Department approval is limited to: 1) schools that are implementing an effective school improvement plan through an accreditation process; 2) schools that are rated as four- or five-star and the plan is specific to a particular identifiable deficiency; or 3) the district can show by a preponderance of the evidence that the school has a planning process for development of an improvement plan that will address as effectively or more effectively than the Department's program each of the 6 domains and each specific deficiency at the school.

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The school improvement plan will be prepared utilizing a computerized self-assessment and

improvement program selected by the Department. The self-assessment program will address the following six domains: 1) curriculum; 2) assessment policy and practice; 3) instruction; 4) school learning environment; 5) professional development policy and practices; and 6) leadership.

**Note:** *The following language implements requirements for plan participants as set forth at [AS 14.03.123 \(d\)](#).*

The school improvement plan is to be prepared with the maximum feasible public participation of the community, including, as appropriate, interested individuals, teachers, parents, parent organizations, students, tribal groups, local government representatives, and other community groups.

#### **D. Plan Contents For Priority Schools**

The Plan must provide for a system of comprehensive intervention using all required turnaround principles. The district will consult with and obtain the approval of the Department to address deficiencies in each of the six domains, as identified in the computerized self-assessment or in a desk or instructional audit.

Comprehensive turnaround principles to be implemented at the school must include:

**1. School Calendar Adjustments.** The school day, week, and year, will provide more time for student learning and teacher collaboration. This includes the following minimum requirements:

- a. dedicated time block each week for teacher collaboration;
- b. 90 minutes daily of core reading instruction for all students grades K-6;
- c. 30 additional minutes of intervention daily for K-6 students below grade level in reading;
- d. dedicated time block daily for structured reading interventions for students grades 7-12 who are below grade level in reading;
- e. 60 minutes daily of core math instruction for all students grades K-6; and
- f. dedicated time block daily for structured math intervention for students grades 7-12 who are below grade level in math.

**2. Teacher Effectiveness.** The district's policies and actions will ensure that all teachers at the school are effective teachers. This includes the following actions:

- a. each teacher's effectiveness is reviewed by the district and principal, including a review of student learning data;
- b. replacement or improvement of ineffective teachers;
- c. requiring teachers transferring to the school to be proven effective; and
- d. providing job-embedded professional development that targets the specific needs of teacher and students.

**3. Instructional Program.** The instructional program will be strengthened through the

following methods:

- a. adoption and use of research-based curricula that are aligned with state standards;
- b. implementation of reading curricula that addresses the essential elements of reading;
- c. implementation of reading and math support programs for students behind grade level;
- d. using data to inform instruction, including
  - at least three times per year, utilize a universal screening tool approved by the Department for all students, grades K-8;
  - utilize a diagnostic assessment to determine the specific reading or math deficiencies for all students one or more years below grade level; and
  - base instruction and interventions on the specific needs of the student as identified by screenings or assessments.
- e. establishing a school environment that improves school safety and discipline, including implementation of a school-wide behavior plan, and that addresses the social, emotional, and health needs of students;
- f. providing for family engagement in the school, including cultural awareness and understanding of cultural values; and
- g. providing strong leadership, including
  - reviewing the performance of the principal, including a review of student learning data;
  - retention of the existing principal or hire of a new principal based upon the existing principal's performance on indicators in the leadership domain; and
  - providing the principal with flexibility in areas that should be tailored to the needs of the school such as scheduling, staff, or budget.

**4. Additional Requirements.** The improvement plan must, to the extent possible, include measures to:

- a. increase local control of education;
- b. increase parental choice; and
- c. not require a direct increase in state or federal funding for the school or district.

## **E. Plan Contents for Focus Schools**

The school improvement plan for a focus school will identify targeted interventions that consider each of the comprehensive turnaround principles. Interventions will be targeted for any subgroup that is performing below grade level. In addition, appropriate interventions will be targeted to any deficiencies revealed through data analysis or the results of an instructional or desk audit.

In preparing the school improvement plan, the district will consult with the Department.

## F. Plan Implementation

The school shall implement the plan immediately upon district approval. Should the Department determine that changes in the plan will improve the performance or progress of students, the school will implement the changes required by the Department.

The district will ensure appropriate technical assistance to the school during development of the plan and throughout the plan's duration. Technical assistance may be provided by the district, the Department, an institution of higher education, a private organization, an educational service agency, or another entity with experience in helping schools improve academic achievement.

Technical assistance must be based on research and may include:

1. assistance in analyzing assessment data and other examples of student work in order to identify and develop solutions to problems in instruction, parental involvement and professional development, and plan implementation, including district- and school-level responsibilities under the plan;
2. assistance in identifying and implementing professional development and instructional strategies and methods that have proven effective, through research, in addressing the specific instructional issues that caused the school's rating of one, two, or three stars; and/or
3. assistance in analyzing and revising the school's budget so that the school allocates its resources more effectively to the activities most likely to increase student academic achievement.

### District Improvement Plan – Development and Contents

**Note:** A school district must have a district improvement plan if: 1) at least 25% of its schools are designated as one or two stars; 2) at least 25% of the district's students attend a school designated as one or two stars; 3) an instructional or desk audit demonstrates significant deficiencies in the domains of: curriculum, assessment policy and practice, instruction, school learning environment, professional development policy and practices, and leadership; or 4) an instructional or desk audit shows that one or more subgroups in the district is not making progress toward the subgroup's annual measurable objectives. The following plan contents comply with the requirements set forth at [4 AAC 06.850](#), District improvement plan.

A district improvement plan will be prepared by [the Superintendent/Chief Administrative Officer] and submitted to the Department in the following circumstances:

1. At least 25% of the district's schools have been designated as one- or two-star schools;
2. At least 25% of the district's students attend a one or two-star designated school;
3. An instructional or desk audit at the district, or its schools, demonstrates significant deficiencies in the following domains of successful schools: curriculum, assessment policy and practice, instruction, school learning environment, professional development policy and practices, and leadership; or
4. An instructional or desk audit shows that one or more subgroups in the district is not making progress toward the subgroup's annual measurable objectives.

The district improvement plan will be developed in the same manner as school improvement plans.

Revised 12/2016

Revised 07/2015

Revised 3/2015

Revised 11/2014

## **Nome Public Schools**

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[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Community Relations

**PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL** AR1312.1(a)

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

The School Board seeks to ensure that complaints by the public are addressed equitably, regardless of ethnicity, race, disability, gender identity, sexual orientation, religious or cultural preferences, familial status, or socioeconomic background, of the complainant or the personnel at issue. 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. Individuals are encouraged to attempt to verbally resolve concerns with the staff member directly.

In order to ensure fair and equitable access to the complaint process, the district may assist a complainant in the complaint process and resolution efforts. Assistance can include, but is not limited to, cultural support, age appropriate support, and disability accommodation that will assist complainants with oral and written communications related to the complaint and resolution processes.

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 School Board President. 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.

If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the appropriate individual as identified in the paragraph immediately above. 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 assistance. 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 any prior attempts to discuss the complaint with the employee involved and the failure to resolve the matter.

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.

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.

[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Community Relations

**PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL** AR1312.1(b)

Except when a complaint is directed against the Superintendent or designee, no party to a complaint may address the School Board. School Board members shall make every effort to not prejudice themselves by listening to or discussing the matter of the complaint with any other School Board members, staff, students or public prior to receiving the Superintendent's report and formally meeting as a Board on the issue.

All parties to a complaint, including the school administration, may be asked [by the School Board](#) to attend a School 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 School Board following the hearing shall be final. Complaints before the School 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 School Board.

*(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.

Revised [3/2021](#)

**Deleted:** However, the complainant, the employee, or the Superintendent or designee may ask to address the School Board regarding the complaint.

**Deleted:** , either in closed or open session, unless the School Board has received the Superintendent or designee's written report concerning the complaint

**Moved down [1]:** Complaints before the School 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 School Board.

**Moved (insertion) [1]**

**Deleted:** 3/2019

## 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 complaints or 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 School Board member or at a School Board meeting will be referred to the Superintendent or designee for appropriate consideration and action.

The District will respond to complaints concerning school personnel, investigate as appropriate, and take action as may be necessary or advisable to resolve the concern. Complaints should follow the complaint filing and resolution process set forth in administrative regulation.

The process for complaints concerning school personnel will be administered in a fair and nondiscriminatory manner on behalf of both the complaint and the personnel involved.

*(cf. 1312 - Public Complaints Concerning the Schools)*

*(cf. 4112.6/4212.6/4312.6 - 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.*

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))*

Legal References:

### ALASKA STATUTES

[44.62.310](#) Government meetings public

Revised 04/2019

Adopted: June 10, 2003

**Nome Public Schools**

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## AR 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

The School Board seeks to ensure that complaints by the public are addressed equitably, regardless of ethnicity, race, disability, gender identity, sexual orientation, religious or cultural preferences, familial status, or socioeconomic background, of the complainant or the personnel at issue. 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. Individuals are encouraged to attempt to verbally resolve concerns with the staff member directly.

In order to ensure fair and equitable access to the complaint process, the district may assist a complainant in the complaint process and resolution efforts. Assistance can include, but is not limited to, cultural support, age appropriate support, language or translations, and disability accommodation that will assist complainants with oral and written communications related to the complaint and resolution processes.

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 School Board President. 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.

If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the appropriate individual as identified in the paragraph immediately above. 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 assistance. 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 any prior attempts to discuss the complaint with the employee involved and the failure to resolve the matter.

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.

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.

Except when a complaint is directed against the Superintendent, no party to a complaint may address the School Board, either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint. School Board members shall make every effort to not prejudice themselves by listening to or discussing the matter of the complaint with any other School Board members, staff, students, or public prior to receiving the Superintendent's report and formally meeting as a Board on the issue. When the subject of the complaint is the Superintendent, the School Board will conduct the investigation.

Complaints before the School Board concerning an<sup>58</sup> employee that may tend to be prejudicial to the

employee's reputation or character shall be addressed in executive session of the School 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 School Board following the hearing shall be final.

*(cf. 9321 - Executive Sessions)*

Revised 04/2019

Adopted: June 10, 2003

## **Nome Public Schools**

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[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)  
Community Relations

## ACCESS TO DISTRICT RECORDS

BP 1340

Note: AS 40.25.120 sets forth the right of the public to access public records. There is strong public policy favoring inspection of public records and any exceptions to disclosure based on need should be construed narrowly.

The School Board recognizes that state policy provides broad public access to district records. Public access shall not be given to records exempt from public disclosure by state or federal law or by the Board based on the need of the district to maintain confidential information.

(cf. 3580 – District Records)  
(cf. 4112.6/4212.6/4312.6 – Personnel Records)  
(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential Information)  
(cf. 5125 – Student Records; Confidentiality)  
(cf. 9011 – Disclosure of Confidential Information)  
(cf. 9321 – Closed Sessions)

Note: 14.14.090, in addition to other duties, provides that the Board shall keep records and files open to public inspection at the district office during reasonable business hours.

Any person shall have reasonable access, during regular business hours, to the public records of the schools and district. The Superintendent or designee shall establish regulations to authorize and facilitate public access to district records in accordance with law, to protect the security of district records, and to prevent interference with regular district operations. [Records shall be maintained in accordance with the State of Alaska Model Records Retention Schedule for Alaska School Districts.](#)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge, based on actual costs of duplication, shall be determined by the Superintendent or designee.

### Legal Reference:

ALASKA STATUTES  
40.25.120 - .220 Public Records Act  
14.03.115 Access to school records by parent, foster parent, or guardian  
14.14.090 Additional duties  
14.20.149 Employee evaluation  
14.43.930 Scholarship program information  
23.40.235 Public involvement in school district negotiations  
*City of Kenai v. Kenai Peninsula Newspapers, 642 P2d 1316 (Alaska 1982)*  
*Anchorage School District v. Anchorage Daily News, 779 P2d 1191 (Alaska 1989)*

UNITED STATES CODE, TITLE 20  
1232g Family Educational Rights and Privacy Act of 1974

Revised [3/2021](#)

Deleted: 1/09

## AASB POLICY REFERENCE MANUAL

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## **BP 1340 ACCESS TO DISTRICT RECORDS**

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*(cf. 3580 - District Records)*

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

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential Information)*

*(cf. 5125 - Student Records; Confidentiality)*

*(cf. 9011 - Disclosure of Confidential Information)*

*(cf. 9321 - Closed Sessions)*

Any person shall have reasonable access, during regular business hours, to the public records of the schools and district. The Superintendent or designee shall establish regulations to authorize and facilitate public access to district records in accordance with law, to protect the security of district records, and to prevent interference with regular district operations.

The district may charge for copies of public records or other materials requested by individuals or groups. The charge, based on actual costs of duplication, shall be determined by the Superintendent or designee.

Legal References:

### ALASKA STATUTES

[09.25.120 - 09.25.220](#) Public Records Act (*renumbered*)

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

[14.14.090](#) Additional duties

[14.20.149](#) Employee evaluation

[14.43.930](#) Scholarship program information

[23.40.235](#) Public involvement in school district negotiations

### COURT DECISIONS

*City of Kenai v. Kenai Peninsula Newspapers*, 642 P2d 1316 (Alaska 1982)

*Anchorage School District v. Anchorage Daily News*, 779 P2d 1191 (Alaska 1989)

### UNITED STATES CODE

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

Adopted: June 10, 2003

## AR 1340 ACCESS TO DISTRICT RECORDS

Any person may have access to and receive a copy of any identifiable public record.

Requests for district records shall be submitted to the Superintendent or designee. District records shall be examined in the presence of the staff member regularly responsible for their maintenance and security or his/her designee.

Public records include any writings and records except:

1. records of vital statistics and adoption proceedings which shall be treated in the manner required by [AS 18.50](#). ([AS 09.25.120](#))
2. records pertaining to juveniles. ([AS 09.25.120](#))
3. medical and related public health records. ([AS 09.25.120](#))
4. records required to be kept confidential by a federal law or regulation or by state law, including but not limited to: ([AS 09.25.120](#))
  - a) Personnel evaluation records (<http://www.legis.state.ak.us/cgi-bin/folioisa.dll/aac?|4 AAC 19.040>) and [AS 14.20.149](#)).
  - b) Education records of students containing personally identifiable information. ([20 U.S.C. 1232g](#))
  - c) Records regarding ongoing negotiations on a pending collective bargaining agreement, disclosure of which would impair the district's bargaining position. However, initial proposals, last-best-offer proposals, tentative agreements before ratification, and final agreements are all public documents which must be made available for inspection. ([AS 23.40.235](#))
  - d) Records of contemplated purchase, lease, or acquisition of real property, or other property or services where release would impair the district's ability to obtain favorable terms in the transaction, or where the disclosure would provide the potential seller with an unfair competitive advantage.
  - e) Information obtained by the district's insurance carriers and their attorneys and agents regarding potential or pending claims against the district.
5. records compiled for law enforcement purposes, but only if disclosure would interfere with enforcement proceedings, would deprive a person of a fair trial, would constitute an unwarranted invasion of privacy, would disclose a confidential source, would disclose confidential techniques or law enforcement guidelines, or would endanger life or physical safety. ([AS 09.25.120](#))
6. library records, names, addresses, or other personal identifying information contained in school library records, except as requested by the parent/guardian. ([AS 09.25.140](#))

When authorized, an exact copy of any identifiable public record shall be provided upon request unless it is impracticable to do so. Computer data shall be provided in a form determined by the Superintendent or designee. Copies shall be furnished at cost as determined by the Superintendent or designee.

As soon as possible upon receiving any request for a copy of records, the Superintendent or designee shall determine whether to comply with the request and shall inform the person making the request of his/her determination and the reasons for it. Any notification denying a request for public records shall state the reason for the denial and to whom the decision may be appealed.

(*cf. 1312 - Complaints Concerning the Schools*) <sup>63</sup>

Adopted: June 10, 2003

**Nome Public Schools**

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[WORKSHEETS for the district policy committee:](#)  
[DISCARD WHEN FINISHED](#)

Instruction

## COLLEGE AND CAREER READINESS ASSESSMENTS

BP 6146.3

Note: Effective June 30, 2016, the requirement that no secondary student be issued a diploma unless he or she has taken a college and career readiness assessment is repealed.

The School Board shall provide for students to take college and career readiness assessments, [as required by law and regulation](#). The exams shall be administered in accordance with state law and regulations. The taking of an assessment is not a requirement for a diploma.

(cf. 5127 - *Graduation Ceremonies and Activities*)  
(cf. 6146.1 - *High School Graduation Requirements*)  
(cf. 6146.4 - *Reciprocity on Graduation Requirements*)  
(cf. 6146.5 - *Differential Requirements for Individuals With Exceptional Needs*)  
(cf. 6162.5 - *Standardized Testing*)

The IEP team for a student with a significant cognitive disability may determine whether the student will take the assessment. The IEP team's determination should consider whether the assessment supports the transition plan set forth in the student's IEP.

*Legal Reference:*

ALASKA STATUTES  
14.03.075 *College and career readiness assessment*

ALASKA ADMINISTRATIVE CODE  
4 AAC 06.710 *Statewide student assessment system*  
4 AAC 06.718 *College and career readiness assessment after student receives a certificate of achievement*  
4 AAC 06.765 *Test Security; Consequences of Breach*  
4 AAC 06.790 *Definitions*

Revised 3/2021

**Deleted:** However, school districts still shall require all students in grade 11 and all students in grade 12 who have not previously done so, to take one of the assessments described in 4 AAC 06.717. Students may seek waivers of the requirement under 4 AAC 06.721-.724.

**Deleted:** ¶

**Deleted:** 4 AAC 06.717 *College and career readiness assessment*

**Deleted:** 4 AAC 06.721 *College and career readiness assessment waivers* ¶

**Deleted:** 4 AAC 06.775 *Statewide assessment program for students with disabilities* ¶

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## BP 6146.3 COLLEGE AND CAREER READINESS ASSESSMENTS

**Note:** Effective June 30, 2016, the requirement that no secondary student be issued a diploma unless he or she has taken a college and career readiness assessment is repealed. However, school districts still shall require all students in grade 11 and all students in grade 12 who have not previously done so, to take one of the assessments described in [4 AAC 06.717](#). Students may seek waivers of the requirement under [4 AAC 06.721-.724](#).

The School Board shall provide for students to take college and career readiness assessments. The exams shall be administered in accordance with state law and regulations. The taking of an assessment is not a requirement for a diploma.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Differential Requirements for Individuals with Exceptional Needs)

(cf. 6162.5 - Standardized Testing)

The IEP team for a student with a significant cognitive disability may determine whether the student will take the assessment. The IEP team's determination should consider whether the assessment supports the transition plan set forth in the student's IEP.

Legal Reference:

### ALASKA STATUTES

[14.03.075](#) College and career readiness assessment

### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.710](#) Statewide student assessment system

[4 AAC 06.717](#) College and career readiness assessment

[4 AAC 06.718](#) College and career readiness assessment after student receives a certificate of achievement

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

[4 AAC 06.721](#) College and career readiness assessment waivers

[4 AAC 06.775](#) Statewide assessment program for students with disabilities

[4 AAC 06.790](#) Definitions

Revised 09/2017

Revised 03/2016

**Nome Public Schools**

## **AR 6146.3 COLLEGE AND CAREER READINESS ASSESSMENT WAIVERS**

**Note:** [AS 14.03.075](#) provides that a school may not issue a secondary school diploma to a student unless the student takes a college and career readiness assessment or receives a waiver. Regulations governing waivers are found at [4 AAC 06.775](#).

A college and career readiness assessment means the SAT, ACT or certain sections of the WorkKeys assessment. If a student takes the WorkKeys assessment, he or she must take the following sections: applied mathematics; reading for information; and locating information.

The Department of Education and Early Development will provide for the college and career readiness assessment to be administered one time per year at no charge to students. A student may take the assessments additional times at the student's expense.

A waiver may be granted in two instances: 1) when a student has arrived late into the Alaska public school system; or 2) in rare and unusual circumstances as defined by the Department of Education and Early Development.

### **Procedures for Requesting A Waiver**

The district shall maintain in the district office and the office of its high schools a Department approved form for requesting a waiver of the college and career readiness assessment. A student must complete this form and include all required documentation. The waiver request will be considered by the Superintendent or designee who shall make a recommendation to the School Board for approval or denial of the waiver. The recommendation shall be based solely on whether the criteria for granting a waiver under state law has been met for the individual student. The School Board may not grant a waiver unless the student has demonstrated that all other state and district requirements for graduation will be met.

#### **A. Waiver for Late Arrival Into the School System**

A student arrives late into the state public school system if the student arrives in Alaska after the completion of all scheduled college and career readiness assessments in the student's year of intended graduation. A student who resides in the state but attends a private school or is home schooled and then transfers to the district after the completion of all scheduled administrations in the student's year of intended graduation may also be eligible for a waiver. A student's request for a waiver must be submitted on the approved form, must demonstrate that the student has met all other requirements for graduation, and must include the following:

1. Documentation from the school in which the student is currently enrolled which identifies the student's initial enrollment date;
2. Documentation from the out-of-state school district, Alaska private school or home school program from which the student transferred, which includes both the enrollment date and exit date; and
3. Documentation that verifies the date of the student's physical presence in Alaska prior to enrollment in any of the schools in the state. Verification may include: records or receipts of airlines, the Alaska Marine Highway System, or other carriers; hotel receipts; or affidavits or certifications by persons acquainted with or related to the applicant who have personal knowledge of the applicant's physical presence in Alaska.

#### **B. Waiver for Rare and Unusual Circumstances**

A waiver may be granted for a rare and unusual circumstance only if the circumstance is beyond the control of the student, the student's parents, and the school. Additionally, the timing of the circumstance must be such that no other recourse<sup>67</sup> or remedy exists to address the situation before

the student's expected graduation date. A waiver may be granted only for the following reasons:

1. The death of the student's parent occurring within the last semester of the student's year of intended graduation.
2. A medical condition that is a serious and sudden illness or physical injury that prevents the student from taking the college and career readiness assessment and occurs in the last semester of the student's year of intended graduation. The waiver request must be supported by an affidavit or certification from the student's treating licensed medical provider that the diagnosed condition prevented the student from taking the assessment and was beyond the control of the student or parents. The condition cannot be: 1) pregnancy or childbirth, unless the affidavit or certification verifies that an emergency occurred; 2) treatable depression, stress, or stress-related conditions, unless the affidavit or certification verifies that a qualifying emergency occurred; or 3) a condition caused by illegal alcohol or substance abuse.
3. A disability arising in the student's high school career that arises too late to apply for a meaningful accommodation from the testing vendor. A waiver may be granted only if consistent with the student's IEP team recommendations and the student's principal and the district's superintendent support the waiver request.
4. A significant and uncorrectable system error which is limited to one of the following:
  - a. A student's completed exam from the last administration of the assessment in the student's year of intended graduation is lost in transit between the school district and the testing vendor. A waiver request must be supported by: 1) documentation from the district verifying that the test materials were mailed to the testing vendor; and 2) documentation from the U.S. Postal Service, or other carrier, that the exam materials are lost.
  - b. The student's school or district failed to administer the assessment on a scheduled administration date during the student's senior year.

### **School Board Action Approving or Denying A Waiver**

The School Board's decision approving or denying the request for a waiver will be in writing and delivered to the student by registered mail. The reasons for approving or denying the waiver will be stated in the written decision. The School Board may deliver courtesy copies of the decision to the student or the student's parents/legal guardians by other methods. The School Board will also provide a copy of the decision to the Department. The School Board's written decision will notify the student that denial of the waiver may be appealed to the Department of Education and Early Development.

**Note:** *The following language can be used by the School Board in its written notice to comply with the requirement that the student be notified of the right to appeal in the event the School Board denies a waiver. [4 AAC 06.721](#) and [06.724](#). Any form of notification should include notice that the student only has thirty (30) days to appeal: "This decision may be appealed by the student, or student's parent or legal guardian, to the State of Alaska Department of Education and Early Development. Enclosed is the required form that must be used for an appeal. This appeal form must be postmarked no later than thirty (30) days from your receipt of this decision. State law requires that an appeal request state the grounds for the appeal, including a brief summary of the nature of the original waiver request and an explanation of how the School Board erred in denying the waiver. Also enclosed is a copy of [4 AAC 06.724](#) which further explains the appeal procedures."*

Within twenty (20) days of an appeal being filed, the School Board shall forward to the Department the entire record of the student's waiver request, including the following documents:

1. The student's waiver application and any supporting documents included in support of the waiver request;

2. A copy of the School Board's graduation requirements; and
3. A copy of the student's most current official transcript.

Revised 3/2015

### **Nome Public Schools**

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## **BP 0000 CONCEPTS AND ROLES**

The School Board recognizes that the success of our educational system relies heavily on educational planning and ongoing evaluation in order to adapt district programs and activities to the changing needs of society and the community. To guide these efforts, the Board adopts the following definitions for the development of sound and responsible educational policies:

1. "Philosophy" means a composite statement of the relationship between the individual and society based upon beliefs, concepts, and attitudes from which the goals and objectives of the district are derived.
2. "Goal" means a statement of broad direction or intent which is general and timeless and is not concerned with a particular achievement within a specified time period.
3. "Objective" means a specific accomplishment to be achieved which can be measured within a given time and under specifiable conditions and which, if attained, advances the system toward a corresponding goal.

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0500 - Review and Evaluation)*

The Board believes that in order for education to succeed there must be an ongoing partnership between educators, parents/guardians, students, and the community. The Board encourages the participation of all segments of the community in order that an educational climate is created which promotes the positive and healthy development of each child.

Legal References:

### ALASKA STATUTES

[14.03.010](#) *Establishment of school system*

### ALASKA ADMINISTRATIVE CODE

4 AAC 05.040 *Establishment of local schools*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 0100 PHILOSOPHY**

In accordance with state education policy, the purpose of education is to help ensure that all students will succeed in their education and work, shape worthwhile and satisfying lives for themselves, exemplify the best values of society, and be effective in improving the character and quality of the world about them.

The School Board is committed to providing a program of instruction, which offers each child an opportunity to develop to the maximum of his/her individual capabilities. The School Board believes that all students can succeed regardless of their race, background or ability. Furthermore, the School Board believes that a culturally responsive education in which District staff practice a high level of cultural proficiency will honor and positively influence the opportunity for students of all cultures to become successful individuals, exemplifying positive values and improving communities and the world. School staff shall embody this philosophy in all district programs and activities.

### **Understanding and Supporting Healing**

Intergenerational healing and racial equity are necessary to create successful outcomes for students and stronger, healthier communities. This involves recognition of the needs, resources, and contributions of students, families, cultures, and community, as well as the educational system made up of administrators, staff, teachers, the school board, and the land and structures comprising the public school system. Healing supports should be designed to have the following impacts: correct injustice and other wrongs, accurately represent history, educate educators to ensure an accurate understanding of history and protocols, establish schools as an Indigenous place and community, orient and welcome people to the land and place, create and implement healing in policies and partnerships, and integrate ceremony and protocol. Healing supports are intended to make reparations and new experiences within the educational setting.

The School Board strives to support all students to succeed by creating conditions for learning, teaching, and partnering in the schools. The District's policies and regulations should be considered, adopted, and implemented to further equity and nondiscrimination, cultural safety and responsiveness, student-centered learning and teaching, restorative or trauma sensitive practices, and collaboration with community.

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

Legal References:

#### ALASKA STATUTES

[14.03.015](#) State education policy

[14.08.111](#) Duties

Revised 04/2019

Revised 04/2017

Adopted: June 10, 2003

**BP 0101 MISSION STATEMENT FOR NOME PUBLIC SCHOOLS**

We inspire and empower students to be culturally grounded responsible citizens who are deeply connected to our community and world.

**Nome Public Schools**

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## **BP 0200 GOALS FOR THE SCHOOL DISTRICT**

[AS 14.07.165](#) (Ch. 173, SLA 1990) 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](#) (Ch. 173, SLA 1990) 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 References:

### ALASKA STATUTES

[14.03.120](#) Education planning

[14.07.165](#) Duties

Adopted: June 10, 2003

**Nome Public Schools**

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**E 0200 NOME PUBLIC SCHOOLS STRATEGIC PLAN**

View or print [NOME PUBLIC SCHOOLS STRATEGIC PLAN](#).

**Nome Public Schools**

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## BP 0210 GOALS FOR STUDENT LEARNING

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 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, state and regional history and ideals and its diverse ethnic, racial and cultural heritage.
7. An awareness and understanding of the heritage, ideals, and contributions of one's own and 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 04/2017

Revised 11/2014

Revised 04/2014

## Nome Public Schools

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## **BP 0420 SCHOOL-BASED MANAGEMENT/SITE COUNCILS**

The School Board believes that culturally responsive, shared decision making at the site level can improve school performance and individual student achievement. The Board supports the involvement of staff, students, parents/guardians and the community in such decision making. The School Board encourages the use of site councils in developing policies and programs that respond to the unique cultural and traditional needs and characteristics of individual schools in accordance with district goals.

*(cf. 0200 - Goals for the School District)*

*(cf. 0510 - School District Report Card)*

*(cf. 2230 - Representative and Deliberative Groups)*

Legal References:

### ALASKA STATUTES

[14.03.120](#) Education Planning

### ALASKA ADMINISTRATIVE CODE

[4 AAC 05.010-4AAC 05.090](#) Local Education

Adopted: June 18, 2019

**Nome Public Schools**

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## **BP 0430 COMMUNITY SCHOOL PROGRAM**

The School Board recognizes the importance of extending the use of school facilities and equipment for purposes of providing educational, cultural, social, and recreational services to the citizens of the community. The Superintendent or designee shall develop community school programs in accordance with state law and within the limits of available resources.

*(cf. 1330 - Use of School Facilities)*

*(cf. 1325 - Advertising and Promotion)*

*(cf. 3100 - Budget)*

*(cf. 3515 - Equipment)*

Legal Reference:

### ALASKA STATUTES

14.36.010-14.36.070 Community schools

### ALASKA ADMINISTRATIVE CODE

4 AAC 32.010-32.030 Community schools

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 0430 COMMUNITY SCHOOL PROGRAM**

In accordance with requirements for state funding of the community school program, the Superintendent or designee shall:

1. Establish a community schools advisory council;
2. Develop a comprehensive plan for the community school program, which addresses before and after school activities for children and adults, continued education programs for children and adults, and cultural enrichment and recreational activities;
3. Assign responsibility for the direction and coordination of the community school program; and
4. Establish procedures to ensure the program is reasonably available to residents of all communities within the district.

The comprehensive plan shall provide a three-year plan of service. The district shall develop an annual plan which includes short-term goals and objectives for the second and third years of the comprehensive plan.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 0500 REVIEW AND EVALUATION**

The School Board recognizes that ongoing review and evaluation of district policies and programs are necessary if the Board is to be held accountable for the governance of the district. The Board accepts that being accountable includes a duty to explain to the public how district responsibilities are being met and will provide for such review and evaluation.

*(cf. 0510 - School District Report Card)*

*(cf. 1312 - Complaints Concerning the Schools)*

*(cf. 4115 - Personnel Evaluation)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*(cf. 9300 - Governance)*

*(cf. 9400 - Board Self-Evaluation)*

Legal References:

### ALASKA STATUTES

[14.03.120](#) Education planning; reports

### ALASKA ADMINISTRATIVE CODE

[4 AAC 04.140](#) Content Standards

4 AAC 04.150 Performance Standards

[4 AAC 05.010](#) Program Planning and Evaluation

[4 AAC 06.805](#) Adequate Yearly Progress

[4 AAC 06.812](#) Growth in Student Academic Performance

[4 AAC 06.885](#) School and District Recognition

Revised 6/08

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 0510 SCHOOL DISTRICT REPORT CARD

**Note:** Under the federal Every Student Succeeds Act, school districts must prepare and disseminate an annual district report card to parents, schools and the general public that summarizes the academic performance of district schools and students, including individual student achievement on state assessments compared to students and subgroups of students as a whole. Under Alaska law, [AS 14.03.120](#), and [4 AAC 06.895](#), all schools and districts must prepare annual school and district reports on school and student performance. Also required is reporting of student discipline data. [AS 14.33.210](#), [4 AAC 06.172](#) and [4 AAC 06.250](#). See AR 5030 – School Discipline and Safety. Effective October 2014, school districts must annually report incidents of restraint and seclusion. [AS 14.33.125](#). See BP 5030 – School Discipline and Safety, and BP 5142.3 – Restraint and Seclusion. The Alaska Department of Education and Early Development has established criteria for preparing school report cards. Each school and district should consult the applicable statutes and regulations as it begins preparation of the annual report.

In accordance with law, the district shall prepare and disseminate an annual report card. The report card will include information about the district and its schools related to a variety of student and school performance measures, accountability, per-pupil expenditures, and educator qualifications. These reports will be developed in consultation with parents and will help ensure that parents are actively involved and knowledgeable about their schools and their child's education.

**Note:** Beginning with information from the 2017-18 school year, report cards must be posted annually on district websites, and disseminated directly to parents, on or before December 31 of the subsequent school year (e.g., by December 31, 2018 for the 2017-18 school year). [34 CFR § 200.31\(d\)-\(e\)](#). Dissemination to parents may be through such means as regular mail, email, or other direct means of distribution.

The annual report card will be concise and presented in an understandable and uniform format. It must be accessible to persons with disabilities and, to the extent practicable, provided in a language that parents can understand. The report card will be posted on the District's website and disseminated to parents.

In addition to the components required by law, the Superintendent or designee may include in the report additional indicators, both qualitative descriptions and quantitative measurements, of school and student performance. In determining the indicators which assess school and student performance, the Superintendent or designee shall solicit suggestions from parents, school staff and the community.

The School Board desires that performance reports be reviewed and discussed within the framework of desired outcomes, the context in which education takes place, and the educational policies and practices of the district. The School Board desires that this assessment be viewed as an opportunity to communicate with the public, review achievements, identify areas for improvement, enlist local support, enhance internal operations, build consensus, and establish a vision for the future.

The School Board expects that existing evaluation processes and resources will be used to develop performance report cards and that the usefulness of these reports will improve with each future assessment.

(cf. 6190 - Evaluation of the Instructional Program)

Legal References:

ALASKA STATUTES

81

[14.03.120](#) Education planning; reports

[14.33.210](#) Reporting of incidents of harassment, intimidation and bullying

[14.33.125](#) Student restraint or seclusion; limitations

#### UNITED STATES CODE

[Elementary and Secondary Education Act, 20 USC §§ 6311](#)(h)(2), as amended by Every Student Succeeds Act ([P.L. 114-95](#) (December 10, 2015))

#### CODE OF FEDERAL REGULATIONS

[34 C.F.R. §200.31](#) (amend. November 2016)

#### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.895](#) Report card to the public

[4 AAC 06.172](#) Reporting of school disciplinary and safety programs

[4 AAC 06.250](#) Reporting

*Revised 09/2017*

*Revised 03/2016*

**Nome Public Schools**

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## AR 0510 SCHOOL DISTRICT REPORT CARD

**Note:** Pursuant to [AS 14.03.120](#) and [4 AAC 06.895](#), the "School District Report Card to the Public" must include the items specified below.

Annually, the principal or designee shall prepare a report on his/her school's performance and the performance of the school's students. The report shall be presented to parents, students, and community members at a public meeting and forwarded to the Superintendent. By July 1 of each year, the Superintendent or designee shall provide to the Department of Education and Early Development, and make available to the public, a report on the performance of district schools and students.

The school and district reports shall be made on forms prescribed by the Department of Education and Early Development and shall include:

1. the accreditation status of the school, including the date of accreditation, the name of the accrediting organization, and the level of accreditation awarded;
2. the number and percent of district students that achieved advanced, proficient, below proficient, or far below proficient on state assessments.;
3. the number and percent of district students that achieved advanced, proficient, below proficient or far below proficient on state assessments, disaggregated by subgroups:
  - Economically disadvantaged students
  - Students with limited English proficiency
  - Students with disabilities
  - African-Americans
  - Alaska Natives and American Indians
  - Students of two or more races
  - Asians or Pacific Islanders
  - Hispanics
  - Whites
  - Males
  - Females
  - Migrants
  - Not migrant students
4. a comparison between the performance score for the school or district and the school's or district's annual measurable objectives for that year as determined under [4 AAC 06.815](#);
5. a comparison between the performance score of students in each subgroup and the subgroup's annual measurable objectives for that year as determined under [4 AAC 06.815](#);
6. a comparison between the performance score for the district and the performance score for the state as a whole;
7. the number and percentage of students not tested;
8. the number and percentage of students in each subgroup not tested;
9. the most recent two-year trend in student performance<sup>83</sup> in each subject area for each grade level;

10. a description of student, parent, community, and business involvement in student learning, including the number and percent of students and parents, respectively, who responded to the teacher evaluation survey; the number of school/business or interagency partnerships; the average number of volunteer hours a week spent in the school; and a narrative description of the results of parental, community, and business involvement;
11. attendance, retention, dropout, and graduation rates as determined under [4 AAC 06.895\(i\)](#);
12. the annual percent change in enrollment and the percent of enrollment change due to student transfers into and out of the district;
13. the performance star rating designation assigned the school under [AS 14.03.123](#) and [AAC 06.895\(f\)](#) and the methodology used to assign the performance designation, including the measures used and the relative weights other indicators, and teacher qualifications;
14. a summary of student, parent, and community member comments on the school's performance, including the number of persons commenting;
15. if Native language education is provided, a summary and evaluation of the curriculum described in [AS 14.30.420](#);
16. the most recent available academic achievement results in grades four and eight on the state NAEP reading and mathematics assessments, including the percentage of students at each achievement level reported in the aggregate, and the participation rates for students with limited English proficiency.
17. other indicators of school performance selected by the district or required by state regulation; and
18. information on the number, attendance, and performance of students enrolled in the school whose parents or guardians are on active duty in the armed forces of the United States, the United States Coast Guard, the Alaska National Guard, the Alaska Naval Militia, or the Alaska State Defense Force.

**Note:** *The district may establish regulations to require that additional information be included in reports and may specify other conditions for issuing school report cards.*

Revised 3/2015

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## Nome Public Schools

## BP 0530 CLOSURE OF SCHOOLS

### Emergency Closure Days

The Superintendent may order one or more emergency closure days if conditions exist posing a threat to the health or safety of students, staff, or the community. To the extent practicable, the Superintendent shall consult with the Department of Education and Early Development and with federal and state health and safety agencies. In all cases of emergency closure, the Superintendent shall notify the School Board and the Department of Education and Early Development, in writing, within 24 hours.

**Note:** Under [4 AAC 05.090\(h\)](#), a district may, on a form prescribed by the Department of Education and Early Development, apply to the Commissioner for approval to substitute an emergency closure day for a day in session or a day used for in-service training. The Commissioner may approve all, none, or some of the days the school was closed as emergency closure days, and require that the district replace the remaining days. In determining whether to approve, deny, or partially approve the request, the Commissioner will consider (1) the extent to which the district implemented a continuation of educational services plan during the closure; (2) the depth and quality of the educational services the district provided to students during the closure; (3) if the district had warning of the pending emergency, the extent to which the district used the warning to prepare for continuation of educational services specific to the pending emergency; (4) the communication with families of students to facilitate delivery of educational services during the emergency; (5) the nature and duration of the emergency; (6) whether teachers and administrators were in on-duty status working to deliver educational services during the emergency; (7) the academic needs of the students in the district; and (8) the public interest.

As soon as practicable after ordering an emergency closure, the Superintendent shall submit a School Board approved modified calendar to the Department of Education and Early Development. The calendar will be modified using one or more of the following options:

- (1) if the original calendar provided for more than 180 days, reduce the number of days in session or days used for in-service training for the school, so the combined number of days in session and days used for in-service training under the modified calendar remains in compliance with state law ([AS 14.03.030](#));
- (2) designate emergency closure days in place of days in session or days used for in-service training if the emergency closure days have been approved by the Commissioner of Education;
- (3) designate additional days that the school must be in session to replace school closure days that were not reduced under (1) of this subsection or approved as emergency closure days by the Commissioner.

(cf. 6111 - School Calendar)

If a school is temporarily closed for disciplinary or safety reasons, the facility must remain closed for all purposes until the school is reopened.

Legal References:

#### ALASKA STATUTES

[14.03.030](#) School Term

[14.33.120](#) School Disciplinary and Safety Program

#### ALASKA ADMINISTRATIVE CODE

85

[4 AAC 05.090](#) Discontinuation or closure of schools

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1000 CONCEPTS AND ROLES**

The School Board recognizes that local, regional, national, and international organizations, Alaska Native tribes, and all levels of government share its concerns and responsibility for the welfare health and safety of our youth.

The School Board further recognizes that the state and local community determine the number of educational programs available and the quality of the educational process in general. Therefore, it is imperative that members of the community work with the School Board and staff in developing sound educational policies, implementing programs and establishing an effective evaluation process for those programs.

School/community relations cannot merely be described as a process of reporting and interpreting, but rather can be characterized as a partnership in pursuit of excellence. It is a partnership in which community members, educators, and other school personnel perform their respective roles in view of the best interests of the schools and, most importantly, the students.

The administration is responsible for all public communication except for such matters as the School Board may wish to deal with publicly itself.

*(cf. 1100 - Communication with the Public)*

Legal References:

### ALASKA STATUTES

#### [14.03.120](#) Education Planning

Elementary and Secondary Education Act of 1965, as amended Title VII, Part A, Subpart 1; [20 U.S.C. 7421-7429](#), [7491-7492](#)

Revised 04/2019

Adopted: June 10, 2003

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**Nome Public Schools**

## **BP 1020 YOUTH SERVICES**

The School Board recognizes that large numbers of children live in poverty or neglect.

Children who come to school with unmet physical, social and emotional needs may be unable to devote themselves to learning. Our future depends upon these children becoming literate, independent and productive citizens. The Board believes that all aspects of a child's welfare must become our society's top priority.

The Board realizes that local schools alone cannot meet our children's complex individual needs. The schools have, therefore, a legitimate interest in cooperating with public and private agencies that provide day care, nutrition, and health services for children. The victims of homelessness, exploitation, substance abuse and child abuse may need multiple services which should be coordinated in order to avoid gaps, duplication, or delay. Schools, local government, businesses, foundations and charitable organizations all must work together to improve conditions for our community's youth.

Children have a right to have their physical, emotional and intellectual needs met. The Board supports public policies, which respect children by meeting their needs. The Board will advocate for local, state and national public and private policies, legislation and programs designed to provide or better coordinate services that help children to make the most of their educational opportunities.

Revised 04/2017

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1100 COMMUNICATION WITH THE PUBLIC**

The School Board appreciates the importance of community involvement and therefore shall strive to keep the community informed of developments within the school district in timely and understandable ways.

The Superintendent or designee shall use various means of communication to keep the public aware of the goals, programs, achievements and needs of our schools. Members of the community shall have opportunities to become involved in the schools and to express their interests and concerns; and to review, evaluate, and plan the educational program that is being offered.

The district shall seek to communicate in ways that accommodate the needs of all members of the public, including those with disabilities and those who are non-English speakers.

(cf. [1000](#) - *Concepts and Roles*)

(cf. [1340](#) - *Access to District Records*)

(cf. [9320](#) - *Meetings*)

(cf. [0510](#) - *School District Report Card*)

Legal Reference:

### ALASKA STATUTES

[14.03.120](#) Education Planning; Reports

### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.895](#) Report Card to the Public

Revised 04/2017

Revised 03/2015

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1112 MEDIA RELATIONS**

The School Board recognizes that the media significantly influences the public's understanding of school issues and can greatly assist the district in communicating with the community.

The Board respects the public's right to information and recognizes that the media has a legitimate interest in the schools and a responsibility to provide the community with news.

Media representatives are welcome at all Board meetings and shall receive meeting announcements and agendas upon request.

*(cf. 9320 - Board Meetings)*

Like all other visitors, media representatives must register in the school office when coming on campus during school hours.

*(cf. 1250 - Visits to the School)*

*(cf. 3515.2 - Intruders on Campus)*

The Superintendent or designee shall coordinate the release of information concerning the district and the actions of the Board. The principal or designee of each school shall provide the media with information relating to his/her school, including information about student awards, school accomplishments and events of special interest.

*(cf. 9010 - Public Statements)*

During crisis situations, all media inquiries shall be routed to the Superintendent or designee, who shall prepare and update an official statement responding to the particular situation as events unfold.

The district shall not release information which is private or confidential as identified by law and Board policy or administrative regulation.

*(cf. 1340 - Access to District Records)*

*(cf. 5125 - Student Records; Confidentiality)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1120 PUBLIC INVOLVEMENT IN BOARD MEETINGS**

The Board encourages community involvement in the schools as an essential element of effective schools. The Board and administration shall provide an opportunity for the input of parents and interested community members on Board agenda items.

*(cf. 9320 - Meetings)*

*(cf. 9321 - Closed Meetings)*

*(cf. 9322 - Agenda/Meeting Materials)*

*(cf. 9323 - Meeting Conduct)*

*(cf. 9323.2 - Actions by Board)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **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 has been 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 10, 2003

**Nome Public Schools**

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## **BP 1150 COMMENDATIONS AND AWARDS**

The School Board believes that individuals and organizations deserve recognition when they provide contributions or longstanding service to the district. The Board believes that commending such service promotes increased community understanding and participation.

*(cf. 1700 - Relations between Private Industry and the Schools)*

The Superintendent or designee shall establish procedures by which Board members, employees or members of the community may suggest persons or organizations for Board recognition. At the Board's discretion, letters of recognition, Board resolutions, plaques or awards may be presented.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

*(cf. 4156.2 - Awards and Recognition)*

*(cf. 5126 - Awards for Achievement)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 1150 COMMENDATIONS AND AWARDS**

Any Board member, employee, parent/guardian, student or community member may submit the name of an individual or organization to the Superintendent or designee for Board recognition.

Persons proposing the recognition of an individual or organization shall also indicate a suggested type of recognition which may include, but is not limited to, the following:

1. Plaques or awards, to be presented at a Board meeting, for providing the district or community with special, unusual or long-term assistance.
2. Board Resolution, to be read at a Board meeting, for distinguished service to children and youth.
3. Letter of Recognition, to be prepared by the Superintendent or designee on behalf of the Board, for significant achievement and/or service by groups such as the basketball team, choir, band, and parent/guardian/community organizations.
4. Receptions and other informal recognition activities.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1220 ADVISORY QUESTIONS**

Board members recognize the need to seek ideas and opinions from the residents of the district and to incorporate community views into the deliberations and decisions of the Board. In furthering this goal, the Board may adopt a resolution that an advisory question relating to education be placed on the next election ballot. The Board, staff, students, and members of the community are encouraged to provide input in the formulation of advisory questions.

Legal References:

### ALASKA STATUTES

[14.08.71](#) Elections; advisory votes

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1230 CITIZEN ADVISORY COMMITTEES**

The School Board recognizes that citizen advisory committees enable both citizens and educators to better understand the attitudes and opinions held in the school and community.

As the need arises, the Board may establish citizen advisory committees to consider school initiatives. Advisory committees shall serve in a strictly advisory capacity and shall not act as policy-making bodies.

Committee members shall represent a cross section of qualified people throughout the district, except in those cases where a committee is established to address the needs of a particular segment of the school community. With Board approval, the Superintendent or designee may appoint committee members.

**Note:** [AS 14.14.300](#) allows the appointment of persons 17-21 years of age to any advisory committee if recommended by a district committee on the involvement of young people in school governance established pursuant to [AS 14.14.250](#).

When committees are appointed, committee members shall receive a written statement including, but not be limited to:

1. The committee members' names.
2. The specific charges of the committee, including its topic(s) for study or well-defined area(s) of activity.
3. The specific period of time that the committee is expected to serve.
4. Legal requirements regarding meeting conduct and public notifications.
5. Resources available to help the committee complete its tasks.
6. Timelines for progress reports and/or final report.
7. Relevant Board policies and administrative regulations.
8. The procedure to be used in the selection of the committee chairperson and of the committee officers.

The Board shall have the sole power to dissolve any of its advisory committee and may exercise this power at any time.

Citizen advisory committees established by Board action shall provide public notice of their meetings and conduct such meetings in accordance with the state open meetings laws for such committees. All major conclusions and recommendations made by advisory committees shall be made available to the public in writing.

(cf. [9130](#) - Board Committees)

### **Administrative Advisory Committees**

The Superintendent or designee may establish citizen advisory committees to advise the administration.

shall describe their charges, size, term of office, and membership. The Superintendent or designee shall inform the Board of the persons appointed to such committees and any changes in committee membership or charge.

The Superintendent or designee shall provide the Board with a final report of each committee's accomplishments and shall provide summary reports and appraisals of administrative advisory committees as requested by the Board.

(cf. [2230](#) - *Representative and Deliberative Groups*)

### **Expenses, Travel, Reimbursement**

The Board may allocate funds for the use of advisory committees. Within budget allocations, the Superintendent or designee may approve requests for travel associated with the charge of the committee and reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

(cf. [4133/4233/4333](#) – *Travel Expenses*)

Legal References:

#### ALASKA STATUTES

[14.08.115](#) Advisory School Boards in Regional Educational Attendance Areas

[14.12.035](#) Advisory School Boards in Borough School Districts

[14.14.250](#) - [14.14.310](#) Involvement of Young People in School Governance

Revised 04/2017

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1240 SCHOOL-CONNECTED ORGANIZATIONS**

The School Board recognizes that parents/guardians may wish to organize clubs for the purpose of supporting the educational program and/or extracurricular programs such as athletic teams, debate teams, and musical groups. The Board supports such activities and welcomes parental interest and participation. Parent/guardian clubs shall be especially careful not to seek advantages for the activities they support if those advantages might be detrimental to the entire school program.

The Board recognizes that these organizations are independent of the school or district. In order to protect the district and students, the Superintendent or designee shall establish appropriate controls for the relationship between such organizations and the district. Groups desiring to be recognized as school-connected organizations shall request authorization from the Board in accordance with conditions established in administrative regulations.

*(cf. 1321 - Solicitation of Funds)*

*(cf. 3290 - Gifts, Grants and Bequests)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 1240 SCHOOL-CONNECTED ORGANIZATIONS**

Requests for recognition as a school-connected organization shall contain:

1. The name of the organization.
2. The date of application.
3. Membership quotas or qualifications.
4. The names, addresses and phone numbers of all officers.
5. A brief description of the organization's purpose.
6. A list of specific annual objectives.
7. The name of the bank where the group's account will be located and the names of those authorized to withdraw funds.
8. The signature of a site administrator who supports the request for authorization.
9. Desired use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future.
10. Evidence of liability insurance.

*(cf. 1330 - Use of School Facilities)*

Authorizations shall be automatically renewed each year. The organization shall annually inform the Superintendent of its current officers or contacts. The Superintendent or designee may recommend that authorizations be revoked by the Board if considered necessary.

Any program, fund-raiser or other activity sponsored by parent/guardian clubs shall be authorized and conducted according to Board policy, administrative regulations and school rules. Announcements of events and related parent/guardian permission slips shall clearly indicate that the activity or event is sponsored by the parent/guardian organization, not by the school or district.

*(cf. 1325 - Advertising and Promotions)*

*(cf. 3541.1 - Transportation: School-Related Trips)*

School-connected organizations shall present the Superintendent or designee an annual financial statement showing all expenditures and all income from fund-raisers. School connected organizations automatically grant the district the right to audit their financial records at any time, either by district personnel or by a CPA.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1250 VOLUNTEER ASSISTANCE**

The wealth of expertise and experience available in the community is a resource that should be used in appropriate ways to enrich the educational program and strengthen our schools' relationships with homes, businesses, public agencies and private institutions. By their presence, volunteers also can make school environments safer and more closely supervised. The School Board encourages parents/guardians and other members of the community to share their time, knowledge and abilities with our students.

The Superintendent or designee may authorize the use of volunteers. The Superintendent or designee shall establish regulations to protect the safety of both students and volunteers.

Like employees and students, volunteers shall act in accordance with district policies and regulations.

*(cf. [0410](#) - Nondiscrimination in District Programs and Activities)*

Revised 04/2017

Adopted: June 10, 2003

**Nome Public Schools**

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NOME PUBLIC SCHOOL DISTRICT  
WAIVER OF LIABILITY FOR VOLUNTEERS

**NOTE:** *The Nome Public School District from time to time provides opportunities for members of the community to volunteer services to the school district. However, the school district does not provide liability insurance coverage to non-district personnel serving in voluntary positions with the school district. The purpose of this waiver is to provide notice to prospective volunteers that they do not have insurance coverage by the school district and to document the volunteer’s acknowledgement that they are providing volunteer service at their own risk.*

By executing this waiver, the volunteer:

1. Acknowledges that the Nome Public School District does not provide insurance coverage for the volunteer for loss, injuries, illness, or death resulting from the volunteer’s unpaid service to the school district;
2. Agrees to assume all risk for death or any loss, injury, illness or damage, of any nature or kind, arising out of the volunteer’s supervised or unsupervised service to the school district;
3. Agrees to waive any and all claims against the Nome Public School District, or its officers, board members, employees, agents or assigns, for loss due to death, injury, illness or damage of any kind arising out of the volunteer’s supervised or unsupervised service to the school district.
4. Agrees that this waiver is effective whether the death, loss, damage, illness or injury is the result of the negligent, intentional or unintentional acts of the district, any district employee, officer, board member, or agent, or that of any other volunteer working for, or on behalf of the Nome Public School District, and further agrees to waive any and all claims against the school district, of any nature or kind, for damages arising out of the volunteer’s service to the school district.

**By my signature below, I hereby certify that I have carefully read this waiver, and that I am making this waiver knowingly, without coercion or duress.**

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Date Signature of Volunteer

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Printed Name of Volunteer Witnessed by

**NOME PUBLIC SCHOOLS  
Adopted: June 10, 2003**

## **BP 1260 VISITS TO THE SCHOOLS**

The School Board encourages parents/guardians and interested members of the community to visit the schools to learn about, observe, or partner in educational and extracurricular programs. The Superintendent or designee shall invite parents/guardians and the community to open house activities, specific volunteer roles, and other special events. Announcements of these events shall have wide dissemination in the community.

*(cf. 1112 - Media Relations)*

Visitors are encouraged to demonstrate the highest standard of conduct and courtesy to help create positive learning environments and to comply with all policies within the school.

The Superintendent or designee shall establish procedures to facilitate visits during regular school days and register all visitors at the school office when entering school grounds. Procedures for school visits and volunteer opportunities will be posted in readily available locations such as the district website and in parent newsletters.

The Board recognizes the staff time and commitment required for school visits and encourages the staff to develop practices to support community participation and to accommodate as many requests for visits as possible. To ensure minimum interruption of the instructional program, visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

*(cf. 3515 - School Safety and Security)*

*(cf. 3515.2 - Intruders on Campus)*

Revised 04/2019

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1311 PARTICIPATION IN COMMUNITY LIFE**

The Board believes the school and community should work as a unified whole in the process of educating students enrolled in the District. Understanding community values and priorities are important to the ongoing success of the educational program. Staff members should be respectful of community values in their contacts with the community.

*(cf. 5137 - Positive School Climate)*

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*(cf. 6141.3 – Multicultural Education)*

The quality of a school program is related to staff understanding of local culture and traditions, parents' wishes for their children, and public understanding of the District's goals and methods for education. Strong school-community relationships require cooperative development and maintenance of efficient two-way channels of communication between the school and the community. This communication should be fostered through dialogue, input, and feedback.

District communications with the public should meet the following goals:

- (1) inform the public about the work of the schools;
- (2) improve the partnership of parents and teachers in meeting the educational needs of students;
- (3) develop awareness of the importance of culture in education;
- (4) integrate the home, school, and community in improving educational opportunities;
- (5) clarify the aims, objectives, and work of the school;
- (6) make school facilities and personnel available for community use, within limits set by the Board; and
- (7) make use of community resources in carrying out the educational program.

*(cf. 5124 –Communication with Parents/Guardians)*

The School Board encourages affiliation of school personnel with community organizations having missions consistent with that of the District, and encourages participation of school staff in appropriate community activities and projects.

*(cf. 6145.5 – Student Organizations and Equal Access)*

*Adopted: June 18, 2019*

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**Nome Public Schools**

## BP 1312 PUBLIC COMPLAINTS CONCERNING THE SCHOOLS

The School Board believes that a quality educational program is dependent upon a strong relationship with its communities. The School Board further believes that improved student success results when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective and culturally responsive process.

The Board encourages complainants to resolve problems early and informally whenever possible. The School Board expects that all district staff who respond to complaints and resolve problems will do so in a manner that is culturally responsive and is not influenced by discrimination or biases. 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 and if needed, should be available in languages which parents use and understand.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, School Board members should also demonstrate cultural responsiveness while listening to the complaint and providing assistance by referring the complainant to the Superintendent or designee so that the problem may receive proper consideration and due process.

*(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 References:

### 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

### 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

### CODE OF FEDERAL REGULATIONS

[34 CFR 200.74](#) and [Part 300](#)

### UNITED STATES CODE

GENERAL EDUCATION PROVISIONS ACT, [20 U.S.C. 1221](#) *et. seq.*, especially:  
FAMILY EDUCATIONAL RIGHTS AND PRIVACY RIGHTS ACT, [20 U.S.C. 1232g](#)

Reviewed 04/2019

Adopted: June 10, 2003

### **Nome Public Schools**

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## **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. The School Board shall strive to adopt instructional materials that refrain from cultural biases or perspectives that promote discrimination or socioeconomic disparity based on race, ethnicity, religious or cultural beliefs, disability, familial status, sexual identification or sexual orientation. The school board will strive, when possible, to incorporate culturally responsive materials and materials that support students' cultural identity and local knowledge.

*(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 the equitable and transparent 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 School Board expects and trusts the Superintendent and staff are well qualified to consider complaints concerning instructional materials. The Superintendent or designee's decision is the final response from the district administration. 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 School Board meeting. The request shall be made in writing and addressed to the President of the Board of Education as well as the Superintendent or designee.

The administration or School 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 School Board disagrees.

*(cf. 6144 - Controversial Issues)*

Revised 04/2019

Adopted: June 10, 2003

**Nome Public Schools**

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## **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 10, 2003

## Nome Public Schools

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**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: \_\_\_\_\_



## **BP 1312.3 PUBLIC COMPLAINTS CONCERNING DISCRIMINATION**

The School Board recognizes that the district has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. Furthermore, the School Board seeks to ensure that students, regardless of ethnicity, race, religion, disability, gender identity, sexual orientation or socioeconomic background, do not disproportionately experience suspension, expulsion, other disciplinary actions, nor any form of discrimination. The School District will ensure that opportunities and courses are offered and accessible to all students in a fair manner and without discrimination. The Superintendent or designee shall establish procedures to investigate and seek to resolve complaints alleging unlawful discrimination related to educational programs and activities.

The School 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. 4112.6/4212.6/4312.6 - Personnel Records)*

*(cf. 5125 - Student Records)*

The School 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. 1312.1 – Public Complaints Concerning School Personnel)*

*(cf. 1312.2 – Public Complaints Concerning Instructional Materials)*

*(cf. 5141.4 - Child Abuse and Neglect)*

Legal References:

### 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

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

CODE OF FEDERAL REGULATIONS

[34 CFR 200.74](#) and [Part 300](#)

UNITED STATES CODE

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.*

Revised 04/2019

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 1312.3 PUBLIC COMPLAINTS CONCERNING DISCRIMINATION**

### **Compliance Responsibility**

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:

Superintendent  
P.O. Box 131  
Nome, AK 99762  
907-443-2231

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 10, 2003

### **Nome Public Schools**

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## **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

Added 3/2015

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**Nome Public Schools**

## **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.

#### **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. 116

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.

Added 3/2015

## **Nome Public Schools**

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## **BP 1313 WILLFUL DISRUPTION OF THE SCHOOL**

The School Board recognizes that parents, legal guardians, and other adults may not fully understand or disagree with the policies of the District or the actions of its employees.

The Board expects the staff and administration to respond to such concerns in a polite and professional manner. The Board also expects that parents and other adults will conduct themselves in an appropriate manner in their efforts to pursue such matters, including use of the District's complaint procedures.

In resolving such concerns, a safe and orderly learning environment in which teachers can teach and students can learn must be maintained. The School Board does not condone having its employees subject to name-calling, defamation of character, threats or coercion of any kind. Adults who violate these standards of conduct shall be instructed to conduct themselves in a proper manner or to leave school district property. Should an individual refuse to follow these instructions in a prompt and orderly manner, the Superintendent, principal, or designee is authorized to call law enforcement agencies for assistance to have the individual removed and charges may be filed for willful disruption of the school. Other charges that are applicable may also be filed at the discretion of the administrator.

*(cf. [1260](#) - Visits to the Schools)*

*(cf. [3515](#) - School Safety and Security)*

*(cf. [3515.2](#) - Intruders on Campus)*

*(cf. [1312](#) - Public Complaints Concerning the Schools)*

*(cf. [1312.1](#) - Public Complaints Concerning School Personnel)*

Legal References:

### ALASKA STATUTES

[AS 11.61.110](#) Disorderly Conduct

[AS 11.61.120](#) Harassment in the Second Degree

Revised 04/2017

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1321 SOLICITATION OF FUNDS FROM AND BY STUDENTS**

The School Board recognizes that participation in fund-raising for worthwhile purposes can help students develop a sense of social responsibility and promote a sense of belonging.

*(cf. 1320 - Relations Between the Public and Students)*

When approved in advance by the Board, funds may be solicited or materials distributed for those nonprofit, nonpartisan charitable organizations that are properly chartered or licensed by state or federal law.

With the approval of the Superintendent or designee, school-related organizations may organize fund-raising events involving students. The Superintendent or designee shall inform parents/guardians of the purpose of fund-raisers sponsored by schools or school groups.

*(cf. 3452 - Student Activity Funds)*

*(cf. 1230 - School-Connected Organizations)*

*(cf. 3290 - Gifts, Grants, and Bequests)*

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, the Board particularly desires that no person be made to feel uncomfortable or pressured to provide funds. Staff are expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee may limit fund-raising activities in order to prevent interference with the instructional program or to protect students from dangerous or unsafe situations. No students shall be barred from an activity because they did not participate in fund-raising activities.

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 1321 SOLICITATION OF FUNDS FROM AND BY STUDENTS**

All selling or soliciting activities must be approved by the Principal or designee before the activity. If the event involves a written contract with a commercial vendor, the contract shall be approved by the Superintendent or designee. The sponsor of fund-raisers involving students shall be identified in all solicitations.

### **Instructional Safeguards**

The principal or designee shall limit fund-raising activities to appropriate time periods.

Students making solicitations on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses, whatever the outcome of the solicitation may be.

### **Student Safety**

Students shall comply with all school safety rules. Students in grades K-6 shall not be involved in any door-to-door sales or solicitations.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1322 PUBLIC PERFORMANCES BY STUDENTS**

The School Board recognizes that educational and personal values accrue from student participation in civic and community affairs. The Superintendent or designee may authorize public performances by students when they contribute to the educational process and are consistent with Board policies and administrative regulations.

*(cf. 0100 - Philosophy)*

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

*(cf. 1321 - Solicitation of Funds From and By Students)*

*(cf. 1325 - Advertising and Promotion)*

*(cf. 1330 - Use of School Facilities)*

*(cf. 6115 - Ceremonies and Observances)*

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*(cf. 6145 - Extracurricular and Co-Curricular Activities)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1325 ADVERTISING AND PROMOTION**

### **Public Information**

The School Board desires to cooperate in publicizing community services, special events and public meetings of interest to students and parents/guardians. The Superintendent or designee may approve the publicity of public events or distribution of promotional materials which extend cultural, recreational, artistic or educational opportunities to the community and which do not promote any particular commercial interest or religious belief.

*(cf. 0100 - Purpose)*

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

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

*(cf. 6162.8 - Research)*

### **Paid Advertisements**

Advertising copy may be solicited to the extent that this process furthers the educational well-being of the students involved and does not interfere with school-community relations.

The district shall not accept advertising copy which:

1. Is obscene, libelous, or slanderous, or which incites students to commit unlawful acts, violate school rules, or disrupt the school's orderly operation.
2. Attacks or denigrates any group on account of sex, race, color, religion, ancestry, national origin, handicap or disadvantage.
3. Promotes the use or sale of materials or services which are illegal or inconsistent with school objectives. Ads for tobacco, intoxicants, and x-rated movies or products shall not be used.

The district will not unlawfully discriminate against advertisers who meet the requirements of Board policy and administrative regulations and procedures.

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

Adopted: June 10, 2003

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**Nome Public Schools**

## **AR 1325 ADVERTISING AND PROMOTION**

The principal or designee shall review advertising and promotional material to be distributed through the schools to ensure that it complies with the provisions of Board policy and administrative regulations prior to approving the dissemination of such information. Authorized material/information may be disseminated through school-sponsored publications or by students on a voluntary basis.

All advertising and promotional information distributed through the schools shall identify the name and contact location of the sponsoring group. All surveys or questionnaires requiring student or parent/guardian response must have prior approval of the Superintendent or designee.

District services and activities involving commercial products will not include the distribution of unsolicited merchandise for which an ensuing payment is requested.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1325.1 COMMERCIALS**

The School Board believes commercials in the educational program are intrusive and are not in the best interests of our students. Commercials are not part of our students' compulsory education and do not merit the same attention and trust as is accorded to educational materials. School time shall not be used for the promotion of commercial products.

Schools are established and maintained with funds allocated specifically for education, and class time shall be dedicated entirely to educational purposes. Advertisements may be studied, however, as part of the consumer education curriculum.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1330 USE OF SCHOOL FACILITIES**

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

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

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

*(cf. 0100 - Philosophy)*

*(cf. 0430 - Community School Program)*

*(cf. 6145.5 – Student Organizations and Equal Access)*

Legal References:

### ALASKA STATUTES

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

[14.03.100](#) Use of school facilities

### UNITED STATES CODE

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

Revised 04/2019

Revised 03/2015

**Nome Public Schools**

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## AR 1330 USE OF SCHOOL FACILITIES

### Facility Use Restrictions

1. Facility users must comply with all applicable state and federal laws, City and Borough ordinances, school district policies and rules, and rental agreement conditions.
2. Use or possession of alcoholic beverages and/or drugs is prohibited. ([AS 04.16.080](#))
3. Facility use that represents a safety or security risk to the district is prohibited.
4. No partisan, sectarian or denominational doctrine may be advocated in school facilities during the hours the school is in session.
5. After use of partisan or religious activities, each group or individual shall police the use area to ensure that partisan or religious information, literature, papers, or documents of any kind are removed from the facility use area.
6. Facility users are not to operate any school equipment or use facility areas other than that stipulated in the facility use request.

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

### Facility Use Requests and Application Procedures

Requests for approval to use school facilities shall be approved whenever possible. However, the district reserves the right to reassign the requested space or any facility use for reasons of building security, maintenance requirements, fuel economics, and appropriateness of the activity for the area requested.

School district approval to use school facilities will be given impartially to individuals and groups. In weighing competing requests for the use of school facilities, preference shall be given in the following order:

1. In-school uses (clubs, class events, etc.).
2. Contracted uses.
3. School support groups and youth groups.
4. Public agencies and public affairs groups.
5. Community recreational and cultural events.
6. Community religious or special interest events.
7. Private, nonschool-connected classes and educational events.
8. Profit-making or commercial events, out-of-town groups, etc.

Groups or persons using school facilities under the provisions of this policy shall be liable for any property damages caused by the activity. The Board shall charge the amount necessary to repair the damages and may deny the group further use of school facilities.

The Superintendent or designee shall establish procedures which will require proof of insurance to process requests to use school facilities or grounds in accordance with district policies and regulations, preserve order in school buildings and on school grounds, and protect school facilities.

### Shop Use – Position Statement:

It is the belief of the district that all of its facilities are primarily constructed for the benefit of school age children. It is likewise realized that community use of school facilities enhances the overall attitude and

educational development of the school community.

Some facilities within the school can be used with little or minimal cost to the district. Other facilities, such as the vocational shop, are expensive to maintain. In addition, whenever power tools are used, there is always the danger of personal injury, thereby increasing the potential liability of the district.

In order to maintain shops and shop equipment, the district has developed the following shop use plans.

1. School related groups or individuals will be permitted reasonable use of shop facilities without charge.
2. Where feasible, community school shop usage will be coordinated with the site administrator.
3. In all situations, a supervisor approved by the site administrator shall be present. The groups or individuals using the shop facility will be responsible for the damage or loss to building or equipment. Any deviation from policy within this paragraph shall be only with the approval of the site administrator. Fees may be charged at the discretion of the site administrator.
4. Groups or individuals receiving permission are restricted to the dates and hours approved and to the building area and facilities specified, unless requested changes are approved by the site administrator.
5. Groups receiving permission are responsible for the judicious observance of local and state fire and safety regulations at all times.
6. The use of alcoholic beverages, profane language, or gambling in any form is not permitted in school buildings. Smoking on the premises is not permitted.
7. Tools, both hand and power, are not to be removed from the immediate school premises.
8. It is recommended that the site administrator develop further rules and regulations that apply to a specific building site.
9. Site administrator or designee shall successfully complete an equipment safety test prior to using the shop.
10. Usage of school materials is prohibited.

Revised 04/2019

Adopted: June 10, 2003

## **Nome Public Schools**

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## **BP 1331 MEMORIAL POLICY**

The School Board recognizes that the loss of a member of the school community has a great impact on students, staff, and families. Furthermore, the School Board recognizes that decisions made about memorials immediately after traumatic events may not take into full consideration the potential impacts for students, staff, and community members. The purpose of this policy is to assist staff, students and families impacted by a death by providing guidelines for decision-making regarding memorials and memorializing activities. "Memorials" mean objects or activities meant to remember an event or deceased person(s).

The focus of a school is to support students in their learning. This may necessarily include support for students and staff who are grieving a loss of a member of the school community. Memorials, though, can be an ongoing reminder of a traumatic event and can be impossible for students to avoid when located on school property.

Therefore, permanent memorials for deceased students or staff shall be limited in form to perpetual awards, scholarships or collections of books or items of historical or educational significance. Temporary school-wide memorials for deceased students or staff may include plaques or other displays which shall contain "in memory of," or similar language, and the deceased individual's name, date of birth and date of death. Memorials shall be limited to one per loss. Temporary memorials shall be removed from display at the end of the school year in which the death occurred and given to the family of the deceased.

This policy will guide decisions moving forward from the date of first adoption and will not impact previous memorials. The guidelines regarding memorials will be kept in each building and in the office of the superintendent. Persons who have questions, comments or concerns should contact the Superintendent or designee.

*Added 3/2016*

**Nome Public Schools**

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## **BP 1400 RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS**

The School Board recognizes that agencies at all levels of government share its concern and responsibility for the welfare, health and safety of our youth. The School Board further recognizes that tribal governments are committed to meeting the needs of tribal students within the district. The School Board and staff shall take every opportunity to work cooperatively with these agencies for the benefit of our students.

*(cf. 1020 - Youth Services)*

*(cf. 9140 - Board Representatives)*

*(cf. 9311 - Board Policies)*

The Superintendent or designee shall initiate and maintain cooperative relationships with representatives of other public agencies, tribal governments, or tribal government educational proxies in order to help our schools and students make use of the resources which governmental agencies can provide. The Superintendent or designee shall ensure that agreements with other agencies which involve the exchange of funds or reciprocal services are executed in writing so that roles and responsibilities are clearly defined. The District shall make information available to parents/guardians about shared or cooperative services so that students may benefit to the fullest extent. Agreements may be shared among agencies to prevent duplicative efforts and to expedite cooperative programs and services.

*(cf. 3312 - Contracts)*

Legal References:

### ALASKA STATUTES

[03.20.100](#) Farm-to-school program

[14.12.150 - 14.12.170](#) Regional Resource Centers

[47.10.093](#) Disclosure of agency records.

[47.10.090](#) Court records

[47.12.310](#) Agency records

Revised 04/2019

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 1410 INTERAGENCY COOPERATION FOR STUDENT AND STAFF SAFETY

Students and staff have a right to feel safe and secure within the school environment. The Board recognizes that a safe school environment can be furthered by cooperation between the district and other agencies, including law enforcement. The district will actively facilitate such cooperation, including the sharing of criminal information as allowed by law. The Superintendent or designee shall work with appropriate agencies for the sharing of information as may be necessary to protect the safety of school students and staff.

A teacher, teacher's assistant, principal, or other person responsible for students who receives information about a student that may affect the safety of students or staff, including information from other agencies, shall disclose such information in accordance with the procedures developed by the Superintendent.

**Note:** *Effective January 1, 2001, a teacher, teacher's assistant, administrator, or other employee responsible for students who, during the course of employment, observes a student committing a crime must report the crime to local law enforcement. [AS 14.33.130](#). The obligation to report to law enforcement resides with the staff member observing the crime. "Crime" means an offense for which a sentence of imprisonment is authorized; a crime is either a felony or a misdemeanor. [AS 11.81.900](#).*

Staff members who, in the course of their employment, observe a student committing a crime shall report the crime to local law enforcement. The staff member shall also immediately report the crime to the Superintendent.

Programs and activities designed to enrich district curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged by the district. Law enforcement participation in such programs and activities is encouraged.

Law enforcement officials may enter school facilities if a crime has been committed on district property or to investigate matters concerning staff and students upon request initiated by either agency officials or by district administrators.

*(cf. 1400 - Relations between Other Governmental Agencies and the Schools)*

*(cf. 3515 - School Safety and Security)*

*(cf. 5125 - Student Records)*

*(cf. 5142 - Safety)*

Legal References:

### ALASKA STATUTES

[11.81.900](#) Definitions

[14.12.150-14.12.170](#) Regional Resource Centers

[14.33.120](#) School Disciplinary and Safety Program

[14.33.130](#) Enforcement of Approved Program, Additional Safety Obligations

[47.12.310](#) Agency Records

[47.12.315](#) Public Disclosure of Information in <sup>180</sup>Agency Records Relating to Certain Minors

[47.10.093](#) Disclosure of Agency Records

[47.10.090](#) and [47.12.300](#) Court Records

Adopted: June 10, 2003

## **Nome Public Schools**

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## **AR 1410 INTERAGENCY COOPERATION FOR STUDENT AND STAFF SAFETY**

The following protocol will be followed when information regarding a student that may affect the safety of students or staff is received from law enforcement, the Division of Family and Youth Services or other agencies, or any other source:

1. The Superintendent is designated to receive safety information regarding students, including notices of criminal conduct. A staff member having information about a student concerning a possible threat to safety shall immediately report such information to the Superintendent. The Superintendent will forward information from staff members or agencies to the designated administrator at the site attended by the student.
2. Each site shall develop a procedure for handling this information as it arrives.
3. One person at each school (principal, assistant principal, or counselor) shall be identified to handle the law enforcement notices.
4. The confidentiality of the student must be protected and disclosure of this sensitive information is not authorized except as set forth in these procedures.
5. The site administrator will review the information and share on a need to know basis with appropriate staff who work closely with the student.
6. These alerts shall be placed in the student's cumulative folder and transferred with the student if the student moves to another school.
7. If the school has other information which it thinks the law enforcement agency needs to be aware of regarding the student, this information should be relayed to the Superintendent who will then forward it to the appropriate agency.
8. Prior to any Child Protection Team (CPT) meeting, the District's representative to the CPT shall contact the Secretary of the CPT or other appropriate team member to obtain names of Nome Public School students who may be discussed at the meeting. Upon obtaining this information, the representative shall meet with the Superintendent to review and consider if the educational records of the student can be disclosed, discussed, or shared with the CPT in compliance with the confidentiality requirements of FERPA. If the Superintendent determines that there are educational records that cannot be disclosed, discussed or shared with the CPT, the representative, or other appropriate district personnel, shall contact the student's parents, or the student if over the age of 18, to seek written consent for the disclosure, discussion, or sharing of the educational records.

Revised 8/2011

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 1700 RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS**

The School Board encourages representatives of private industry to participate with the schools in preparing our students for challenges they will meet in the future. Working together as partners, the business community and the schools should seek to educate citizens who can contribute to the productive work force on which our economy depends.

*(cf. 1150 - Commendations and Awards)*

Local employers are encouraged to serve on advisory committees, help design regular, vocational and technical programs, and provide needs assessments, program evaluations, and/or staff development for school managers and teachers. Businesses may also provide classroom assistance, individual tutoring, incentive and recognition programs, work experience opportunities, apprenticeship programs and employment opportunities.

The Board recognizes that the success of business involvement depends largely upon the commitment of adequate staff resources to plan and implement such activities.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 6164.42 - Guidance Services)*

*(cf. 6178 - Vocational Education)*

The School Board recognizes that students especially need access to equipment that meets the requirements of an increasingly technological world and welcomes the contribution of funds or equipment to further the district's educational programs.

*(cf. 3290 - Gifts, Grants and Bequests)*

*(cf. 6000 - Instruction)*

The Board urges employers to further support the schools by recognizing their employees' needs as parents and by supporting parent involvement with the schools.

*(cf. 1250 - Visits to the Schools)*

*(cf. 6020 - Parent Involvement)*

Adopted: June 10, 2003

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**Nome Public Schools**

## BP 2000 CONCEPTS AND ROLES

The School Board expects the administration to promote the creation of the best possible educational program and to maintain an environment conducive to learning. The Superintendent shall provide the vision and educational leadership in this effort and shall give top priority to meeting the needs of all students and actively helping teachers raise academic achievement.

The Board may employ administrative and supervisory personnel to assist in the effective management of the district. The Board expects the Superintendent to recognize, develop and use the leadership abilities of staff.

The Superintendent or designee shall develop decision-making processes which are responsive to the school community and to the specific needs of individual students. He/she shall provide means by which staff, students and parents/guardians at each school may participate in decisions related to school improvement and matters which the Board identifies as appropriately managed at the school site level. The administration shall provide professional advice to the Board and to citizen advisory committees.

*(cf. 0420 - School-Based Management/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 2230 - Representative and Deliberative Groups)*

*(cf. 8000 - Advisory School Boards)*

The Board desires to give all administrators the authority they need in order to carry out their assigned responsibilities. The Board shall clearly state what it expects of the Superintendent and shall evaluate him/her on how well those expectations have been met. In turn, the Superintendent or designee shall clearly state what is expected of all other administrators and shall evaluate how well those expectations have been met.

*(cf. 4300 - Management, Supervisory and Confidential Personnel)*

*(cf. 4315 - Evaluation/Supervision)*

*(cf. 4319.3 - Duties of Personnel)*

Legal References:

### ALASKA STATUTES

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

[14.14.110](#) Cooperation with other districts

[14.14.130](#) Chief School Administrator

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2100 ADMINISTRATIVE STAFF ORGANIZATION**

Authority originates with the publicly elected School Board and state laws and regulations. The Superintendent or designee may delegate authority and responsibility to the administrators and staff in accordance with law and Board policy.

The Superintendent shall organize the administrative staff in a manner which best enables the district to provide an effective program of instruction. He/she may adjust staff responsibilities to accommodate the district needs and/or individual capabilities.

*(cf. 2230 - Representative and Deliberative Groups)*

*(cf. 4119.3 - Duties of Personnel)*

Legal References:

### ALASKA STATUTES

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

[14.14.130](#) Chief school administrator

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2110 ORGANIZATION CHART/LINES OF RESPONSIBILITY**

All schools and departments shall form a single administrative system organized so that appropriate decision-making may take place at various levels in accordance with Board policy and administrative regulations. The Superintendent or designee shall maintain a current district organization chart, approved by the Board, which identifies lines of primary responsibility and the relationships between district positions.

The organization chart should clarify working relationships and functions. It is not intended to indicate all the lines of communication and cooperation which must exist to create successful and effective schools. The Superintendent or designee shall insure that all personnel understand to whom they are responsible and for what functions. Lines of responsibility should in no way prevent staff members at all levels from cooperating to develop the best possible school programs and services.

*(cf. 2120 - Superintendent of Schools)*

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

*(cf. 4119.3 - Duties of Personnel)*

Adopted: June 10, 2003

**Nome Public Schools**

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**E 2110 ADMINISTRATION CHART**

View or print [ADMINISTRATION CHART](#).

**Nome Public Schools**

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## **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 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 References:

### ALASKA STATUTES

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

[14.14.130](#) Chief school administrator

Adopted: June 10, 2003

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**Nome Public Schools**

## **BP 2121 SUPERINTENDENT'S CONTRACT**

**Note:** [A.S. 14.14.130](#) allows for the employment of a chief school administrator and permits the Board to employ a chief school administrator by contract. [AS 14.20.130](#) limits the employment contract for the Superintendent to a term of three years.

The School Board shall employ a Superintendent to serve as its chief administrative officer for a contract term of not more than three years. Prior to entering into an employment contract with the Superintendent, the Board shall have the contract reviewed by legal counsel.

The Board shall notify the Superintendent of its intention not to renew his/her contract early enough to ensure compliance with any notice requirements of the existing contract. Any extension of the life of the contract shall be contingent upon a satisfactory evaluation of the Superintendent's performance.

*(cf. 2123 - Evaluation of the Superintendent)*

Legal References:

### ALASKA STATUTES

[14.14.130](#) Chief School Administrator

[14.20.130](#) Employment of teachers and administrators

Adopted: June 10, 2003

**Nome Public Schools**

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## **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 References:

### ALASKA STATUTES

[14.14.130](#) Chief School Administrator

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2123 EVALUATION OF THE SUPERINTENDENT**

The Board believes that an annual evaluation of the Superintendent's performance strengthens working relationships between the Superintendent and the Board. The evaluation process should clarify the Superintendent's role and give the Board and Superintendent an opportunity to jointly identify immediate priorities among the Superintendent's many responsibilities. Evaluations also should help the Board to monitor progress toward established goals and to set reasonable criteria for salary increases and/or contract extension.

The Board shall meet with the Superintendent to discuss the evaluation, including commendations in areas of strength and recommendations for improving effectiveness. The Superintendent and Board members shall agree upon an evaluation summary, which shall be signed by the Superintendent and Board President. Additional evaluations may be arranged at any time during the school year at the request of either the Board or the Superintendent.

*(cf. 2121 - Superintendent's Contract)*

The evaluation process shall be reviewed annually by the Superintendent and Board members to determine whether any of the following steps need improvement:

1. Developing or reviewing/revising the Superintendent's job description.
2. Adopting or reviewing/revising evaluation policy.
3. Establishing clear criteria to include progress on district goals.
4. Establishing or reviewing/revising the evaluation process.
5. Carrying out the evaluation.
6. Summarizing the results.
7. Discussing the results with the Superintendent.
8. Developing a plan for growth and improvement.

*(cf. 9321 - Executive Sessions)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2210 ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY**

The Superintendent or designee shall have the power to act, within the parameters of law, in cases where action must be taken and where the School Board has not provided guidelines for administrative action. If the action necessitates the addition or revision of policies, the Superintendent or designee shall make the necessary recommendations to the Board.

It shall be the duty of the Superintendent or designee to keep the Board president apprised of any action taken in emergency situations as soon as practicable after its occurrence. The president shall use his/her discretion in informing the Board before its next regular meeting.

*(cf. 9314 - Suspension of Policies, Bylaws, Administrative Regulations)*

*(cf. 9320 - Meetings)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2230 REPRESENTATIVE AND DELIBERATIVE GROUPS**

The Superintendent or designee may establish a management team, administrative councils, task forces, cabinets, or committees as needed to properly administer Board policies, improve the educational program and assist in district communication. The membership, composition, and responsibilities of these advisory groups shall be defined by the Superintendent or designee and may be changed at his/her discretion. Advisory groups shall channel their advice and recommendations through the Superintendent to the Board.

Expenses incurred for consulting services, materials and travel may be paid from the district's general operating funds only when within budgetary allotments and approved by the Superintendent or designee.

*(cf. 0420 - School-Based Management/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 8000 - Advisory School Boards)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2250 ADMINISTRATOR-IN-CHARGE/ADMINISTRATOR'S DESIGNEE**

The School Board recognizes that the Superintendent and the principal may be absent from the district and school site in the course of his/her professional duties or for other reasons. Therefore, the Board authorizes the position of administrator-in-charge/administrator's designee in order to provide proper supervision and maintain the continuity of the instructional program and school operations.

In the absence of the administrator, the administrator-in-charge/administrator's designee shall administer the school in accordance with Board policy, administrative regulations and procedures, and the law. The delegation of school site duties shall not relieve the regular administrator of the responsibility for actions by the administrator-in-charge/administrator's designee.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 2300 CONFLICT OF INTEREST**

The School Board recognizes that certain positions may involve an employee's participation in decisions affecting his/her financial interests. Employees shall refrain from participating in official district financial decisions in which they have a substantial financial interest.

*(cf. 3315 - Relations with Vendors)*

*(cf. 4112.8 - Employment of Relatives)*

*(cf. 9270 - Conflict of Interest Code)*

Legal References:

### ALASKA STATUTES

[29.20.010](#) Conflict of Interest

[14.12.090](#) Oath

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3000 CONCEPTS AND ROLES**

The School Board recognizes that money and money management comprise the foundational support of the entire school program. To make that support as effective as possible, the Board intends to:

1. Encourage advance planning through the best possible budget procedures.
2. Explore practical sources of dollar income.
3. Guide the expenditure of funds so as to derive the greatest possible educational returns.
4. Expect sound fiscal management from the administration.
5. Advocate a level of funding sufficient to provide quality education.

The Board desires to support the educational program with high standards of safety in the operation and maintenance of school facilities, equipment and services.

### **Role of The Board**

The Board:

1. Solicits public input on educational needs and utilizes that information in making budget decisions.
2. Approves and adopts the annual budget and approves budget transfers.
3. Is accountable for all district funds.
4. Adopts written policies governing the purchase of supplies and equipment.
5. Monitors all expenditures by periodically reviewing financial statements and approving payments as required by policy.
6. Reviews the annual audit of district accounts and business procedures.
7. Adopts an insurance program which complies with law and reflects prudent financial management.
8. Provides for long-range plans to acquire or dispose of sites and to add, maintain and staff new facilities.
9. Advocates and secures community support for additional financing when necessary.

### **Role of Superintendent or Designee**

The Superintendent or designee:

1. Prepares the detailed annual budget and presents it to the Board for adoption.
2. Administers the budget and keeps expenditures within approved limits.
3. Enforces requisition and purchase order policies and regulations.
4. Establishes control/inventory systems to account for district funds, supplies and equipment in accordance with law and Board policy.
5. Makes all financial reports required by law or Board policy and prepares reports for public release.
6. Analyzes the district's financial condition and presents the Board with proposals for meeting financial needs.

7. Provides for the annual audit of district accounts and business procedures.
8. Helps the Board to establish an adequate insurance program.
9. Maintains the district's non-instructional operations.

### **Working Relationships of the Board and Superintendent or Designee**

The Superintendent or designee shall recommend financial plans to the Board in accordance with the district's goals and objectives, whenever district programs may be endangered by a lack of funds or when the continuation of district programs may result in an over expenditure of district funds.

The Board desires complete information from the Superintendent or designee on all matters relating to the district's financial operations. The Board shall closely scrutinize all district financial operations so that it may fully discharge its legal responsibilities with regard to school finance.

*(cf. 3460 - Financial Reports and Accountability)*

Legal References:

#### ALASKA STATUTES

- [14.08.101](#) Powers (Regional School Boards)
- [14.08.111](#) Duties (Regional School Boards)
- [14.12.020](#) Support, Management and Control
- [14.14.060](#) Relationship between borough school district and borough
- [14.14.065](#) Relationship between city school district and city
- [14.14.090](#) Additional duties

Adopted: June 10, 2003

### **Nome Public Schools**

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## **BP 3100 BUDGET**

The School Board shall establish and maintain a balanced budget. The Board shall adopt an annual budget which is compatible with district goals and objectives.

*(cf. 0200 - Goals for the School District)*

*(cf. 3460 - Financial Reports and Accountability)*

The district budget shall be prepared annually from the best possible estimates of revenues and expenditures. The Superintendent or designee shall determine the manner in which the budget shall be prepared and shall schedule the budget adoption process in accordance with legal time requirements. A public hearing shall be held prior to the adoption of the budget or a revised budget.

Legal References:

### ALASKA STATUTES

[14.07.030](#) Powers of state department

[14.07.170](#) Additional powers and duties of state board

[14.12.020](#) Support, management and control

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

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

[14.17.300 - 14.17.990](#) Financing of public schools

### ALASKA ADMINISTRATIVE CODE

[4 AAC 09.006 - 4 AAC 09.050](#) State Aid

[4 AAC 09.110 - 4 AAC 09.990](#) School Operating Fund

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3100 BUDGET**

### **Public Comment and Availability of Proposed Budget**

The proposed budget, showing expenditures, cash balances and all revenues, shall be made available for public inspection before the public hearing date.

The Board shall hold a public hearing on the proposed budget for permitting any district resident to appear and speak to the budget or any item on the budget.

### **Adoption of the Budget**

The adoption of the budget shall not take place until the public hearing is concluded. The district budget shall conform to state regulations regarding form and content.

By May 1, the Board shall adopt and submit an annual budget to the borough assembly/city council for approval of the local contribution of revenue to the school district. If budget revisions are necessary based on the amount of local contribution to the schools approved by the borough assembly/city council, the Board shall conduct a public hearing prior to adopting a revised budget. (A.S. [14.14.060/14.14.065](#))

By July 15, the adopted budget shall be submitted to the state department of education for approval. The state commissioner may reject the district budget if it is not in the form required by the state, is not balanced, does not meet local effort requirements of law, or does not otherwise meet the requirements of [AS 14.17.910](#). If rejected by the state, the district is not eligible for state aid under [AS 14.09](#) or [AS 14.17](#) until the district has submitted a revised budget that has been approved by the department. If the budget contains a prior year fund balance as revenue, the budget shall be revised and resubmitted if the annual audit shows the fund balance to be less than projected. ([4 AAC 09.110/09.120/09.130](#))

*Revised 05/2017*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3110 TRANSFER OF FUNDS**

The School Board recognizes that the transfer of funds between budget categories may be necessary in order to ensure that the district maintains a balanced budget. The Superintendent or designee may authorize budget transfers under \$25,000. All transfers shall be reported to the Board and are subject to Board approval.

Legal References:

### ALASKA STATUTES

[14.14.060](#) Relationship between Borough School District and Borough; Finances and Buildings

[14.14.065](#) Relationship between City School District and City

Revised 04/2017

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3200 INCOME**

Effective district planning depends upon accurate projection and calculation of anticipated district income. The Superintendent or designee shall ensure that all income sources are identified and received as early as possible each year.

Legal References:

### ALASKA STATUTES

[14.07.070](#) Withholding state funds

14.17.080 Student count estimates

14.17.082 Fund balance in school operating fund

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3260 MATERIALS FEES**

The School Board will make every effort to provide the instructional equipment, books and materials needed to maintain the desired instructional program so that teachers, students, and parents/guardians do not feel compelled to provide such items and school fund raising activities are minimized. The sale of any school supplies or materials must be authorized by the Superintendent or designee.

*(cf. 1321 - Soliciting Funds from and by Students)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3270 SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (PERSONAL PROPERTY)**

The School Board recognizes that the district may own personal property which is unusable, obsolete, or no longer needed by the district and that the disposal of such property may be in the best interests of the district.

The Superintendent or designee shall arrange for the sale or disposal of district personal property in accordance with state law.

*(cf. 3440- Inventories)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3290 GIFTS, GRANTS AND BEQUESTS**

The School Board greatly appreciates the support of community members and may accept suitable donations on behalf of the district. To be acceptable, a gift must satisfy the following criteria:

1. Not commit the district to a program which the Board would be unwilling to continue when the donated funds are exhausted.
2. Not entail undesirable or hidden costs, such as additional staff workload.
3. Place no restrictions on the school program.
4. Not be inappropriate or harmful to the best education of students.
5. Not imply endorsement of any business or product.
6. Not conflict with any provision of the Board policy or public law.
7. Have a purpose consistent with those of the district.

The Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students. Use of a gift shall not be impaired by restrictions or conditions imposed by the donor. The Board will try to follow the donor's wishes insofar as they do not conflict with district philosophy or operations.

Upon acceptance by the School Board, all gifts, grants and bequests shall become school district property. At the Superintendent or designee's discretion, a gift may be used at a particular school.

*(cf. 3430 - Investing)*

*(cf. 3440 - Inventories)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3300 EXPENDITURES/EXPENDING AUTHORITY**

The Superintendent or designee may purchase supplies, materials and equipment in accordance with law. Prior School Board approval is required for purchases over \$50,000. The board shall approve or ratify all transactions.

*(cf. 3310 - Purchasing Procedures)*

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

*(cf. 3460 – Periodic Financial Reports)*

**Note:** [A.S. 14.17.225](#) requires districts to operate under a balanced budget and provides that the sta

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

*(cf. 3100 - Budget)*

*(cf. 3110 - Transfer of Funds)*

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

Legal References:

### ALASKA STATUTES

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

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

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

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

[36.30](#) State Procurement Code

[37.05](#) Fiscal Procedures Act

### CODE OF FEDERAL REGULATIONS

[2 C.F.R. 200.317-326](#) Procurement Standards

Revised: 08/2021

Adopted: June 10, 2003



## **AR 3300 CHECK RELEASE**

The business office will follow the following guidelines for preparing and releasing checks.

1. Internal procedures and Board policies are followed in preparation and verification of all checks; procedures are subject to annual review by the school district auditors
2. Payroll checks are released according to the schedule prepared at the beginning of each school year
3. Non-payroll checks are released 2-4 times monthly, as they are prepared
4. At each monthly Board meeting, the School Board will be asked to ratify the total value of all checks released for the prior month, from a memo, which includes:
  - a. Total value of all payroll checks
  - b. Total value of all non-payroll checks
  - c. Grand total value of all checks
  - d. A detailed list of checks in the amount of \$10,000 or greater, including the vendor name and a description of the goods or services provided
5. A detailed transaction ledger will be available upon request at any time from the business office

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3305 ELECTRONIC FUND TRANSACTIONS**

For the purposes of accountability of ACH funds, the Superintendent/Chief Administrative Officer, or designee, shall submit to the Board a monthly report detailing the goods or services purchased during the preceding month. The report must contain:

1. The goods or services purchased and their cost;
2. The date of the payment;
3. The unit or department serviced by each payment.

This report may be maintained in the electronic general ledger software system of the District or in a separate report.

### **Internal Accounting**

ACH accounting methods shall follow the established and approved \_\_\_\_\_ School District accounting procedures.

### **Accounting Process**

***Note:** The following accounting process is optional and can be revised to reflect District practice.*

1. The Superintendent shall prepare a list of vendors authorized to be paid by ACH transaction and provide that list to the billing agent.
2. The billing agent shall initiate the transaction upon receipt of an invoice included on the authorized ACH list approved by the appropriate district official. ACH invoices must be approved before payment. The billing agent shall sign the ACH invoice and the clerk shall present the invoices, a list of bills for payment, and a separate list of the electronic payments for Board approval.
3. The Board shall approve all transactions prior to disbursement.
4. Following Board approval, the treasurer shall sign the ACH warrant, initiate the electronic transaction with the vendor, and make the actual transfer of funds.
5. The Superintendent/Chief Administrative Officer, or designee, shall retain all ACH transaction documents for audit purposes.
6. The billing agent shall retain all invoices for audit purposes.

Added 1/11

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3310 PURCHASING PROCEDURES

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

The School Board desires to ensure that maximum value is received for money spent by the district and that records are kept in accordance with law. The Superintendent or designee may issue and sign purchase orders and shall submit them for School Board approval or ratification. Purchase orders in excess of \$50,000 will require prior approval of the Board. Purchases may not be segmented in order to circumvent the requirement for prior approval.

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

1. The District will maintain written procurement policies and procedures that meet the following standards and any other applicable laws and regulations.
2. Costs incurred must be necessary and cost-effective.
3. All procurement transactions must provide full and open competition.
4. The District will maintain written standards of conduct covering conflicts of interest.
5. The District will maintain documentation addressing cost and price analysis, and vendor selection, as applicable for the selected method of procurement.

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

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

*(cf. 3300 - Expenditures/Expending Authority)*

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

*(cf. 3460 - Periodic Financial Reports)*

*(cf. 4118 - Suspension/Disciplinary Action)*

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

*(cf. 9270 - Conflict of Interest)*

**Note:** [A.S. 36.15.050](#) establishes a preference for purchasing Alaskan agricultural and fisheries

products. [A.S. 14.03.085](#) makes school districts, except REEA's, subject to [A.S. 29.71.050](#), which establishes a preference for purchasing recycled Alaska products.

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

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

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

Legal References:

#### ALASKA STATUTES

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

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

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

[29.71.050](#) Procurement preferences for recycled Alaska products

[36.30](#) State Procurement Code

[37.05](#) Fiscal Procedures Act

#### CODE OF FEDERAL REGULATIONS

[2 C.F.R. 200.317-326](#), Procurement Standards

#### COURT DECISION

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

Revised: 08/2021

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3312 CONTRACTS**

The Superintendent or designee may enter into contracts on behalf of the district. All contracts over \$50,000 must be approved or ratified by the School Board.

*(cf. 3300 - Expenditures/Expending Authority)*

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

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

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

Legal Reference:

### ALASKA STATUTES

[14.08.101](#) Powers

### ALASKA ADMINISTRATIVE CODE

[4 AAC 31.065](#) Selection of designers and construction managers

[4 AAC 31.080](#) Construction and acquisition of public school facilities

### CODE OF FEDERAL REGULATIONS

[2 C.F.R. 200.317-326](#), Procurement Standards

Revised: 08/2021

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3314 PAYMENT FOR GOODS AND SERVICES**

The Superintendent or designee may pay invoices in excess of previously approved purchase order amounts when the excess amount represents unanticipated but reasonable increase in cost, transportation charges, or charges made for the detention of a shipment during loading or unloading.

The Superintendent or designee may make advance payment if a decrease in cost is possible or if the material is unavailable to the district without advance payment.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3315 RELATIONS WITH VENDORS**

[A.S. 11.56.100-11.56.130](#) defines the felony offense of receiving a bribe and the misdemeanor offense of receiving unlawful gratuities. Receiving a bribe includes soliciting or receiving a benefit with the intention or understanding that a public servant's decisions or actions will be influenced. Receiving unlawful gratuities includes soliciting a benefit of any value or accepting any benefit having a value of \$50 or more for performing an official act not entitled to any special or additional compensation.

No district employee or Board member shall accept personal gifts, commissions or expense-paid trips from individuals or companies selling equipment, materials or services required in the operation of district programs. Gifts include any gift purchased specifically for an employee which is not generally offered to other buyers.

This policy does not prohibit employees from accepting promotional or advertising items such as calendars, desk pads, notebooks and other office gadgets which are offered by business concerns free to all as part of their public relations programs.

District employees who work for or serve as consultants for potential vendors shall not participate in evaluating any equipment, materials or services of that vendor or its competitors.

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

*(cf. 9270 - Conflict of Interest)*

This policy does not prohibit the Board from accepting materials and/or services which are of use and benefit to the district.

### **Universal Service Program/E-Rate Vendors**

Effective 2011, the FCC amended its E-rate program rules and adopted gift restrictions for schools and districts participating in E-rate. The receipt of gifts by applicants from service providers and potential providers is a competitive bidding violation. The gift prohibitions are always applicable, not just during the bidding process. Relevant school district personnel may not solicit or receive any gift or other thing of value from a service provider participating in or seeking to participate in the E-rate program. There are limited exceptions, including when the value of the item is worth \$20 or less, so long as items do not exceed \$50 per year per employee from any one service provider.

The District takes advantage of federal technology funding through the universal service program known as E-rate. E-rate participants may not, at any time, solicit or accept gifts or other things of value from an existing or potential E-rate service provider. Nominal gifts and refreshments may be allowed as authorized by the Superintendent or designee.

E-rate gift prohibitions apply to the School Board and to employees, consultants or contractors involved in the District's E-rate Program who: prepare, approve, sign, or submit E-rate applications, technology plans or other E-rate forms; prepare bids, communicate, or work with E-rate service providers, E-rate consultants, or the Universal Service Administrative Company; and those responsible for monitoring compliance with the E-rate program.

Charitable donations by service providers in support of the schools are permitted. These contributions may not be directly or indirectly related to E-rate procurement activities or decisions.

The Superintendent or designee shall develop guidelines to implement this policy in compliance with E-rate program rules.

*(cf. 3290 - Gifts, Grants and Bequests)*

Legal References:

CODE OF FEDERAL REGULATIONS

[47 C.F.R. Part 54](#), subpart f, Universal Service Support for Schools and Libraries

ALASKA STATUTES

[11.56.100-56.130](#) Bribery and related offenses

Updated 6/2012

Adopted June 10, 2003

**Nome Public Schools**

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## **BP 3400 MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS**

### **Accounting Systems**

The Superintendent or designee shall provide ongoing internal accounting controls and a means for the accounting of income and expenditures as outlined in the adopted budget.

*(cf. 3440 - Inventories)*

### **Audits**

The Board shall provide for an annual audit of district accounts by a public accountant who has no personal interest in district fiscal affairs. The audit shall be conducted in accordance with the requirements of state regulations.

Legal References:

#### ALASKA STATUTES

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

[14.14.050](#) Annual Audit

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

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

14.17.082 Fund balance in school operating fund

#### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.120](#) Accounting and audit manuals, charts of accounts, code descriptions

[4 AAC 06.121](#) Annual financial reporting requirements

[4 AAC 09.130](#) School district audit

[4 AAC 09.160](#) Fund balance

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3440 INVENTORIES**

The Superintendent or designee shall provide for the proper control and conservation of district property. He/she shall maintain an inventory for all items currently valued in excess of \$5,000 for financial statement reporting, or a lesser amount if required by state or federal grant requirements or regulations.

*(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)*

*(cf. 3290 - Gifts, Grants and Bequests)*

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

Legal References:

### ALASKA STATUTES

[14.11.011](#) Grant applications

[14.11.017](#) School construction grant conditions

[14.14.050](#) Annual audit

### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.120](#) Accounting and audit manuals, charts of accounts, code descriptions

[4 AAC 51.300](#) Vocational facilities and equipment

CARL D. PERKINS VOCATIONAL EDUCATION ACT, Public Law 98-524, 99-159

### CODE OF FEDERAL REGULATIONS

[34 CFR 74.132-74.140](#) Office of Management and Budget, Circular A-102, Attachment N, Property Management Standards

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3440 INVENTORIES**

A physical inventory shall be conducted annually. Copies of the inventory shall be kept at the district office and school site.

The district shall maintain an inventory of all equipment with a purchase value of \$1,000 or greater. The following information must be recorded:

1. Description (with manufacturer's name and/or model number).
2. Identification and/or serial number.
3. Date and cost of acquisition (estimate if unknown).
4. Funding source (grant source and grant title).
5. Current use, condition and location.
6. Date on which inventory information was verified.

All equipment purchased with federal funds or non-federal matching funds shall be labeled with the district's name and an equipment or inventory control number.

The date and mode of disposal of all equipment removed from the inventory shall also be recorded.

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3440.1 FIXED ASSETS CAPITALIZATION**

**Note:** *The following policy is based on the Government Finance Officers Association recommended practice, "Establishing Appropriate Capitalization Thresholds for Fixed Assets" (1997) and Government Accounting Standards Board Statement No. 34.*

The Board recognizes the need to establish appropriate capitalization thresholds for its fixed assets to properly account for both the financial and economic resources of the District. The Superintendent or designee shall periodically review the capitalization threshold with the District's auditors to ensure compliance with federal and state mandates and recommendations. The capitalization threshold should be set at a level that will capture approximately 80% of all fixed assets.

The Board sets the capitalization amount at \$5,000 for purposes of capitalization of fixed assets. An asset is to have a purchase cost of \$5,000 or more and a useful life of at least two years following the date of acquisition to be treated as a capitalized asset.

Assets that fall below the capitalization threshold may still be significant for insurance, warranty service and obsolescence/replacement tracking purposes. Assets more than \$1,000 but less than \$5,000 will be kept on a fixed asset inventory but will not be considered capitalized assets.

Legal References:

### ALASKA STATUTES

[14.11.011](#) Grant applications

[14.11.017](#) School construction grant conditions

[14.14.050](#) Annual audit

### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.120](#) Accounting and audit manuals, charts of accounts, code descriptions

[4 AAC 51.300](#) Vocational facilities and equipment

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3450 MONEY IN SCHOOL BUILDINGS**

Money collected by district employees and student organizations shall be handled according to prudent business procedures. All money collected shall be receipted and accounted for and directed without delay to the proper location of deposit. Any money left overnight in schools shall be kept in locked locations provided for safekeeping of valuables.

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3451 PETTY CASH FUNDS**

The purpose of a petty cash fund is to have cash available in the office of the principal or other administrative officer for express charges, postage due and other unforeseen small expenses which cannot conveniently be charged and handled in the usual manner.

1. The amount of cash funds at any school site shall not exceed \$50.
2. The principal or administrative official in whose name the fund is created will be responsible for all expenditures made from it.
3. Each disbursement will be supported by a cash register tape, a sales slip or other evidence of the expenditure. Such evidence will be summarized monthly, or earlier if the fund needs replenishment.
4. The documents and the summary will be forwarded to the business office where a check will be issued to replenish the fund.
5. The amount on deposit plus receipts of disbursement must always equal the original amount of the fund.
6. Funds are subject to audit by the business office and by the district's auditor.
7. Money left overnight in schools shall be kept in a safe or secured place.

*(cf. 3400 - Management of District Assets)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3452 STUDENT ACTIVITY FUNDS**

Student organizations may raise and spend money in order to promote the general welfare, morale and educational experiences of the students. Student funds shall finance worthwhile activities which go beyond those provided by the district. Minutes shall be kept of student organization meetings and shall properly reflect all financial activities.

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 3554 - Other Food Sales)*

Student funds shall be managed in accordance with sound business procedures designed to encourage the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.

The Superintendent or designee shall be responsible for the proper conduct of all student organization financial activities and shall periodically review the organizations' general financial structures and accounting procedures.

The Board shall provide an annual audit of student accounts by a certified public accountant or licensed public accountant.

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

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3460 PERIODIC FINANCIAL REPORTS**

The Superintendent or designee shall keep the School Board informed about the district's financial condition. The Board shall assess the district's financial condition regularly to determine whether or not the district will be able to meet its financial obligations for the remainder of the fiscal year.

*(cf. 3100 - Budget)*

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

Legal References:

### ALASKA STATUTES

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

[14.14.090](#) Additional duties

[14.14.050](#) Annual audit

### ALASKA ADMINISTRATIVE CODE

[4 AAC 06.121](#) Annual financial reporting requirements

[4 AAC 09.130](#) School district audit

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3470 FUND BALANCE

### Purpose of Fund Balance

An appropriate fund balance is a critical factor in the long range financial planning of a school district to assure sound financial practices and management. There is a need to maintain a cash flow to provide financial reserves for unanticipated expenditures and/or revenue shortfalls of an emergency nature. Examples of these situations follow:

- Unexpected costs incurred by mandated, but not funded, State or Federal programs,
- Increased utility costs due to abnormal price increase or unusually cold weather,
- Greater than expected inflation,
- Unexpected decrease in Federal, State or Local revenue,
- Unexpected deficits in other operating funds (Student Nutrition Services, Transportation),
- Unexpected decrease in student enrollment.

### Definitions

**Fund Balance** - the cumulative difference between revenues and expenditures; it approximates available resources absent significant liabilities.

**Fund Balance Classifications** - GASB 54 established five classifications for fund balance as follows:

- *Nonspendable fund balance*—amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund)
- *Restricted fund balance*—amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation
- *Committed fund balance*—amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority (Nome School Board); to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint. School Board action to constrain resources must occur prior to fiscal year-end; however, the specific amount can be determined in the subsequent period.
- *Assigned fund balance*—amounts a government *intends* to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority
- *Unassigned fund balance*—amounts that are available for any purpose; these amounts are reported only in the general fund.

The five categories of fund balance place varying strengths of spending constraints on available resources in a descending order as listed. Nonspendable fund balance is the most restrictive classification and unassigned fund balance is the least restrictive.

## State of Alaska Reserve Allowances

Alaska Administrative Code [4 AAC 09.160](#) (not GAAP compliant) establishes that reserves in the year-end fund balance in a school's operating fund may be only in the following categories:

1. Encumbrances,
2. Inventory,
3. Prepaid expenses including fuel,
4. Retirement incentive program,
5. Self-insurance, and
6. Federal impact aid received in response to the application submitted during fiscal year of the audit under [4 AAC 09.130](#).

**Unreserved Fund Balance** – portion of remaining Fund Balance that is available for appropriation or expenditure. This is further separated into (1) designated and (2) undesignated fund balances.

### Policy

Alaska Statute [AS 14.17.505](#) establishes that a District may not accumulate in a fiscal year an unreserved portion (as defined by [4 AAC 09.130](#)) of its year-end fund balance in its school operating fund that is greater than 10 percent of its expenditure for that fiscal year.

### Minimum Unassigned Fund Balance

The District should maintain a minimum unassigned fund balance in its General Fund of 5 percent of the subsequent year's budget expenditures and out-going transfers. Board approval is required to go below 5 percent. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

**Replenishing deficiencies** – when fund balance falls below the minimum 3 percent range, the District should replenish shortages/deficiencies using the budget strategies and timeframes described below.

The following budgetary strategies shall be utilized by the District to replenish funding deficiencies:

- The District will reduce recurring expenditures to eliminate any structural deficit or,
- The District will increase revenues or pursue other funding sources, or,
- Some combination of the two options above
- Replenishment of funds may occur over a multi-year period

When an expenditure has been duly authorized and funding to pay for the expenditure is available within multiple fund balance classifications, the funding available in the most restrictive classification will be used first.

Legal References:

[4 AAC 09.130](#) School District Audit

[4 AAC 09.160](#) Fund Balance

ALASKA STATUTES

[AS 14.17.505](#) Fund Balance in School Operating Fund

Revised 04/2017

Revised 09/2016

Revised 01/2013

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3510 MAINTENANCE

**Note:** *In order to qualify for a capital improvement project grant or debt reimbursement under [AS 14.11.011](#) or [AS 14.11.100](#), a school district must have in effect a preventive maintenance plan. This plan: 1) must include a computerized maintenance management program, cardex system, or other formal systematic means of tracking the timing and costs associated with planned and completed maintenance activities, including scheduled preventive maintenance; 2) must address energy management for buildings owned or operated by the district; 3) must include a regular custodial care program for buildings owned and operated by the district; 4) must include preventive maintenance training for facility managers and maintenance employees; and 5) must include renewal and replacement schedules for electrical, mechanical, structural, and other components of facilities owned and operated by the district. Additionally, the district must be adequately adhering to the preventive maintenance plan.*

The School Board recognizes the importance of timely maintenance and repair of district facilities, property and equipment in ensuring the safety of students and employees, in protecting state and local investment, in providing necessary loss control, and in helping to ensure the availability of capital funding. A preventive maintenance plan shall be in effect which includes custodial care, scheduled preventive maintenance, commissioning, and energy management for district buildings. The Superintendent or designee shall ensure a systematic means of tracking the timing and costs associated with maintenance activities; shall direct the preparation of renewal and replacement schedules for electrical, mechanical, structural, and other components of district facilities; and shall provide for preventive maintenance training for facility managers and maintenance employees.

*(cf. 3514 - Environmental Safety)*

*(cf. 3515 - School Safety and Security)*

*(cf. 5142- Safety)*

All school buildings and equipment shall be regularly inspected to assure that all are maintained at the highest level of safety. Employees are responsible for promptly reporting to their supervisor any damage to district property or equipment.

Legal Reference:

### ALASKA STATUTES

[14.11.011](#) Grant applications

[14.11.100](#) State aid for costs of school construction debt

[4 AAC 31.013](#) Preventive maintenance and facility management

Revised 08/2020

Adopted: June 10, 2003

**Nome Public Schools**

## **BP 3512 EQUIPMENT**

School equipment may be used by staff members and/or students only for school-related tasks. Except when otherwise authorized by Board policy, personal use of district property is prohibited and may be cause for disciplinary action.

*(cf. 4170 - District Issued Portable Technology)*

When school equipment is not being used by students or staff, school-connected organizations may be granted reasonable use of the equipment for school-related matters. Actual costs of services such as copying shall be paid by the group rather than by the district.

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1330 - Use of School Facilities)*

The consent of the principal or designee is required if district-owned equipment is removed from the school site. When any equipment is taken off-site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage.

*(cf. 3440 - Inventories)*

Revised 1/11

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3512 CERTIFIED STAFF USE OF SCHOOL DISTRICT FACILITIES FOR WELLNESS ACTIVITIES**

The District agrees to provide use of school gym and weight room facilities for wellness activities for certificated employees and their families. ("families" in this section shall be defined as employee, spouse and dependents) No family member may access school facilities without the supervision of the certificated employee.

The activities in the schools must be pre-approved by the Site Administrator and scheduled through the appropriate person for each school.

The employees agree to follow the established building use procedures which include restoring the environment and securing the building, and to post a teacher use schedule in the teachers' workroom to encourage others to join in their activities.

The privilege may be revoked for those users not in compliance with the procedures.

*(cf. BP/AR 1330 - Use of School Facilities)*

Adopted 10/2011

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3513.3 TOBACCO-FREE SCHOOLS/SMOKING**

The School Board recognizes that the maintenance of a tobacco-free workplace is important. The primary objective of enforcing a tobacco-free policy is to provide a tobacco-free environment that:

- Fosters a health-conscious atmosphere
- Reduces health risks caused by second hand smoke
- Reduces sanitation issues due to other tobacco products
- Provides a safe environment for students, staff and visitors.

As role models, district employees and Board members should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.

Tobacco use or distribution by students, parents, all district employees, contractors and all other visitors is prohibited on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception. Students who violate this policy shall be subject to disciplinary procedures that may result in suspension or expulsion. Visitors who violate this policy will be asked to leave the premises and if necessary, law enforcement will be notified. Employees who violate this policy will be subject to disciplinary sanctions, up to and including termination of employment.

Because it is illegal for minors under the age of 19, tobacco possession is prohibited for students and all visiting students on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception.

The Superintendent shall:

- Publish and give to each employee a statement, notifying employees of the provisions of this policy.
- Provide information regarding opportunities for cessation services on-campus or referral to off-campus services through community organizations.
- Make a good faith effort to maintain a tobacco-free workplace
- Immediately take appropriate corrective and/or disciplinary actions if staff are found in violation of the policy.

*(cf. BP 4118 - Suspension/Disciplinary Action)*

Legal References:

CITY OF NOME ORDINANCE 11-04-02

CHAPTER 10.50 Smoking Pollution Control to Regulate Smoking in Eating Establishments, Public Buildings and Taxis

ALASKA STATUTES

[11.76.100 - .105](#) Selling or Giving Tobacco to a minor; Possession of Tobacco By a Minor

[14.30.360](#) Curriculum (Health and Safety Education)

[18.35.300-18.35.330](#) Health nuisances

PL 107-110, Section 1303, Nonsmoking Policy for Children's Services

Revised 11/2011

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Adopted: June 10, 2003

## Nome Public Schools

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# AR 3513.3 TOBACCO-FREE SCHOOLS/SMOKING

## Definitions

### 1. Tobacco

For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, electronic cigarette, cigar, pipe, bidi, clove cigarette, and any other non-treatment related tobacco product, l'qmik spit tobacco, also known as smokeless, dip, chew, snuff, SNUS, in any form.

### 2. School Activities

For purposes of this policy, "school activities" include, but are not limited to, all activities sponsored by a school district to which an employee has been assigned or hired to chaperone, coach, or supervise students and include all periods of time during which student supervision is required before, during, and after an event.

### 3. Communicating Policy, Signs and Other Notices

The administration will notify students, families, education personnel and school visitors of part or all of the tobacco-free policy in any of the following: handbooks, newsletters, website, announcements, programs, on posted notices or signs at building entrances and other prominent locations and by other efficient means. To the extent possible, schools and districts may use local media to publicize the policies and help influence community norms about tobacco use.

### 4. Cessation Services:

As part of a comprehensive tobacco use prevention program, the school may provide referrals for students, staff and families of students to resources and programs to help overcome nicotine addiction. School counselors or community agencies are encouraged to establish voluntary tobacco-use cessation programs at school. Planning for such services should be based on findings from needs assessment activities and periodically evaluated for effectiveness and participant satisfaction. Attendance or completion of a tobacco use cessation program shall not be mandatory for anyone or used as a penalty.

### 5. Review and Update:

This Administration Regulation may be reviewed on an annual basis by the board, superintendent or tobacco program coordinator. Updates shall be based on input from policy stakeholders including but not limited to parents, students, teachers, administration, staff and community members.

## Legal Reference:

CITY OF NOME ORDINANCE 11-04-02

CHAPTER 10.50 Smoking Pollution Control to Regulate Smoking in Eating Establishments, Public Buildings and Taxis

ALASKA STATUTES

[11.76.100 - .105](#) Selling or Giving Tobacco to a minor; Possession of Tobacco By a Minor

[14.30.360](#) Curriculum (Health and Safety Education)

[18.35.300-18.35.330](#) Health nuisances

Revised 11/2011

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Adopted: June 10, 2003

3513.3

## Nome Public Schools

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## **BP 3514 ENVIRONMENTAL SAFETY**

The School Board believes that students and employees have the right to learn and work in a safe environment.

The Superintendent or designee shall establish and vigorously enforce precautionary measures against accidents, fire, explosion, and other physical hazards.

All members of the school community should be alert to any physical conditions, including explosive, toxic or incendiary hazards, which may jeopardize the safety of students, employees, or the public.

*(cf. 3513.3 - Tobacco-Free Schools/Smoking)*

*(cf. 3514.1 - Hazardous Substances and Pesticides)*

*(cf. 3543 - Transportation: Emergency and Safety Procedures)*

*(cf. 4157/4257/4357 - Employee Safety)*

*(cf. 5141.1 - Accidents)*

*(cf. 5142 - Student Safety)*

*(cf. 6114 - Emergencies and Disaster Preparedness Plan)*

*(cf. 6153 - Field Trips)*

*(cf. 7111 - Evaluating Existing Buildings)*

Legal References:

### ALASKA STATUTES

[18.31.010-18.31.050](#) Asbestos health hazard abatement program

[18.70.080-18.70-300](#) Fire protection

### ALASKA ADMINISTRATIVE CODE

[18 AAC 90.625](#) School use and notification

Adopted: June 10, 2003

**Nome Public Schools**

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# **BP 3514.1 HAZARDOUS SUBSTANCES AND PESTICIDES**

## **HAZARDOUS SUBSTANCES**

The School Board recognizes that the daily operations of our schools entail the use of potentially hazardous substances. The Superintendent or designee shall insure that hazardous substances are inventoried, used, stored and regularly disposed of in a safe and legal manner.

Teachers shall instruct students as to the importance of proper handling, storage, disposal and protection with regard to all potentially hazardous substances.

Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property. The Board encourages staff to substitute less dangerous materials for hazardous ones whenever feasible.

The Superintendent or designee shall ensure that the schools are regularly inspected to identify potential sources of risk.

## **Pesticides**

The Superintendent or designee shall, when practical, ensure the use of nonchemical methods to control pests, including proper sanitation practices, structural repair, and window screens.

When application of pesticides is necessary, the Superintendent or designee shall ensure timely notice to parents and the public.

Legal References:

ALASKA ADMINISTRATIVE CODE

[18 AAC 90.625](#) School use and notification

Adopted: June 10, 2003

**Nome Public Schools**

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## AR 3514.1 PESTICIDE APPLICATION

The Principal/Site Administrator shall be responsible for insuring that the following procedures are followed before application of a pesticide to an area of the school that is used by or is accessible to children.

**Note:** *Districts and schools are permitted to develop a registration system to provide notification of pesticide application only to those parents who wish to receive the notification. If a registration system is not used, all parents of students at the applicable school site must receive notice prior to each pesticide application. [18 AAC 90.625](#).*

### ANNUAL REGISTRATION FOR NOTICE OF PESTICIDE APPLICATION

The Principal/Site Administrator shall provide written notice to parents/guardians at the beginning of each school year, or upon a child's enrollment, that pesticides may be used in or around the school. The notice shall explain how a parent may register to receive notification at least 24 hours prior to a pesticide treatment.

### NOTICE

**Note:** *If the notice is given in writing, it may not be included with any other notice being provided to parents or guardians on another matter. [18 AAC 90.625\(d\)](#).*

At least 24 hours prior to application of a pesticide, parents/guardians who have registered, as specified above, shall be provided individual notice delivered by phone, face to face oral communication, electronic mail, U.S. mail, or facsimile. The notice must contain the following information:

1. a description of the area where the pesticide will be applied;
2. the date and approximate time of application; if the application will be outdoors, the notification must include three dates in chronological order in case the preceding date is canceled due to weather;
3. the common or brand name of each pesticide to be used;
4. the targeted pests to be controlled by the pesticide;
5. each active ingredient in the pesticide;
6. the EPA registration number;
7. the telephone contact number, if any, on the label of the pesticide for additional information about each pesticide; and
8. a contact name and telephone number at the school.

### Posting

Immediately before starting the application of a pesticide, the certified applicator shall post an 8 1/2 x 11-inch sign in the area of the school where the pesticide is to be applied. The Principal/Site Administrator shall ensure the sign remains posted and children are kept out of the treated area until the reentry interval on the label, if any, has expired; or, if the label does not specify a reentry interval, for at least 24 hours. The sign must be in the form specified by the Department of Environmental Conservation.

If pesticides are used outside the school term and the school is open to or accessible by the public, the notification required under this section must be prominently posted in a conspicuous location on

the school premises at least 24 hours before the pesticide treatment is scheduled to begin.

### **Emergency Application**

The Principal/Site Administrator may authorize an immediate pesticide treatment without prior notification to registered parents if the administrator determines an emergency exists. An emergency includes an immediate and unanticipated threat to the health and safety of the individuals at the school. An emergency does not exempt the school from the posting requirements.

### **Applications Not Requiring Notice or Posting**

The following pesticide applications are not subject to the notification or posting requirements of this regulation:

1. applications of antimicrobial pesticides;
2. an application where the school remains unoccupied for a continuous 72 hour period following the application of the pesticide;
3. applications of rodenticides in tamper resistant bait stations or in areas inaccessible to children;
4. applications of silica gels and other ready-to-use pastes, foams, or gels that will be used in areas inaccessible to children.

### **Required Record Keeping**

The Principal/Site Administrator shall keep records of pesticide applications subject to the notification and posting requirements of this regulation. Records must include:

1. a copy of each notice issued, or, if no notice is issued for an emergency application, all the information required in a notice had one been issued;
2. the date of application;
3. the name and employer of the individual who applied the pesticide, including the individual's certification number;
4. the rate of application;
5. the concentration of the pesticide applied; and
6. the total amount of pesticide used.

Records of pesticide application must be made available to the Department of Environmental Conservation and to the public for review.

Adopted: June 10, 2003

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**Nome Public Schools**

## **BP 3515 SCHOOL SAFETY AND SECURITY**

The School Board is fully committed to preventing violence and crime on school grounds. The Superintendent and staff shall strictly enforce district policies and regulations related to crime, campus disturbances, campus intruders, student safety, student conduct and student discipline.

*(cf. 3514 - Environmental Safety)*

*(cf. 3515.2 - Intruders on Campus)*

*(cf. 4158/4258/4358 - Employee Security)*

*(cf. 5131 - Student Conduct)*

*(cf. 5131.4 - Campus Disturbances)*

*(cf. 5131.5 - Vandalism)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5136 - Gangs)*

*(cf. 5141.4 - Child Abuse and Neglect)*

*(cf. 5142 - Student Safety)*

*(cf. 5144 - Discipline)*

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

*(cf. 6114 - Emergencies and Disaster Preparedness Plan)*

The Superintendent or designee shall establish procedures for securing records and funds and for protecting buildings against vandalism and burglary during non-business hours. The Superintendent or designee also shall investigate ways that school grounds can be made more secure.

The Board encourages staff, parents/guardians and students at each school to work with local law enforcement agencies and other interested parties in developing a comprehensive school safety plan which includes strategies for preventing crime and violence on school premises.

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3515 SCHOOL SAFETY AND SECURITY**

The school principal shall establish procedures to:

1. Minimize fire hazards.
2. Reduce the probability of faulty equipment.
3. Guard against the chance of electrical shock.
4. Maintain records and funds in a safe place.
5. Protect against vandalism and burglary.
6. Assign responsibility for use of school building keys.
7. Maintain locked buildings during non-business hours.
8. Provide routine patrolling of the schools and school grounds.
9. Secure outdoor areas and reduce the number of entrances which give access to the schools, by means such as fencing or landscaping.

Incidents of illegal entry, theft of school property, vandalism, and damage to school property from other causes shall be reported by phone to the Superintendent or designee as soon after discovery as possible. A written report of the incident shall be made within 24 hours.

### **Keys**

All keys used in a school shall be the responsibility of the principal. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

Each principal shall set up a record keeping system so as to know at all times the location of all keys. The master key shall not be loaned.

Employees who have keys shall be responsible for the security of the room, gate or building involved. They shall lock all doors and windows and turn off all lights, air conditioning, heat, appliances etc., when leaving the room or building.

The duplication of school keys is prohibited. The person issued a key shall be responsible for its safekeeping. If a key is lost, the person responsible shall report the loss to the principal immediately and shall pay for a duplicate key. Duplicate keys may be obtained only through the district maintenance office.

Keys shall be used only by authorized employees and shall never be loaned to students.

Adopted: June 10, 2003

## **BP 3515.2 INTRUDERS ON CAMPUS**

The School Board is committed to keeping the schools safe from intruders and requires all visitors to register upon coming on campus.

The principal or designee shall promptly remove from school premises any individual he/she thinks might disrupt normal school operations, threaten the health and safety of students or staff, or cause property damage.

The principal or designee shall ensure that all staff members know what action to take when they observe strangers on school grounds and when and how to get help from law enforcement authorities.

*(cf. 1250 - Visits to the Schools)*

*(cf. 3515 - School Safety and Security)*

*(cf. 4158 - Employee Security)*

*(cf. 5131.4 - Campus Disturbances)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3515.4 RECOVERY FOR PROPERTY LOSS OR DAMAGE**

**Note:** School districts may bring a civil action against one or both parents of a student who knowingly or intentionally destroys district property. Parents are liable for damages in an amount not to exceed \$15,000 and are also responsible for the court costs incurred by the district in bringing the action. If the parents have insurance that covers the damages claimed by a school district, and the policy limit is in excess of \$15,000, the district can recover up to \$25,000, or the policy limits, whichever amount is lower.

The School Board shall seek reimbursement of damages from any individual or from the parents/guardians of any minor who commits an act of theft or vandalism.

*(cf. 4156.3 - Reimbursement, Uniforms and Allowances)*

*(cf. 4158/4258 - Employee Security)*

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

If the district or law enforcement officials are unable to identify the individual(s) responsible for the theft or vandalism, the Board may authorize the Superintendent/Chief School Administrator, or designee, to offer a reward for information leading to the identification and apprehension of the guilty party.

Legal References:

### ALASKA STATUTES

[09.65.255](#) Liability for acts of minors

[43.23.065](#) Exemption of and levy on permanent fund dividends

[47.12.300](#) Court records

Revised 01/11

Adopted: June 10, 2003

**Nome Public Schools**

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## **AR 3515.4 RECOVERY FOR PROPERTY LOSS OR DAMAGE**

### **Reports**

Every district employee shall report all damage or loss of school property to the Superintendent or designee immediately after such damage or loss is discovered.

### **Investigation**

The Superintendent or designee shall make a full and complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

### **Recovery of Damages**

When the person causing the damage or loss has been identified and the costs of repair, replacement or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover these costs. The district's legal counsel shall be consulted if necessary. Reasonable steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person. If the responsible person is a minor, recovery may be sought from the minor's parent/guardian. Said damages will include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as permitted by law.

### **Payment of Reward**

If a reward has been authorized, it shall be paid to the party who provides information sufficient to identify and apprehend the person or persons subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be divided among the informants. The Superintendent or designee shall determine who is entitled to what portion of the reward and shall authorize payment only after the accused party has admitted to the wrongdoing, been convicted, or is otherwise deemed responsible as a result of appropriate judicial procedures, including a civil action. The identity of the informant shall be considered confidential and will not be made public by the district.

Revised 01/11

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3515.5 RESTRICTIONS ON SEX OFFENDERS ON CAMPUS**

Prior to restricting any person accused of a sex offense from campus, the district shall verify that the person is actually listed on the Alaska Department of Public Safety Sex Offender/Child Kidnapper Registry.

*Note: Alaska law does not prohibit sex offenders from entering school campuses. School districts may want to have a policy that prohibits non-parent sex offenders from coming onto school grounds and that puts reasonable procedures in place for sex offenders that are parents of students enrolled in district schools. The following policy was developed by the Kenai Peninsula Borough School District. It may be adapted or revised to reflect the needs of your district.*

Recognizing that all students have the right to a public education in a safe and positive environment, the Board prohibits any sex offender from being on district property, except as authorized below. District property includes all land within the perimeter of the school site and all district buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the district, and the site of any school-sponsored activity.

*(cf. 3515 - School Safety and Security)*

*(cf. 5030 - School Discipline and Safety)*

*(cf. 5137 - Positive School Climate)*

Sex offenders are those convicted of a sex offense as defined in this or another state, or by federal law, and who are required to register as a sex offender under Alaska law or by court order. This policy also applies to those individuals convicted of child kidnapping who are required to register on the Alaska Department of Public Safety Sex Offender/Child Kidnapper Central Registry. This policy is not intended to impose a duty upon any district administrator or employee to review the Sex Offender/Child Kidnapper Central Registry to determine the presence of sex offenders in the community. This policy shall apply when district or school administrators are actually aware that a person in question is on the Registry.

### **Sex Offenders Who Do Not Have Children Enrolled in the District**

A sex offender or child kidnapper who does not have a child enrolled in the district is prohibited from entering district property except:

1. When he/she is a qualified voter and is coming upon district property, before or after normal school hours, solely for purpose of casting a vote; or
2. To attend an open meeting held outside the student instructional day.
3. With the Superintendent and school administrator's prior approval, under other special circumstances, on a case-by-case basis, for which the school administrator has given written consent.

### **Parent/Guardian Sex Offenders**

A parent/guardian sex offender or child kidnapper who has a child attending a district school is prohibited from entering district property, except in the following instances:

1. When he/she is a qualified voter and is coming upon district property, before or after normal school hours, solely for purpose of casting a ~~vote~~ vote;
2. To attend an open meeting held outside the student instructional day; or

3. With the Superintendent and school administrator's prior approval, under the procedures set forth below:
  - a. to pick up or drop off his/her own child at the school where the child is enrolled;
  - b. to attend a parent-teacher conference or other meeting with faculty or staff to discuss the child's progress or other educational needs of the child;
  - c. under other special circumstances, on a case-by-case basis, for which the school administrator has given written consent.

In no event will entrance onto district property be allowed if prohibited by court order.

### **Procedures for Prior Approval**

A parent/guardian sex offender or child kidnapper who comes onto school property to pick up or drop off his/her child(ren) needs to make specific arrangements in advance with the school administrator. These arrangements are to be approved by the Superintendent. The parent/guardian can only transport his/her own child(ren).

If a sex offender or child kidnapper wishes to come on to school property for another reason (e.g. parent-teacher conferences, student performances), he/she shall only do so under the following conditions:

- he/she must notify the principal of the school at least 48 hours in advance of the activity and obtain consent prior to coming onto district property;
- if consent is granted, the school administrator will assign an individual(s) to accompany the parent while on district property;
- he/she must report to the office, come only for the specific activity, cooperate with district supervision, and leave school property promptly upon the conclusion of the activity; and
- he/she must abide by all other terms and conditions of the school administration.

The school principal and/or Superintendent shall have the discretion to refuse permission if it is reasonably believed that the parent/guardian's presence on school property would be inappropriate or a danger to others, provided such permission shall not be unreasonably withheld.

At all times, the school administrator shall endeavor to protect the privacy of the offender's child.

*(cf. 5021 - Noncustodial Parents)*

### **Electronic Communications**

The Board prohibits electronic communications between sex offenders and students. A parent/guardian sex offender/child kidnapper may not communicate electronically with a student other than his/her own child while the student is on district property. A non-parent sex offender/child kidnapper may not communicate electronically with any student while the student is on district property. "Communicate electronically" means actual *or attempted* communication by electronic means, including, but not limited to, phone, email, text, instant messaging, social networks, web postings, web contacts, computer, fax, or photographs.

### **Student Sex Offenders**

The Superintendent or designee shall determine the appropriate placement for student sex offenders, except those identified as having a disability. When determining educational placement, including placement in an alternative educational setting, the Superintendent or designee shall consider such factors as the safety and health of other students and staff. The Superintendent or designee shall

develop written procedures for managing each student sex offender in the district. The student's plan shall specify requirements for supervision and whether or not the student is permitted to attend school-sponsored or school-related activities outside of the instructional day.

If a student subject to this policy is a student with disabilities, he/she will be provided educational services in compliance with federal and state law.

### **Contractors**

Any outside contractor with whom the district contracts, and whose employees or agents may have contact with students, is prohibited from sending any employee or agent who is a sex offender/child kidnapper to any district property. The contractor shall certify in writing the contractor's knowledge and understanding of this policy.

### **Violations of this Policy**

The district will contact law enforcement when a sex offender/child kidnapper violates this policy and will immediately revoke any privileges granted to the individual under this policy.

*Legal Reference:*

#### ALASKA STATUTES

[12.63.010-.020](#) *Registration of sex offenders and related requirements; Duration of sex offender or child kidnapper duty to register*

[12.63.100\(5\)](#) *Registration of Sex Offenders - Definitions*

*Adopted: June 09, 2020*

**Nome Public Schools**

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## **BP 3515.6 SAFETY AND SECURITY RECORDING SYSTEMS**

### **USE OF VIDEO AND AUDIO RECORDING**

The School Board recognizes that maintaining the safety and security of students, staff, and District property is best implemented with a multifaceted approach. To the extent modern technology provides tools to maintain safety and security, the use of technology such as video surveillance cameras is supported by the Board.

Video recording devices may be utilized on school grounds and may be equipped with audio recording capabilities. Video recording shall be in accordance with applicable laws pertaining to such use. The District shall also comply with applicable law related to maintaining video recordings and student records, as appropriate.

### **Purpose of Electronic Recording Systems**

1. To promote the safety of all individuals while on District campuses;
2. To encourage overall positive behavior;
3. To act as a deterrent to inappropriate, unsafe, or criminal activities;
4. To assist in providing physical security for District assets;
5. To provide visual resources in areas having limited visibility;
6. To provide retroactive and investigative support to School and District Administrators (e.g., theft, vandalism, harm to others); and/or
7. To assist Law Enforcement, and School and/or District Administration during investigative or emergency situations.
8. Other outcomes such as diagnosis of false alarms and investigation of alleged employee misconduct, for example.

### **Exclusions**

Video and audio monitoring are not permitted in areas where there is a reasonable expectation of privacy (e.g., restrooms, locker rooms, individuals' offices, staff break areas). Recording of teacher instruction for purposes of completing a performance evaluation or for professional growth opportunities is not intended to be covered by this policy and shall not be permitted except as provided by state law and/or consent or request of the employee. Recording of students for purposes of their educational programming is also not intended to be covered by this policy.

### **AUTHORIZED ACCESS TO VIDEO RECORDINGS**

District Administrators, including the Superintendent, Director of Maintenance, Director of Technology, School Principals, and appointed Designees may:

1. View "Live" Video;
2. View Recorded Video; and/or
3. Export Recorded Video

An annual review of this board policy including purpose of electronic recording devices with authorized users.

Non-school personnel may be authorized to view preserved video footage on a case-by-case basis by the Superintendent or Designee. Preserved footage will be released by the Superintendent or

Designee in limited circumstances on a case-by-case basis as follows:

1. In order to protect the health and safety of all students and staff, recordings that reveal unlawful actions will be brought to the attention of and/or released to law enforcement agencies, per District policy;
2. A legal parent/guardian of a student pictured on preserved video footage may be permitted by the Superintendent or Designee to view video footage, as relevant circumstances warrant;
3. A legal parent/guardian of a student shall be permitted to view any preserved video footage that is used in a disciplinary action against their child; parents must be able to identify their child only. Digital pixelating may be required; and/or
4. In response to a judicial subpoena or court order.

### **Transfers or Release of Video Disclosures**

All transfers of video disclosures to sources outside the District must be documented. Such transfers shall be limited to judicial subpoenas or court orders. Law enforcement may be given access to video by subpoena or as part of an ongoing investigation, by the Superintendent or Designee.

### **Maintenance**

Camera and video software maintenance may be performed each year, but will occur as frequently as is necessary to maintain the video surveillance system. This may result in an occasional downtime but is not expected to impact video recording. The following maintenance procedures and actions will be included in this process:

1. Video recording may be suspended at any time, and without prior notification;
2. Installation of new cameras on school grounds will be overseen by the Director Maintenance in collaboration with the Director of Technology;

### **Periodic System and Video Image Audit**

A periodic audit of the video system and its recordings shall be conducted by no fewer than two (2) authorized District personnel.

Results should verify that the surveillance system has not been modified or altered by unauthorized personnel, that observed target areas remain accurate, and that overall integrity of the system is intact.

### **System Monitoring & Security**

There will be no expectation for authorized School or District personnel to continuously monitor video. The District will, on average, retain video on-site or in a cloud based solution for the most recent 30-day period. Video content reviews will take place at the District or School offices, or outside of the District or School only on designated devices of the authorized School or District personnel as needed, connections will have secured, password-protected access by appropriate personnel, and will be located away from public view. Video footage beyond the designated period of time will be archived by an authorized user.

### **EDUCATION RECORD**

A photo or video of a student will become an education record, subject to specific exclusions, when the photo or video is: (1) directly related to the student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution for a specific purpose.

## **Directly Related to a Student**

Factors that may help determine if a photo or video should be considered “directly related” to a student are as follows:

1. The educational agency or institution uses the photo or video for disciplinary action (or other official purposes) involving the student (including the victim of any such disciplinary incident);
2. The photo or video contains a depiction of an activity:
  - a. that resulted in an educational agency or institution’s use of the photo or video for disciplinary action (or other official purposes) involving a student (or, if disciplinary action is pending or has not yet been taken, that would reasonably result in use of the photo or video for disciplinary action involving a student);
  - b. that shows a student in violation of local, state, or federal law;
  - c. that shows a student getting injured, attacked, victimized, ill, or having a health-related emergency;
3. The person or entity taking the photo or video intends to make a specific student the focus of the photo or video (e.g., ID photos, or a recording of a student presentation); or
4. The audio or visual content of the photo or video otherwise contains personally identifiable information contained in a student’s education record.

## **Maintained by an Educational Agency**

To be considered an education record of a student under FERPA, an educational agency or institution, or a party acting for the agency or institution, must maintain the record within the student’s disciplinary record file.

## **NOTIFICATION OF USE OF SECURITY CAMERAS**

Appropriate signage will be posted in noticeable locations on campus that notify students, staff, and the community of the District’s use of video cameras. Signs may also be posted in general locations informing persons that the buildings and grounds may be under electronic surveillance.

The District will ensure that reasonable efforts are made to notify students, parents and staff at the beginning of the school year regarding the use of video cameras on school grounds. Such notification may include, but not be limited to, staff in-service, employee email, student handbooks, and/or beginning of the year correspondence. Communication shall, at a minimum, reference District policy and may identify key procedures related to video camera usage. During the initial implementation period, the Superintendent may vary notification based on circumstances and available options.

## **MISCELLANEOUS**

The Superintendent or Designee is authorized to develop Administrative Regulation(s) governing the use of video recording in accordance with applicable state and federal law and Board policy.

It is a violation of this policy to interfere, obstruct, or disable any of the District’s cameras or recording systems. This includes, covering the cameras, cutting the wires, or disabling the system in any way.

This policy does not apply to the monitoring of the District’s network infrastructure or employee use of the District’s network infrastructure.

This policy serves as notification to employees and the public, at large, that video systems may be in use on school campuses for the purposes described herein.

Legal Reference:

UNITED STATES CODE

[20 U.S.C. §1232g](#) (Family Educational Rights and Privacy Act of 1974)

CODE OF FEDERAL REGULATIONS

[34 C.F.R. §99.1](#) *et seq.* (FERPA regulations)

[34 C.F.R. §99.3](#) (FERPA regulations “Education Record”)

*Adopted: August 11, 2020*

**Nome Public Schools**

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## **BP 3523 ELECTRONIC MAIL (E-Mail)**

Electronic mail systems are provided to district staff for the purpose of professional communication. All district electronic mail systems are owned by the district and are intended for the purpose of conducting official district business only. District electronic mail systems are not intended for personal use by employees of the district and employees should have no expectation of privacy when using electronic mail systems.

The district retains the right to review, store, and disclose all information sent over the district electronic mail systems for any legally permissible reasons, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access district information in the employee's absence.

Employees must exercise caution and good judgment in the use of the e-mail system. Electronic mail messages can be retrieved even if they are deleted and statements made in electronic mail communications can form the basis of various legal claims against the individual author or the district.

### **Definition of Electronic Mail**

Electronic mail, or e-mail, is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through local, regional, or global computer networks.

### **Appropriate Use**

1. Users of district e-mail are responsible for their appropriate use.
2. All illegal and improper uses, including but not limited to, pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights are prohibited.
3. Use of the e-mail system for which the district will incur an expense without the expressed permission of a supervisor is prohibited.
4. Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters.
5. Except for directory information, student records will not be transmitted by electronic mail.
6. Except as otherwise provided in this policy, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee.

### **Violations**

District employees will be subject to disciplinary action for violation of this policy and regulation.

### **Public Records**

Electronic mail sent or received by the Board, the district, or the district's employees may be considered a public record subject to disclosure or inspection under the Alaska Public Records Act. All Board and district electronic mail communications should be to ensure that all public electronic mail records are retained, archived, and destroyed in compliance with state law. The Superintendent or designee shall develop administrative regulations so that district personnel will know how public records are to be identified, maintained, and destroyed.

The custodian of records for the district will assist the public in locating any specific public electronic mail record requested and will ensure public access to public electronic mail records without unreasonable delay or cost.

*(cf. 3580 - Business Records)*

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

#### Legal References

##### ALASKA STATUTES

[AS 40.25.110](#) - Public Records Open to Inspection and Copying

[AS 40.25.120](#) - Public records; exceptions; certified copies

[AS 40.25.220](#) - Definitions

[AS 40.21.010-.150](#) - Management and Preservation of Public Records

##### ALASKA ADMINISTRATIVE CODE

6 AAC 96.200 - Public Information Principles

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3530 RISK MANAGEMENT**

The School Board desires to protect district resources by maintaining a program of risk management including, but not be limited to:

1. Property Loss Insurance (buildings and equipment).
2. Workers Compensation Insurance.
3. Liability Insurance.

*(cf. 4154 - Personnel Insurance/Health & Welfare Benefits)*

*(cf. 5143 - Students/Insurance/Athletic Insurance)*

The district officer responsible for the custody of district moneys and property shall be bonded as required by law. The Board may require the bonding of employees holding positions which have extensive access to property and money.

Legal References:

### ALASKA STATUTES

- [14.03.150](#) Insurance required
- [14.08.091](#) Administration (Regional Education Attendance Areas)
- [14.11.011](#) Grant applications
- [14.12.115](#) Indemnification
- [14.14.020](#) Bond required
- [21.76.010-21.76-900](#) Joint insurance arrangements

### ALASKA ADMINISTRATIVE CODE

- [4 AAC 31.200](#) Loss protection required
- [4 AAC 31.205](#) Self-insurance programs
- [4 AAC 31.210](#) Deductible amounts
- [4 AAC 31.215](#) Proceeds
- [4 AAC 31.220](#) Proof of insurance
- [4 AAC 31.225](#) Failure to procure insurance

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3540 TRANSPORTATION

The School Board desires to provide transportation for eligible students in accordance with state and federal law.

The goals of the transportation service are:

1. to provide maximum safety for students between home and school and on school-sponsored trips.
2. to promote desirable student behavior and respect for traffic safety.
3. to provide assistance and transportation for handicapped students.
4. to provide transportation for field trips.

(cf. 3312 - Contracts)

(cf. 3541.5 - Alternative Transportation Arrangements)

**Note:** Secondary students who do not have daily access to school by being transported a reasonable distance must be offered a boarding program pursuant to [4 AAC 09.050](#).

When necessary, the School Board shall make available a boarding program for secondary students whose transportation needs make daily access to school impractical and who are not participating in an alternative educational program.

**Note:** Effective July 1, 2014, [AS 14.09.010](#) was amended to require that school districts adopt a policy addressing transportation services to students attending a charter school operated by the district. Department of Education and Early Development regulations require a charter school transportation policy if: 1) the district provides pupil transportation services under [AS 14.09.010](#); and 2) the district operates a charter school or an application for the establishment of a charter school in the district is pending. A district must submit its charter school transportation policy to the Department for approval by: 1) April 15, 2015 if a charter school is in operation in the district on July 1, 2014; or 2) no later than 30 days after approval of a new charter school if the district does not already have an approved charter school transportation policy in effect. See [4 AAC 27.057](#) for further guidance on the transportation policy approval process. The policy is to be developed with input solicited from individuals involved in the charter school, including staff, students, and parents. If a district fails to adopt a policy, the district is required to allocate the amount of state transportation funding received for each charter school student to the charter school. [AS 14.09.010\(f\)](#).

### Charter School Transportation

The School Board recognizes that charter school students may benefit from transportation services. On a space available basis, charter school students may access school bus transportation on those regular school bus routes that run within the attendance area where the charter school is located. Transportation access is subject to the following:

- a. Charter school students may only access those school bus routes that are appropriate to their school level, i.e., elementary school, middle school or high school.
- b. Charter school students who reside within a mile and a half of the charter school are not eligible for transportation unless they must cross<sup>202</sup> a designated hazardous road area. Special

education routes are not subject to the mile and a half restriction.

c. Charter school students must comply with all rules for safe and appropriate conduct while waiting for, boarding, and exiting the bus, and while riding the bus. Charter school students are subject to the same sanctions as other students for bus violations.

d. Annually, the charter school must provide information to charter school families who are accessing school bus transportation about the district's school bus rules.

e. School bus transportation is not available to charter school students enrolled in charter schools identified as correspondence programs.

Annually, the Superintendent or designee shall communicate to the charter school the space availability on applicable transportation route(s) and determine the transportation needs of charter school students. If the number of charter school students desiring transportation exceeds available space, the charter school is responsible for developing a written process for addressing ridership on a fair and equitable basis. A copy of the written process shall be provided to the district.

**Note:** *The above language reflects the minimum transportation obligation for charter school students as required by AS 14.09.010(e)(2). A district is not obligated to provide greater service, to establish dedicated routes for exclusive use of the charter schools, or to permit charter schools to opt out of the policy and receive transportation funding. The following is optional language for those districts desiring a process to consider, and act upon, requests by charter schools for additional transportation services.*

The district is not required to establish dedicated transportation routes for the exclusive use of charter school students, but may choose to do so.

A charter school desiring additional or dedicated student transportation may submit a written proposal to the Superintendent or designee. The proposal shall identify, at a minimum, student transportation needs, charter school funding available to support additional transportation, and the transportation routes and services being requested. The Superintendent will make a recommendation to the School Board to approve or deny the request. The Superintendent and the

Board will consider the funding, equipment and personnel necessary to accommodate the requested transportation; the impact on operations of the district; the needs of the charter school and its students; equity with other charter schools and district alternative and optional programs; and the best interests of the district. The School Board will approve or deny the transportation request at a regularly scheduled meeting.

*(cf. 5112.6 – Education for Homeless Children and Youths)*

*(cf. 6182 – Correspondence Study Program)*

*(cf. 6181 - Charter School)*

Legal Reference:

ALASKA STATUTES

[14.09.010](#) Transportation of pupils

[14.09.030](#) School buses

[14.30.347](#) Transportation of exception children

ALASKA ADMINISTRATIVE CODE

[4 AAC 09.050](#) Secondary Boarding Programs

[4 AAC 27.006-990](#) Transportation

[4 AAC 27.057](#) Charter school transportation policy

Revised 05/2017

Revised 03/2015

**Nome Public Schools**

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## BP 3541 TRANSPORTATION ROUTES AND SERVICES

**Note:** Effective July 25, 2014, the Department of Education and Early Development amended and added regulations [4 AAC 27.006-951](#), establishing regular and special education transportation routes, allowing in-lieu-of agreements, establishing hazardous routes and requiring transportation reports to be filed. A regular transportation route may be established where 8 or more students reside more than one and one-half miles from school, and the entire route is over regularly maintained roads under the supervision and maintenance of the Department of Transportation and Public Facilities, a public utility district, a municipality, a borough service area or other agency supported by public funds, and the route provides adequate turnaround space for transportation vehicles. [4 AAC 27.011](#).

The School Board shall approve transportation routes and services based upon student needs and a continuing assessment of financial resources, including district funds and state reimbursements. Districts will use the most cost efficient methods when developing and establishing regular and special education routes and engaging in other transportation related services. Transportation shall be provided for students living at least one and one-half miles from school. Special education routes will be established without regard to distance.

**Note:** Pursuant to [4 AAC 27.036](#), the Board may designate hazardous routes within one and one-half mile from school. The designation must be by resolution which must state the nature and potential duration of the hazard and is only valid for one year.

The Board may designate hazardous transportation routes within the minimum walking distance when such routes are unsafe.

**Note:** A district may establish in-lieu-of agreements with parents to provide reimbursement for transporting their children to the nearest attendance center if: 1) the student's residence is more than one and one-half miles from the regular bus route and the pupil's attendance center (unless the child is a special education student); 2) the per-mile rate does not exceed the maximum mileage reimbursement rate paid by the district to administrative employees; and 3) reimbursement is based on the actual miles traveled, not the number of students.

Instead of extending existing transportation routes or establishing new routes, the District may establish in-lieu-of agreements to reimburse parents for transporting their children at approved rates and under approved conditions.

(Cf. 3540- Transportation)

**Note:** [4 AAC 27.056](#) requires that each district that receives pupil transportation funds from the department submit pupil transportation reports on prescribed forms. The pupil transportation annual report shall be submitted by October 1 of each year. The pupil transportation quarterly report shall be submitted not later than 15 days after the end of each quarter of the fiscal year. The final report is due by July 15 of each year, unless the district is offering summer school transportation services, in which case it is due by August 15. Any school bus accident reports must be submitted not later than 10 days after the end of each month in which a reportable school bus accident occurs.

The district will timely submit to the Department of Education and Early Development all transportation reports required by law.

**Note:** [4 AAC 27.086](#) establishes minimum standards for requests for proposals ("RFP"). Districts must ensure that an RFP commences six months before the expiration date of the current contract. Pre-bid conferences shall be held 30 days after the release of the RFP. Proposals are due to the district 14 days after the pre-bid conference and shall be opened that day in public at the hour and place stated in the RFP. The School Board shall forward a copy of the written proposed contract and

*successful proposal to the Department of Education and Early Development, not later than April 15 of the fiscal year preceding the first year of the contract. A copy of the final signed contract shall be forwarded to the Department not later than the first day of the contract. Each District with an ADM of 4,500 or more shall work with the Department to align, bid and remain on the same five-year term cycle.*

All contracts for pupil transportation awarded by the School Board will be based on the competitive proposal process and meet minimum standards as required by law.

*(cf. 3541.2 - Transportation for Special Education Students)*

*(cf. 3541.5 - Alternative Transportation Arrangements)*

Legal References:

UNITED STATES CODE

[49 U.S.C. §§ 30101](#), *et seq.*

ALASKA STATUTES

[14.09.010](#) Transportation of pupils

ALASKA ADMINISTRATIVE CODE

[4 AAC 27.006-27.951](#) Pupil transportation

Revised 3/2015

**Nome Public Schools**

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## **BP 3541.1 SCHOOL-RELATED TRIPS**

### **Trips by School Vehicles**

***Note:** Federal safety regulations enacted in 2000 govern the number of students that may be transported in vans. These regulations are applicable to the purchase or lease of new vans by Alaska school districts. After 1 September 2000, new vehicles designed by the manufacturer to carry 11 or more persons (rated capacity if equipped with full seating) that are used for transporting students to or from school or school-related activities are required to meet all Federal Motor Vehicle Safety Standards for school buses. As a result, passenger vans are limited to transporting a total of ten passengers, including the driver, unless the passenger van or suburban meets the Federal Motor Vehicle Safety Standards applicable to school buses. The large majority of passenger vans do not meet and comply with Federal school bus safety standards. Although used vans are not covered under the federal regulations, for risk management purposes, districts may want to require the new van standards for the purchase of used vans.*

The School Board may approve transportation for field trips and school-sponsored activities. The Superintendent or designee shall regulate the use of the district transportation for approved school-related activities. Student councils, parent-teacher associations, and any other organizations requesting transportation shall be fully responsible for the costs of the trip. To the extent that funding has been approved by the School Board, such costs may be charged to the district.

### **Transportation by Private Automobile**

Private automobiles shall not be used to transport students on any school-related trips.

Owners, drivers and passengers shall be informed that the registered owner and his/her insurance company are responsible for any accidents which may occur. District personnel who frequently transport students in their private vehicles are urged to carry liability insurance of \$300,000 or more per occurrence.

A seat belt must be provided for each passenger. Trucks and pickups may not transport more persons than can safely sit in the passenger compartment.

Owners furnishing private vehicles shall not accept reimbursement from passengers in excess of the cost of operating the vehicle. Reimbursement for the use of private transportation may be made from district funds.

### **Transportation by other private means (boat, ATV, off-road vehicles, snow machines)**

The Superintendent or designee may authorize the transportation of students by other private means for approved field trips and activities when an adult registered with the district for such purposes operates the vehicle. Operators shall be issued safety instructions and emergency information. Operators must abide by the specific vehicle safety ratings such as passenger capacity, maximum speed and required safety equipment (helmets, life jackets, etc.)

All student passengers shall provide permission slips signed by their parents/guardians.

Operators shall be required to possess a valid driver's license and liability insurance of at least \$100,000 per occurrence.

*(cf. 6153 - School-sponsored Trips)*

Revised 04/2019

Adopted: June 10, 2003

## **Nome Public Schools**

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## **BP 3541.2 TRANSPORTATION FOR CHILDREN WITH DISABILITIES**

**Note:** *Children with disabilities must be transported with other non-disabled children if the district provides transportation to other students in the district. Separate transportation for an exceptional child is authorized only when it is in the best interest of that child due to the nature of the physical or mental disability. [AS 14.30.347](#).*

The School Board recognizes its responsibility to provide transportation services that give students with disabilities access to appropriate education programs and services. The district shall provide transportation for students with disabilities in accordance with needs specified in their Individualized Education Program (IEP).

In selecting the most appropriate mode of transportation, IEP teams shall consider the student's unique safety and health needs, the availability of equipment, existing transportation schedules and the extent to which transportation arrangements may help the student develop independent mobility skills.

Whenever possible, children with disabilities shall be transported with students without disabilities.

*(cf. 3540 - Transportation)*

*(cf. 3541.5 - Alternative Transportation Arrangements)*

*(cf. 6172 - Special Education)*

Legal References:

### ALASKA STATUTES

[14.30.278](#) Individualized education program

[14.30.347](#) Transportation of exceptional children

### ALASKA ADMINISTRATIVE CODE

[4 AAC 52.730](#) State aid for transportation

[4 AAC 27.021](#) Establishment of special education routes

Revised 3/2015

**Nome Public Schools**

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## **BP 3541.5 ALTERNATIVE TRANSPORTATION ARRANGEMENTS**

**Note:** *The following option is intended to address the unique transportation needs of some students.*

Whenever it is more economical to do so, the School Board may seek agreement with the parents/guardians to reimburse parents/guardians in lieu of transportation.

**Note:** *State regulation previously provided that if student travel time exceeds two hours per day, parent/guardian permission is required or the parent/guardian may select other reasonable and available educational or transportation alternatives. That regulation has been repealed. Districts may retain a two hour standard, select a different standard, or remove a maximum ride standard altogether. [4 AAC 27.032](#) provides the following limitations on in-lieu-of agreements: 1) unless the child is a special education student, the student's residence must be more than a mile and a half from both the nearest regular bus route and the student's attendance center; 2) the per-mile rate may not exceed the maximum reimbursement rate paid to district employees; and 3) reimbursement must be based on the actual miles traveled, not the number of students transported.*

*(cf. 6181 - Correspondence Study Program)*

*(cf. 6182 - Secondary Boarding Program)*

Legal References:

### ALASKA STATUTES

[14.09.010](#) Transportation of pupils

[14.30.347](#) Transportation of exception children

### ALASKA ADMINISTRATIVE CODE

[4 AAC 09.050](#) Secondary Boarding Programs

[4 AAC 27.990](#) Definitions

[4 AAC 27.032](#) In-lieu-of agreements

Revised 3/2015

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**Nome Public Schools**

## **BP 3542 ROLES AND DUTIES OF EMPLOYEES**

### **Authority of School Bus Drivers**

Students transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway, or road.

*(cf. 5131.1 - Bus Conduct)*

All bus drivers shall receive training as mandated by law. They also shall be familiar with and adhere to district policies and regulations relating to student transportation.

Legal References:

#### ALASKA STATUTES

[28.15.046](#) Licensing of school bus drivers

#### ALASKA ADMINISTRATIVE CODE

[4 AAC 27.200](#) Approved school bus driver training courses

[4 AAC 27.210](#) Certification of instructors

[4 AAC 27.220](#) Minimum standards for school bus driver training courses

[4 AAC 27.230](#) Issuance of school bus driver certificates under [4 AAC 27.200](#)(c)

[4 AAC 27.235](#) Revocation of school bus driver training course approval

[4 AAC 27.240](#) Revocation of instructor certificate

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3543 TRANSPORTATION: EMERGENCY AND SAFETY PROCEDURES**

**Note:** *Districts are also required to conduct at least three school bus drills each school year, one of which must be conducted during the first three weeks of the school term. The drills must encompass safe boarding, exiting, and emergency procedures. [AS 14.09.030](#).*

The School Board places a high priority on student safety and believes that student instruction in safe riding practices and emergency procedures appropriate for the type of conveyance, territory, and weather conditions, may lessen the risk of serious injury. The District shall provide instruction on safe boarding, riding, exiting, and emergency procedures to students who are transported by bus and shall conduct school bus drills. The Superintendent or designee shall inform parents/guardians of district safety precautions and encourage their support and participation as appropriate.

*(cf. 5131.1 - Bus Conduct)*

Legal References:

### ALASKA STATUTES

[14.09.030](#) School buses

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3550 FOOD SERVICE

The School Board recognizes that students need adequate, nourishing food in order to grow and learn and to give a good foundation for their future physical well-being. The School Board may provide for a food service program based on regular lunch service and including such other snack and breakfast programs as the needs of the students and the financial capacity of the district permit. The School Board recognizes that the lunch program is an important complement to the nutritional responsibilities of parents/guardians.

The School Board believes that:

1. Foods and beverages available on school premises should contribute to the nutritional well-being of students and meet the nutritional criteria of the National School Lunch and Breakfast Programs and current U.S. Dietary Guidelines for Americans.
2. Foods can help students and families to feel comfortable in the school. To further this, the District may include cultural and subsistence foods if available and can be served in compliance with school safety and nutritional programs.
3. Foods and beverages available should be considered as carefully as other educational support materials and can serve to build cultural connectedness for students.
4. Foods and beverages should be prepared in ways which will appeal to students while retaining nutritive quality.
5. To further Alaskan values, food and beverages should be prepared and served in ways that reduce waste.
6. Food should be served in quantities appropriate to the needs of students at their age level and served in as pleasant and relaxed an atmosphere as possible, with adequate time for students to eat.
7. Schools are encouraged to assess common eating habits and eating times to establish appropriate meal and snack times.
8. Foods grown in the state provide nutritional, environmental, and economic benefits and should be utilized in the district's food service program to the extent feasible.
9. The District and its schools will have food safety plans and written guidance for procuring, receiving, and preparing subsistence foods harvested and donated to the school.
10. The District will include subsistence foods within food pyramids as a part of the nutritional and dietary guidelines for Americans.

**Note:** *Effective January 14, 2010, the U.S. Department of Agriculture requires schools participating in the National School Lunch and Breakfast Programs to develop a written food safety program for the preparation and serving of school meals. The goal is to prevent and reduce the risk of food-borne illness among students. Schools are required to utilize the "hazard analysis and critical control point (HACCP) system" when developing their food safety programs. A written safety program must be in place for each food preparation and service facility that prepares and serves meals under the federal breakfast or lunch programs.*

The Superintendent or designee will oversee the development of a written food safety program for each food preparation and serving facility in the district, as required by law. Foods and beverages will be stored, prepared and served in accordance with food safety regulations in order to prevent or reduce the risk of food-borne illness among students.

**Note:** *Effective July 1, 2015, federal regulations of the Department of Agriculture, Food and Nutrition Service, require that certain food service personnel meet minimum professional*

*standards. More specifically, school nutrition program directors who are responsible for management of the day-to-day food service operations for all schools in the district must meet minimum educational qualifications as a condition of hire. The qualifications vary depending upon the student enrollment (size) of the district. The qualification requirements are applicable to the hire of new directors only; current directors employed prior to the July 1, 2015 effective date are grandfathered. In addition, the new regulations require minimum continuing education and training requirements for all student nutrition staff, including school nutrition program directors, school nutrition program managers who are responsible for day-to-day operations of food service for a particular school, and other personnel who work an average of at least 20 hours per week. The hours of continuing education/training varies depending upon the position held by the individual.*

Qualified and trained food service personnel are critical to a healthy and safe food service program. The Superintendent or designee shall hire qualified personnel, taking into consideration professional standards required by law, and will provide continuing education and training in compliance with federal standards.

*(cf. 4131 – Certificated Staff Development)*

The School Board intends that, insofar as possible, the school food services program shall be self-supporting and may include foods from school gardens, greenhouses and farms. The School Board shall review and approve of menu prices. Program financial reports shall be presented regularly for inspection by the School Board.

*(cf. 3554 – Other Food Sales)*

*(cf. 5040 – Student Nutrition and Physical Activity)*

*Legal Reference:*

UNITED STATES CODE

Richard B. Russell National School Lunch Act, [42 U.S.C. 1751-1769j](#)

Child Nutrition Act of 1996, [42 U.S.C. 1771-1793](#)

CODE OF FEDERAL REGULATIONS

[7 C.F.R. Parts 210, 220](#), and [235](#) National School Lunch Program and Breakfast Program

FEDERAL REGISTER

*Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010, Vol. 80, No. 40 and No. 88 (2015)*

Revised 04/2019

Revised 03/2016

## **BP 3553 FREE AND REDUCED PRICED MEALS**

The School Board desires to provide meals of the proper quality and amount for good nutrition to eligible students by participating in the national school lunch program where feasible.

Eligibility for free or reduce priced meals shall be based on federal regulations.

Parents/guardians shall be informed of the district policy and regulations concerning free or reduced priced meals.

All applications and records related to eligibility for the free or reduced price meal program shall be confidential.

*(cf. 1340 - Access to District Records)*

*(cf. 5125 - Student Records)*

Children eligible for free or reduce priced meals and milk shall not be treated differently from other children and shall have the same choice of meals or milk that is available to those children who pay the full price. There shall be no overt identification of any of the children by the use of special tokens or tickets or by any other means. The children shall not be required to work for their meals or milk, use a separate dining area or entrance, or consume their meals or milk at a different time.

Legal Reference:

NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM

Adopted: June 10, 2003

**Nome Public Schools**

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## **BP 3554 OTHER FOOD SALES**

The Board believes that all food available at school should contribute to the development of sound nutritional habits and should reflect concern for the health and well-being of our students.

### **During School Day**

Between the hours of 12:00 AM and 30 minutes after the conclusion of the instructional day, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales meet the requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools, also known as Smart Snacks in School, do not impair the food service's ability to be financially sound, and observe appropriate sanitation and safety procedures.

*(cf. 5040 - Student Nutrition and Physical Activity)*

*(cf. 6163.4 - School Gardens, Greenhouses and Farms)*

### **Outside of School Day**

From 30 minutes after the conclusion of the instructional day until 12:00 AM, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales comply with state and federal regulations and observe appropriate sanitation and safety procedures.

*(cf. 1321 - Solicitations of Funds from and by Students)*

Legal References:

#### UNITED STATES CODE

Richard B. Russell National School Lunch Act, [42 U.S.C. 1751-1769j](#)

Child Nutrition Act of 1996, [42 U.S.C. 1771-1793](#)

#### CODE OF FEDERAL REGULATIONS

[7 C.F.R. Parts 210 and 220](#), National School Lunch Program and Breakfast Program

#### FEDERAL REGISTER

Nutrition Standards for All Foods Sold in Schools ("Smart Snacks in School"), Vol. 78, No. 125, Part II, Department of Agriculture (2013)

Revised 4/2014

Revised 11/2014

Adopted: June 10, 2003

**Nome Public Schools**

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## BP 3580 DISTRICT RECORDS

**Note:** [Alaska Statute 40.21.070](#) requires districts to follow the state records management and retention program to the extent practical. In 2007, the Department of Education and Early Development updated its 1992 publication relating to records retention practices for school districts. The newly updated Model Records Retention Schedule for Alaska School Districts lists and describes most records that school districts administer and recommends minimum retention guidelines, irrespective of the media utilized. The schedule is only a guide and districts may establish their own varying schedules to meet specific school or community needs or practices.

School district records shall be developed, maintained and disposed of according to the requirements of federal and state laws and regulations.

Records, regardless of format, should remain accessible and durable for their prescribed retention period. Electronic records, including email, should be administered under operating policies and procedures, ideally in an unaltered format, to ensure that the records remain authentic and trustworthy for their full retention period.

**Note:** In 2007, the Federal Rules of Civil Procedure underwent a major revision to include electronic discovery rules. The Federal Rules mandate that entities, including school districts, retain documents that are relevant to a claim or defense to a claim. Thus, electronically stored information that is relevant to a claim must be saved for an extended period of time. Even inadvertent destruction of electronic data, for example pursuant to your email purging procedures, can result in sanctions for your district if you are involved in litigation. A "litigation hold" is a directive to parties not to destroy any documents, including electronically stored information in all of its various forms, that might be relevant to a legal proceeding, or that might lead to the discovery of relevant information. In the event the district becomes aware of actual or threatened litigation, audit, or investigation that may concern a group of records, those records should not be disposed of until authorized to do so upon advice of your attorney.

The Superintendent or designee shall undertake the preservation and retention of records and data, including electronically stored information, when there becomes a likelihood that potential litigation will occur.

Irreplaceable, vital school district records must be protected against destruction in the event of a fire, flood, earthquake, terrorist act or other disaster. Vital records are those containing critical information essential to the continuity of operations, or the protection of the rights and interests of the school district, its students, and staff. The Superintendent or designee shall identify vital records and implement measures to ensure that these documents are preserved.

The School Board authorizes the destruction of records having no legal or administrative value or historical interest, following retention for those periods described in the records retention schedule.

**Note:** [Alaska Statute 40.21.080](#) provides that public records may not be destroyed except on the authority of the local governing body. The Board may authorize by policies or regulations, the disposal of "routine records." The District should establish regulations defining its routine records, and time limits for retention of all records.

The School Board adopts as its Records Management System the Model Records Retention Schedule for Alaska School Districts. The Superintendent or designee will implement a records management program consistent with this Schedule.

The Superintendent or designee shall ensure the confidentiality of district records as permitted or required by law. All district employees must guard against improper disclosure of confidential and personally identifiable information.

(cf. 1340 - Access to District Records)

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

(cf. 5125 - Student Records)

**Note:** Participants in the E-rate program have specific document retention requirements which go into effect for funding year 2004. Under FCC rules, program beneficiaries must "retain all records related to the application for, receipt and delivery of discounted services for a period of five years after the last day of service delivered" in any particular funding year. FCC Rule § 54.516. Specifically, eight categories of documents must be retained: pre-bidding process, bidding process, contracts, application process, purchase and delivery of services, invoicing, inventory, and forms and rule compliance.

Legal References:

ALASKA STATUTES

[09.25.120-09.25.220](#) Public Records Act

[14.03.115](#) Parental Access

14.17.190 Restrictions governing receipt and expenditure of money from public school foundation account

[40.21.010-40.21.140](#) Public records

ALASKA CONSTITUTION

[art. 1, sec. 22, Right to Privacy](#)

UNITED STATES CODE

[5 U.S.C. § 552a](#) - Privacy Act

[20 U.S.C. § 1232g](#) - Family Educational Rights & Privacy Act

CODE OF FEDERAL REGULATIONS

[34 CFR Part 99](#) - Family Educational Rights & Privacy Act

Revised 6/08

Adopted: June 10, 2003

**Nome Public Schools**

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