

Sitka School District Mission:
The Sitka School District will intentionally develop
Haa Latseení
(Our Strength of Mind, Body, and Spirit)
to inspire and prepare students to be compassionate, empowered,
and equipped critical thinkers within a global community.

School Board Meeting

Wednesday, April 10, 2024 | 5:00 PM | District Office Board Room, 300 Kostrometinoff Street, Sitka,
AK 99835

Proposed Agenda

1. **BP and AR 5131.43 Harassment, Intimidation, and Bullying**
2. **BP 3312 - Contracts**
3. **BP and AR 5141.43 Uniform Investigations**
4. **BP 1250 - Volunteer Assistance**

Note: All items listed under Agenda & Consent Agenda are considered routine by the School Board and will be approved in one motion. Items may be removed at the request of a School Board Member.

Note: Meetings will adjourn by 10:30 p.m. Alaska Standard Time (or Alaska Daylight Standard Time) unless by a majority vote of the board the meeting is extended 30 minutes to 11:00 p.m. Further 30-minute extensions will require each a separate motion that will require a unanimous vote of those members present and constituting a quorum.

Note: The School Board reserves the right to go into executive session as and to the extent permitted by AS 44.62.310 and Board Bylaw 9321. An executive session may be called to consider the following subjects: (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the District; (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; (3) matters which by law, municipal charter, or ordinance are required to be confidential; and (4) matters involving consideration of government records that by law are not subject to public disclosure. The motion to go into executive session must clearly specify the subject of the proposed session without defeating the purpose of addressing the subject in executive session.

BP 5131.43 BULLYING

Note: A policy prohibiting the harassment, intimidation or bullying of any student. [AS 14.33.200-250](#).

The board is dedicated to providing a safe and civil learning environment and recognizes that teaching students the importance of civil and respectful speech and conduct is an integral part of our educational mission. Bullying is a form of harassment and intimidation that disrupts a student's ability to learn and a school's ability to educate. Students, staff volunteers and all other persons are prohibited from engaging in any form of bullying while on school property, on school buses, at the bus stop or at school-sponsored activities or functions. Students who engage in an act of bullying are subject to appropriate disciplinary action, up to and including expulsion. Employees who engage in an act of bullying are also subject to appropriate disciplinary action up to and including termination. Other individuals who engage in bullying are subject to sanctions appropriate to their status or relationship with the school district.

The district will provide parent and community information and age-appropriate student instruction, on how to identify, respond to, and prevent harassment, intimidation and bullying.

Note: Disability-based harassment or bullying may deny a student equal educational opportunities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA). Harassment or bullying of a student with a disability, on *any* basis, may also adversely impact the school's provision of FAPE to the student, under the Individuals with Disabilities Education Act (IDEA) and under Section 504. (See Dear Colleague Letter, Office for Civil Rights, October 21, 2014). A school's inappropriate response to bullying or harassment of a student, based on a disability, may constitute a disability-based harassment violation, *by the school*, under Section 504 and the ADA. Schools should address all harassment and bullying of students with disabilities by taking prompt and effective steps reasonably calculated to end the bullying or harassment, eliminate the hostile environment, prevent it from recurring, investigate if the student's receipt of appropriate services may have been affected by the bullying (if student receives IDEA or Section 504 services) and, as appropriate, remedy its effects.

(c.f. 5144 - Discipline)

(c.f. 5144.1 - Suspension and Expulsion)

BULLYING DEFINED

Bullying is a written, oral, electronic or physical act undertaken with the intent of threatening, intimidating, humiliating, harassing or frightening a person that a) physically harms a person or damages the person's property; b) substantially interferes with a student's education or a person's job performance; c) is so severe, persistent or

pervasive that it creates an intimidating or threatening educational or work environment; or d) substantially disrupts the orderly operation of a school. Bullying may include, but is not limited to, conduct such as physical abuse, damage or theft of another's property, social exclusion from activities, exclusion from playground or school-related social activities, verbal taunts, name-calling, rumors, innuendoes, drawings, jokes, gestures, pranks, and put-downs relating to real or perceived differences, including another's culture, race, ethnicity, gender, sexual orientation, religion, body size, physical appearance, clothing, personality, age, socioeconomic status, ability or disability, or other distinguishing characteristics.

(c.f. 5145.3 - Nondiscrimination)

(c.f. 5145.7 - Harassment)

HAZING AS FORM OF BULLYING

Hazing includes any act that endangers the health or safety of a person or subjects that person to physical discomfort or embarrassment as a condition of attaining or maintaining membership in, a position with or affiliation with any grade level, class or school-sponsored activity. Hazing is considered a form of bullying and is prohibited by this policy regardless of whether the subjects of the hazing are, or profess to be, willing participants in the hazing activity. Hazing includes, but is not limited to, the following acts: required consumption of any substance, required exposure to the elements, required wearing or carrying of any article intended to subject the wearer to discomfort or embarrassment, assignment of pranks to be performed by the candidate for membership or member, and subjugation of the candidate for membership or member to swats or other forms of physical or mental abuse.

CYBERBULLYING

Note: Technological advances have expanded the ways in which harassment, intimidation or bullying can occur, including the ability to bully with anonymity and to reach a much broader audience. This language notifies students and staff that cyberbullying is not permitted and will result in disciplinary action. It is a crime, (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges, or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. [AS 11.61.120\(a\)](#)

All forms of harassment, intimidation or bullying via electronic means, commonly referred to as cyberbullying, are prohibited. Cyberbullying also includes, but is not limited to, other misuses of technology to threaten, harass, intimidate or bully, including sending or posting inappropriate email messages, instant messages, text messages, digital pictures or images, or Web site postings including blogs. An individual who redistributes a cyberbullying communication can be found in violation of this policy even if the individual did not author or create the original communication or image.

The district's computer network, including access to the Internet via that network, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment, intimidation or bullying. Users are responsible for the appropriateness of the material they transmit over the system.

In situations in which the cyberbullying originates from a private (non-school) computer or other electronic device, but is brought to the attention of school officials, disciplinary measures may be imposed when the communication:

- . Is of a criminal nature, including but not limited to, threats of violence or harm against staff members students or their property;
- . Suggests or advocates physical harm to staff members or students;
- . Causes a student or staff member to experience a substantially detrimental effect on his or her physical or mental health;
- . Causes a student or staff member to experience substantial interference with academic or work performance, or with his or her ability to participate in or benefit from district services or activities;
- . Threatens vandalism to school property; or
- . Creates a significant disruption to the school's educational mission, purpose or objectives.

Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, suspension or expulsion for those committing acts of cyberbullying. In addition, any kind of threat or hate crime will be reported to law enforcement officials.

Students and staff who believe they have been the victims of cyberbullying, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed, and a report made under this policy.

REPORTING

Students, staff members and volunteers who have witnessed or have reliable information that a student has been subjected to bullying should report the incident immediately to the student's principal or his/her designee, who shall promptly initiate an investigation. The investigation shall include an assessment of what actions should be taken, as appropriate, to protect the student who has been found to be the victim of bullying. Such actions may include the provision of support services necessary to permit the student to feel safe and secure in attending school. If the victim of the bullying is a student with a disability, a meeting of the student's IEP Team or Section 504 Team will be called to address this assessment and determine if the bullying is affecting the student's receipt of an appropriate education.

RETALIATION PROHIBITED

Retaliation against any person who in good faith reports an incident of bullying, or cooperates in an investigation, is strictly prohibited. Students and employees who

engage in retaliation will be subject to discipline, up to and including expulsion or termination from employment. Other individuals who engage in prohibited retaliation will be subject to sanctions appropriate to their status or relationship with the school district.

FALSE REPORT

Students and employees who knowingly or willfully make a false report of bullying will be subject to disciplinary action up to and including suspension/expulsion for students and termination for employees. Other individuals who knowingly or willfully make a false report of bullying will be subject to sanctions appropriate to their status or relationship with the district.

RESPONSE

In determining the appropriate response to students who commit one or more acts of bullying, the following factors should be considered:

- . the development and maturity levels of the parties involved;
- . the level of harm;
- . the surrounding circumstances;
- . past incidences or past continuing patterns of behavior;
- . the relationships between the parties involved;
- . the level of disruption in or interference with the orderly operation of the school

This policy should not be interpreted to prohibit a reasoned and civil exchange of opinions or debate that is protected by law and Board policy.

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

(c.f. 5145.2 - Freedom of Speech/Expression)

Conduct that does not rise to the level of bullying may still be prohibited by other policies or rules.

(cf. 5131 - Conduct)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.41 - Violent and Aggressive Conduct)

(cf. 5131.42 - Threats of Violence)

(cf. 5131.5 - Vandalism, Theft & Graffiti)

(cf. 5137 - Positive School Climate)

Legal Reference:

ALASKA STATUTES

[14.33.200](#) *Harassment, intimidation and bullying policy*

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

[14.33.220](#) *Reporting, no reprisals*

[14.33.230](#) *Immunity from suit*

[14.33.250](#) *Definitions*

[11.61.120](#) *Harassment in the second degree*

CODE OF FEDERAL REGULATIONS

[28 CFR Part 35](#), *Title II of the Americans with Disabilities Act of 1990 (ADA)*

[34 CFR Part 104](#), *Section 504 of the Rehabilitation Act of 1973 (Section 504)*

[34 CFR Part 300](#), *Individuals with Disabilities Education Act (IDEA)*

Adoption Date: August 16, 2005

Revision Date: June 27, 2006

Revision Date: March 5, 2007

Revision Date: September 18, 2007

Revision Date: January 7, 2014

Revision Date: January 6, 2015

Sitka School District

AR 5131.43 BULLYING

It shall be a violation for any person to bully another person or for a staff member or volunteer to knowingly tolerate or ignore bullying on school property, on school buses, at the bus stop, or at school sponsored activities or functions.

For the purpose of this policy, school staff includes school employees, school board members, agents, volunteers, contractors, or other persons subject to the supervision and control of the school district.

Actions that the accompanying policy or these regulations require to be taken by, or reported to, a school principal or the Superintendent may also be taken by, or reported to, the designee of the principal or Superintendent.

SANCTIONS FOR BULLYING

Appropriate sanctions will be taken against individuals commit acts of bullying or other acts in violation of the accompanying policy and these regulations. For students, the sanctions must be appropriate to the seriousness of the incident and may include discipline, suspension, and up to and including expulsion in accordance with state law, district policy, administrative regulation, and student handbooks. For employees sanctions may include discipline, up to and including termination, in accordance with state law, district policy, administrative regulation, collective bargaining agreements, and applicable codes of ethics. Other individuals will be subject to sanctions appropriate to their status or relationship with the school district.

REPORTING PROCEDURE

Note: A staff member or student who observes or receives a sexual image on a computer or personal electronic device should not forward that image electronically. The image should be secured and the device turned over to an administrator. Any sexual image of a minor requires reporting to OCS and/or law enforcement.

- . Any person who believes he or she has been the victim of bullying should report the alleged act to the school principal or to the principal who has supervisory authority over the alleged perpetrator or the property where the incident took place. If a person is more comfortable reporting to a person other than the principal, the person may contact any teacher or district staff. The principal or designee will accept anonymous reports, but formal disciplinary action may not be taken without corroborating evidence.
- . Any student, staff member or volunteer who witnesses bullying, receives a report of bullying, or has reliable information that a student has been subject to bullying shall immediately report the incident to the student's principal for prompt investigation. Staff members who witness bullying, receive a report of bullying, or have reliable information that a student has been subject to bullying shall act immediately to protect the alleged victim, if necessary.

- . Upon receipt of a report of bullying, the principal or designee shall forward a timely written report of the incident and his or her response to the Superintendent or designee.
- . In all cases where the principal concludes that a report of alleged bullying is reliable and may lead to discipline, the principal or designee shall by telephone or in writing notify the parents or guardians of all minor students allegedly involved in the incident alleged incident. The notice shall advise individuals involved of their due process rights. The principal or designee shall maintain a written record of all telephonic notifications of bullying incidents.

INVESTIGATION AND CORRECTIVE ACTION

- . The principal or designee shall promptly and thoroughly investigate all acts of bullying.
- . All persons involved in an alleged act of bullying shall be advised by the principal of his or her due process rights.
- . At the conclusion of the investigation, the principal shall take appropriate disciplinary action to end any bullying and prevent its recurrence. The principal shall act in accordance with state law, district policy, administrative regulation, the student handbook, collective bargaining agreements, and applicable codes of ethics in disciplining the offending party or parties.
- . Incidents of bullying that involve criminal activity shall be reported to law enforcement.

IMPLEMENTATION DATE: November 1, 2005

Revision Date: May 16, 2006

Revision Date: March 5, 2007

Revision Date: December 2, 2015

Sitka School District

Model Policy

BP 5131.43 HARASSMENT, INTIMIDATION AND BULLYING

Note: Districts must have a policy prohibiting the harassment, intimidation, or bullying of any student. [AS 14.33.200-.250](#).

The School Board is dedicated to providing a safe and civil learning environment. Harassment, intimidation and bullying disrupt a student's ability to learn and a school's ability to educate. Students and staff are expected to demonstrate positive character traits and values. Conduct and speech must be civil and respectful in order to promote harmonious and courteous relations in the school environment.

(cf. 5137 – Positive School Climate)

Note: Disability-based harassment or bullying may deny a student equal educational opportunities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA). Harassment or bullying of a student with a disability, on *any* basis, may also adversely impact the school's provision of FAPE to the student, under the Individuals with Disabilities Education Act (IDEA) and under Section 504. (See Dear Colleague Letter, Office for Civil Rights, October 21, 2014). A school's inappropriate response to bullying or harassment of a student, based on a disability, may constitute a disability-based harassment violation, *by the school*, under Section 504 and the ADA. Schools should address all harassment and bullying of students with disabilities by taking prompt and effective steps reasonably calculated to end the bullying or harassment, eliminate the hostile environment, prevent it from recurring, investigate if the student's receipt of appropriate services may have been affected by the bullying (if student receives IDEA or Section 504 services) and, as appropriate, remedy its effects.

Students, staff and volunteers are prohibited from engaging in any form of harassment, intimidation, or bullying while on school property, on school buses, at the bus stop, or at school-sponsored activities or functions. Students who engage in such acts are subject to appropriate disciplinary action, up to and including suspension or expulsion. Staff who engage in acts of harassment, intimidation or bullying are also subject to appropriate disciplinary action up to and including suspension and termination. Volunteers who engage in such acts will be denied the opportunity to volunteer in the future.

To promote an environment free of harassment, intimidation, or bullying, the principal or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice and student instruction and counseling. Teachers shall discuss this policy with their students in age appropriate

ways and assure students that they need not endure any form of harassment, intimidation, or bullying.

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

The district will provide parent and community information, and age-appropriate student instruction, on how to identify, respond to, and prevent harassment, intimidation, and bullying.

(cf. 5131.5 – Vandalism, Theft and Graffiti)

(c.f. 5144 - Discipline)

(c.f. 5144.1 – Suspension and Expulsion)

Harassment, Intimidation and Bullying Defined

Harassment, intimidation, or bullying means an intentional act, whether written, oral, electronic or physical, when the act is undertaken with the intent of threatening, intimidating, harassing, or frightening the student, and

- . physically harms the student or damages the student's property;
- . has the effect of substantially interfering with the student's education;
- . is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- . has the effect of substantially disrupting the orderly operation of the school.

(c.f. 5145.3 – Nondiscrimination)

Cyberbullying

Note: Technological advances have expanded the ways in which harassment, intimidation, or bullying can occur, including the ability to bully with anonymity and to reach a much broader audience. This language notifies students and staff that cyberbullying is not permitted and will result in disciplinary action. It is a crime, (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges, or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. [AS 11.61.120\(a\)](#)

All forms of harassment, intimidation or bullying via electronic means, commonly referred to as cyberbullying, are prohibited. Cyberbullying also includes, but is not limited to, other misuses of technology to threaten, harass, intimidate, or bully, including sending or posting inappropriate email messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs. An individual who

redistributes a cyberbullying communication can be found in violation of this policy, even if the individual did not author or create the original communication or image.

The district's computer network, including access to the Internet via that network, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment, intimidation, or bullying. Users are responsible for the appropriateness of the material they transmit over the system.

In situations in which the cyberbullying originates from a private (non-school) computer or other electronic device, but is brought to the attention of school officials, disciplinary measures may be imposed when the communication:

- . Is of a criminal nature, including but not limited to, threats of violence or harm against staff members, students, or their property;
- . Suggests or advocates physical harm to staff members or students;
- . Causes a student or staff member to experience a substantially detrimental effect on his or her physical or mental health;
- . Causes a student or staff member to experience substantial interference with academic or work performance, or with his or her ability to participate in or benefit from district services or activities;
- . Threatens vandalism to school property; or
- . Creates a significant disruption to the school's educational mission, purpose or objectives.

Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, suspension, or expulsion for those committing acts of cyberbullying. In addition, any kind of threat or hate crime will be reported to law enforcement officials.

Students and staff who believe they have been the victims of cyberbullying, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and a report made under this policy.

(cf. 6161.4 – Internet)

(cf. 6161.5 – Web Sites / Pages)

Reporting

<p><u>Note: A school employee, student or volunteer who makes a good faith report of harassment, intimidation, or bullying is entitled to statutory immunity from suit. The immunity extends to causes of action for damages arising from a failure to remedy the reported incident or for making the report. AS 14.33.230.</u></p>

Students or staff members who have witnessed or have reliable information that a student has been subjected to harassment, intimidation or bullying should report the incident immediately to the principal or his/her designee, who shall promptly initiate an

investigation. The investigation shall include an assessment of what actions should be taken, as appropriate, to protect the student who has been found to be the victim of harassment, intimidation or bullying. Such actions may include the provision of support services necessary to permit the student to feel safe and secure in attending school. The Superintendent/Chief School Administrator shall develop procedures to implement this policy.

Response

In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, the following factors should be considered:

- . the development and maturity levels of the parties involved;
- . the level of harm;
- . the surrounding circumstances;
- . past incidences or past continuing patterns of behavior;
- . the relationships between the parties involved;
- . the level of disruption in or interference with the orderly operation of the school.

This policy should not be interpreted to prohibit a reasoned and civil exchange of opinions or debate that is protected by law and School Board policy.

(c.f. 5145.2 – Freedom of Speech/Expression)

Conduct that does not rise to the level of harassment, intimidation or bullying may still be prohibited by other policies or rules.

(cf. 5131 – Conduct)

(cf. 5131.4 – Campus Disturbances)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.42 – Threats of Violence)

(cf. 5131.5 – Vandalism, Theft & Graffiti)

(cf. 5137 – Positive School Climate)

Legal Reference:

ALASKA STATUTES

[14.33.200](#) *Harassment, intimidation and bullying policy*

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

[14.33.220](#) *Reporting, no reprisals*

[14.33.230](#) *Immunity from suit*

[14.33.250](#) *Definitions*

[11.61.120](#) *Harassment in the second degree*

CODE OF FEDERAL REGULATIONS

[28 CFR Part 35](#), *Title II of the Americans with Disabilities Act of 1990 (ADA)*

[34 CFR Part 104](#), *Section 504 of the Rehabilitation Act of 1973 (Section 504)*

[34 CFR Part 300](#), *Individuals with Disabilities Education Act (IDEA)*

Revised 10/2021

9/92

AASB Policy Reference Manual

Model Policy

AR 5131.43 HARASSMENT, INTIMIDATION AND BULLYING

It shall be a violation for any student or staff member to harass, intimidate or bully another person while at school, traveling to and from school, or attending school-sponsored events. Moreover, it shall be a violation for any school staff member to knowingly ignore or tolerate harassment, intimidation or bullying at school or at school sponsored events.

For the purpose of this policy, *school staff* includes school employees, School Board members, agents, volunteers, contractors or other persons subject to the supervision and control of the school district.

Sanctions for Harassment, Intimidation or Bullying

Appropriate sanctions will be taken against students and/or employees who commit acts of harassment, intimidation or bullying. For students, the sanctions must be appropriate to the seriousness of the incident and may include detention, suspension, and/or expulsion in accordance with state law, district policy, administrative regulation, and student handbooks. For school staff, sanctions will be in accordance with state law, district policy, administrative regulation, collective bargaining agreements, and applicable codes of ethics.

Reporting Procedure

Note: A staff member or student who observes or receives a sexual image on a computer or personal electronic device should not forward that image electronically. The image should be secured and the device turned over to an administrator. Any sexual image of a minor requires reporting to OCS and/or law enforcement.

1. Any student or staff member who believes he or she has been the victim of harassment, intimidation or bullying may report the alleged act to the school principal or designee. If a student is more comfortable reporting to a person other than the principal, the student may contact any school employee. The principal or designee will accept anonymous reports but formal disciplinary action may not be taken without corroborating evidence.
2. Any school employee, or an employee of an entity under contract with the school district, who receives a report, witnesses harassment, intimidation or bullying, or has reliable information that a student has been subject to harassment, intimidation or bullying shall act immediately to protect the alleged victim, if necessary, and shall immediately report the incident to the student's principal or designee for prompt investigation.

3. Upon receipt of a report of harassment, intimidation or bullying, the principal or designee shall forward a timely written report of the incident and his or her response to the Safe and Drug-Free Schools Coordinator or other individual identified by the Superintendent/Chief School Administrator. That individual shall compile and maintain data of all incidents of harassment, intimidation or bullying that result in suspension or expulsion. Such data shall be reported to the Department of Education and Early Development on an annual basis.

4. The principal or designee shall by telephone and in writing notify the parents or guardians of the students involved of the alleged harassment, intimidation or bullying incident. The notice shall advise individuals involved of their due process rights.

Investigation and Corrective Action

1. The principal or designee shall promptly and thoroughly investigate all alleged acts of harassment, intimidation or bullying.

2. All involved in an alleged act of harassment, intimidation or bullying shall be advised by the principal of his or her due process rights.

3. At the conclusion of the investigation, the principal shall take such disciplinary action deemed necessary and appropriate to end the misconduct and prevent its recurrence. The principal will act in accordance with the student conduct code, the teacher code of ethics, and paraprofessional code of ethics to discipline the offending party(ies).

4. Incidents of harassment, intimidation or bullying that involve criminal activity shall be reported to law enforcement.

False Report

Students and staff who knowingly or willfully make a false report of harassment, intimidation or bullying, or provide false information in connection with an investigation, will be subject to disciplinary action up to and including suspension/expulsion for students and termination for staff.

Retaliation Prohibited

Retaliation or reprisal against any person who reports an incident of harassment, intimidation or bullying, or cooperates in an investigation, is strictly prohibited. Any such retaliation or reprisals will result in suspension or expulsion of offending students, and disciplinary action up to termination for school employees.

Revised 3/2012

AASB Policy Reference Manual

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

CONTRACTS

BP 3312

The Superintendent or designee may enter into contracts on behalf of the district. All contracts 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.

A contract for professional and technical services, or other purchases, services, or any amendment to a professional and technical services, or other purchased services contract, may not be enforced against the District unless its terms have been approved in accordance with Board Policy and Administrative Regulations and unless the contract or amendment(s) to the contract has been verified in writing that there are sufficient funds for the term of the contract.

All contracts, leases, and agreements shall be signed by the Superintendent or designee. The District shall execute all contracts, leases, and agreements.

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 27.085 Competitive pupil transportation proposals

4 AAC 27.100 Contractor's duties

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

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Business and Noninstructional Operations

Revised 3/17/2023

AASB POLICY REFERENCE MANUAL
9/92

Model Policy

AR 5141.43 UNIFORM INVESTIGATIONS

It is essential to select an investigator free from any personal, professional, or financial conflicts of interest. The investigator must have the skills, knowledge, experience, and time to conduct an appropriate investigation. The investigator should be objective, thorough, ethical, professional, and capable as a writer.

The goal of an administrative investigation is to gather all reasonably available information involving the complaint or allegation. The information gathered must be analyzed to determine whether the complaint or allegation is factual.

If an investigation of allegations is determined to be warranted, then the investigating school administrator must determine what laws, regulations, and/or policies apply to the allegations. It is critical for the investigating school administrator to consult with District legal counsel at this stage.

The result of an administrative investigation may be reduced to a comprehensive report of investigation which compiles all relevant statements and evidence obtained through the investigation.

School administrators need to be aware of employees' right to the presence of a union representative during investigatory meetings which could reasonably result in discipline of the employee. These are referred to as Weingarten rights. School administrators should refer to collective bargaining agreements for further details on employees' rights to representation during investigatory meetings.

1. Investigators must be impartial and have the ability to act independently. Investigators should also have the knowledge, skills, and experience to conduct an investigation.
2. An investigation should be conducted and completed in a timely manner, based upon the nature of the investigation.
3. An administrative investigation should be confidential and exempt from disclosure under the Public Records Act, [AS 40.25](#).
4. School administrators should take steps to ensure the safety of students upon receipt of a complaint, including the potential removal of any school-based contact between student(s) and suspected employee(s).
5. Interviews should be conducted in a private setting. Interview questions should be planned in advance, but the interview should allow for a natural flow and follow up on areas. It is critical to allow the interviewee to fully understand and to fully answer questions, as well as offer additional information outside the scope of the interview questions.
6. If the interviews are being recorded, the interviewee should be properly advised. If the interviews are not being recorded, the interviewees should disclose

Commented [DG1]: Does the AR address employee rights?

whether or not they are recording the interview. If the interviews are not being recorded, the information provided by witnesses should be documented by the investigator.

7. Interviews should start with rapport building. Accusatory and intimidating tones should be avoided.
8. It is critical not to cut off witnesses. Silence between questions usually results in additional information.
9. At the close of interviews, ask variations of "is there anything else I have not asked you which you believe would be relevant to this investigation?"
10. Interviewees should be encouraged to report any retaliation and/or any attempts to influence witnesses.
11. Interviewees should be advised the investigation, including the interview and the interview questions are confidential and should remain so.
12. Interviewees should be provided with contact information of the investigator to provide additional information and/or to report any retaliation.
13. Investigators must analyze interviews for credibility, or determining whether witnesses were believable. Investigators should consider whether a witness was motivated to lie, has a history of lying, or showed signs of lying. Investigators should also consider if there is evidence that corroborates witness statements.
14. Investigators should collect, analyze, document and secure physical and digital evidence. For example, class schedules, seating charts, attendance records, student disciplinary records, personnel records, social media posts, digital images and/or video, emails, text messages, and any other reliable evidence.
15. Investigators must then reach a conclusion, and document that conclusion in a written report. The investigation report should include the allegations, the investigation plan, list of evidence collected, factual findings, and recommendations, if requested.
16. The applicable standard of proof for the investigation is an issue that should be discussed with the District's attorney. Depending on the nature of the allegations, the standard of proof could be substantial evidence or preponderance of evidence.
17. The investigation report is confidential and should not be shared with the public. School administrators should develop a communications plan following the conclusion of the investigation.

Created 9/2023

AASB POLICY REFERENCE MANUAL

9/92

Model Policy

BP 5141.43 UNIFORM INVESTIGATIONS

The purpose of this policy is to provide guidance and procedures for conducting fair, thorough, and consistent investigations within the [Sitka School District](#). This policy is designed to ensure the safety, well-being, and rights of all students, staff, and stakeholders involved in the investigative process. It aims to foster a safe and inclusive learning environment where concerns and allegations are taken seriously, investigated promptly, and resolved appropriately.

~~By implementing the Administrative Regulation associated with this uniform investigation policy,~~ The [Sitka School District](#) is committed to maintaining a safe, respectful, and inclusive learning environment for all. Through fair and thorough investigations, we strive to address concerns, promote accountability, and protect the rights and well-being of our students and staff.

(cf. 5141.42 – Professional Boundaries of Staff with Students

(cf. 1312 – Public Complaints Concerning the Schools

(cf. 1312.3 – Public Complaints Concerning Discrimination

(cf. 4118 – Certificated Personnel – Suspension/Disciplinary Action

(cf. 4119.11 – All Personnel – Sexual Harassment

(cf. 4144/4244/4344 – Complaints

This policy is designed to supplement and reinforce the mandatory reporting requirements of [AS 47.17](#), the reporting requirements of [AS 14.33.210](#), and the concepts of Professional Boundaries of Staff with Students. This policy is not designed to replace or impact investigations conducted by the Professional Teaching Practices Commission pursuant to [AS 14.20](#).

~~The associated Administrative Regulation has been developed to assist school administrators when it is necessary to investigate complaints or allegations of misconduct against school staff, including volunteers. These investigations are referred to as administrative investigations.~~

Legal Reference:

ALASKA STATUTES

[AS 14.20](#) *Teacher and School Personnel*

[AS 40.25](#) *Public Record Disclosure*

[AS 47.17](#) *Child Protection*

[AS 14.33.210](#) *Reporting of Incidents of Harassment, Intimidation, or Bullying*

ALASKA ADMINISTRATIVE CODE

[4 AAC 12.210](#) *Reporting Instances of Prohibited Sexual Conduct*

[4 AAC 12.220](#) *Failure to Report Instances of Prohibited Sexual Conduct*

[20 AAC 10.020](#)(b)(4)(A) *Code of Ethics and Teaching Standards*

[20 AAC 10.020](#)(b)(4)(B) *Code of Ethics and Teaching Standards*

Created 9/2023

AASB POLICY REFERENCE MANUAL

9/92

AASB Policy Reference Manual

BP 1250 VOLUNTEER ASSISTANCE

The wealth of 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, which may include security checks and tuberculosis testing.

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

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

Adoption Date: MARCH 4, 1996

Revision Date: MAY 5, 1998

Sitka School District

VOLUNTEER ASSISTANCE

The wealth of 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 families, 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.

Use of school volunteers shall be coordinated through the principal to ensure that their services are used in a manner that enriches student programs. The principal or designee will ensure that volunteers are informed of school rules, routine, answer questions and provide volunteer support as appropriate. A register of volunteer activity will be kept at each school.

To ensure the safety of students and the smooth operation of the educational program, principals may decline the service of any volunteer.

A criminal background check shall be required upon the request of an individual to become a volunteer if that volunteer interacts with students.

A convicted sex offender is prohibited from serving as a school volunteer, serving as a visiting instructor of students in the schools of the district and may not serve on any District or Board appointed committee. Nor may he/she represent the District in any capacity. The Superintendent may approve an exception to this prohibition when good cause exists to do so. In addition, individuals may challenge their exclusion as volunteers by filing a complaint in accordance with the provisions of BP 1312 Public Complaints.

Parents or guardians who are convicted sex offenders shall not be excluded from attending school or classroom activities on campus based on their status as offenders. The Superintendent may authorize restrictions on a parent's or any other individual's participation in or attendance at school or classroom activities on or off campus when there is reason to believe that the individual's presence poses a threat of harm to any member of the school community.

Persons acting as volunteers in classrooms, media centers, extracurricular activities or other instructional settings, must be supervised by school personnel. The specific conditions of supervision will be approved and monitored by the principal.

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

(cf. 1312 – Public Complaints Concerning the Schools)
(cf. 1312.1 – Public Complaints Concerning School Personnel)
(cf. 1312.3 – Public Complaints Concerning Discrimination)

Adoption Date:	November 17, 2003
Revised in Consultation with Legal Counsel:	June 10, 2011
Revised:	June 18, 2018
Revised in Consultation with Legal Counsel:	January 20, 2020
Revised:	May 15, 2023
