Chatham School District Mission:

We support students to become independent adults by promoting exceptional education and cultural experiences.

Superintendent: David Langford

School Board Meeting

Tuesday, April 28, 2026 | 6:00 PM | ZOOM, 500 Big Dog Salmon Way, Angoon, AK 99820

Proposed Agenda

1. Call Meeting to Order
2. Discussion Items
   - 2.1. AASB Recommended Policy Updates:
     1. **BP 4021 - ~~ALL PERSONNEL -~~ DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**
     2. **AR 4021 - ~~ALL PERSONNEL -~~ DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**
     3. **BP 4030 – ALL PERSONNEL - NONDISCRIMINATION IN EMPLOYMENT**
     4. **E 4030 EMPLOYEE NOTICE – ALL PERSONNEL - PROTECTION FOR WHISTLEBLOWERS**
     5. **BP 4111/4211/4311 - ~~CERTIFICATED~~ ALL PERSONNEL - RECRUITMENT AND SELECTION**
     6. **BP 4111.2/4211.2/4311.2 – ALL PERSONNEL - LEGAL STATUS REQUIREMENT**
   - 2.2. Budget:
     - Current status of budget
     - Options for budget cuts
3. Board Member Comments
4. Adjourn Meeting

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: 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.

Recommended Updates

AASB Policy Reference Manual

BP 4021 - DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

Deleted: ALL PERSONNEL -

Purpose

Note: All persons subject to commercial driver's license requirements must be tested for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin) and phencyclidine (PCP). In AS 14.09.025, the Alaska Legislature enacted its own statutory requirement for testing bus drivers, which is in effect for all Alaska districts that employ bus drivers. This area, especially post-employment testing of drivers, involves constitutional issues. School districts should refer to legal counsel in designing and implementing drug testing procedures. Although

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the passage AS 17.38 authorizes the use of marijuana under certain conditions, it explicitly recognizes the authority of employers to prohibit the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace. AS 17.38 also does not prevent employers from establishing policies that restrict the use of marijuana by employees. AS 17.38.120(a). In addition, as a recipient of federal funds, the district is obligated to maintain a drug-free workplace consistent with federal law, which prohibits the manufacture, sale, distribution, possession and sale of marijuana. For purposes of the district's policy and legal obligation, marijuana is prohibited.

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

Prohibited conduct

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

Required Testing

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

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

Consequences for failing or refusing to take a required test

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

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returning to duty.

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

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

Records

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

Training

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

(cf. 4020 - Drug,Tobacco, and Alcohol Free Workplace)
(cf. 3514 - Environmental Safety)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5144.1 - Suspension and Expulsion~~/Due Process~~)

Legal Reference:

ALASKA STATUTES

AS 14.09.025 Drug Testing for School Bus Drivers
AS 17.38.120 Employers, driving, minors and control of property

FEDERAL LAW

Omnibus Transportation Employee Testing Act of 1991
The Drug-Free Workplace Act of 1989
The Drug-Free Schools and Communities Act of 1986, as amended
International Brotherhood of Teamsters v. Dept. of Transportation, 932 F.2d 1292 (1991).

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AR 4021 - DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

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School bus drivers employed by the district are subject to drug and alcohol testing pursuant to a program that complies with state and federal law. These district regulations reflect several requirements of the federal drug testing regulations, but are not intended to modify or limit the procedures for drug and alcohol testing specifically addressed in state or federal law. District personnel will adhere to the detailed provisions of these laws in administering the district's testing program.

Definitions

For purposes of these regulations, the term "tests" includes both drug and alcohol tests, unless specifically stated otherwise, in context.

The terms "drugs" and "controlled substances" have the same meaning and are interchangeable in these regulations.

"Safety-sensitive functions" include all on-duty functions performed from the time a driver begins work or is required to be ready to work until the driver is relieved from work and all responsibility for performing work as a driver. These functions include by way of example, driving, waiting to be dispatched, inspecting and servicing equipment, supervising, performing or assisting in loading and unloading, repairing or obtaining and waiting for help with a disabled vehicle, performing driver requirements related to accidents, and performing any other work for the district.

Prohibited conduct

Drivers shall be prohibited from any drug or alcohol use that could affect performance on the job, including use during the four hours before driving, during any period of time the employee is driving, and during the eight hours following an accident, should one occur.

Note: Pursuant to 49 CFR 382.213, the school district may require a driver to inform the district when using a controlled substance prescribed by a physician who had advised that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Any driver required to use a controlled substance during any of these periods shall obtain in advance a written statement from a qualified physician instructing the employee to use the controlled substance and advising the employee that the substance does not adversely affect the employee's ability to safely operate a school bus or other motor vehicle. It is the employee's responsibility to submit this document to the employee's supervisor prior to using the controlled substance during any of the prohibited periods described above, and to use the substance in accordance with the physician's instructions.

REQUIRED TESTING

Pre-employment tests

Drug and alcohol tests will be required of an applicant for a position as a bus driver only after the individual has been offered the position. Pre-employment tests shall be conducted before the first time a driver performs any safety-sensitive function for the district. Employment with the district is conditional upon the applicant successfully passing these tests.

Unless otherwise prohibited by law, exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the district has been able to make all verifications required by law.

Post-accident tests

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Before any employee may operate a school bus, the district will provide the employee with information concerning post-accident testing procedures. Alcohol and drug tests will be conducted as soon after an accident as is practicable on any driver who:

1. was performing a safety-sensitive function with respect to the vehicle and the accident involved serious injury or the loss of human life.
2. received a citation under any state or local law for a moving traffic violation arising out of the accident.

Drivers shall make themselves readily available for drug and alcohol testing after an accident, absent the need for immediate medical attention. No driver involved in any accident, whether or not there was serious injury or death, may use alcohol or a controlled substance for eight hours after the accident, or until the employee has undergone a drug and alcohol test, whichever is first. If an alcohol test is not administered within two hours after the accident, or a drug test is not administered within 32 hours after the accident, the district will prepare and maintain records explaining why the test was delayed or not conducted.

Reasonable suspicion tests

Note: Pursuant to 49 CFR 382.603, persons designated to determine whether reasonable suspicion exists must receive at least 60 minutes of training that covers the physical, behavioral, speech and performance indicators of alcohol misuse and an additional 60 minutes of training that covers these indicators of controlled substance use.

Whenever a supervisor or district official has a reasonable suspicion that a bus driver has violated the district's prohibitions against the improper use of alcohol or drugs, the district may conduct a test of that driver. This reasonable suspicion must be based on specific, contemporaneous, articulated observations concerning the driver's appearance, behavior, speech or body odors. These observations also may include indications of chronic use or the withdrawal effects of controlled substances.

Alcohol tests will be authorized for reasonable suspicion only if the required observations are made during, just before, or just after, the period of the work day when the driver must comply with these prohibitions. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district will prepare and maintain a record explaining why a test was not conducted within that time. Attempts to conduct an alcohol test will terminate after eight hours.

A supervisor or district official who makes a finding of reasonable suspicion also must make a written record of the observations made that lead to a reasonable suspicion. This written record must be made within 24 hours of the time the test is given, or before the test results are released, whichever is first. The individual making the reasonable suspicion shall not be the individual conducting the test, unless other persons qualified to administer the test are not reasonably available and there is danger that a proper test will not be conducted.

Random tests

Note: The random tests described below must be conducted throughout the calendar year, not just at one time. Further, they should not be conducted at the same time each calendar year, and employees should be tested the same day as the tests are announced. The Omnibus Transportation Employee Testing Act of 1991 regulations were revised in 2001 to reduce from 25% to 10% the minimum percentage of employees required to be randomly tested for alcohol.

Drug and Alcohol tests of bus drivers shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol or drugs shall be conducted just before, during or

just after the performance of safety-sensitive functions. The number of random alcohol tests annually must equal 10% of the average number of driver positions. The number of random drug tests annually must equal 50% of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

Return to duty tests

Prior to being permitted to return to performing safety-sensitive functions for the school district, a driver shall be administered a drug or alcohol test, as appropriate. Employees whose conduct involved misuse of drugs or alcohol may not return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result or the return-to-duty alcohol test produces a verified result that meets federal and district standards.

Note: Pursuant to 49 CFR 382.605, an employee whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the employee undergoes a return-to-duty alcohol test with an alcohol concentration of less than 0.02. However, more restrictive statutory and regulatory provisions also may apply in addition to the DOT regulations. Under the Drug-Free Workplace Act, for example, a school district employee cannot be under the influence of alcohol on school grounds.

Note: Pursuant to 49 CFR 40.67(b), direct observation of follow-up and return-to-duty drug tests are now mandatory rather than discretionary to minimize cheating in drug tests. However, where additional testing methodologies are approved by DHHS and adopted by DOT, DOT intends to make these methods available as an alternative to direct observation urine testing.

Follow-up tests

A driver who violates the district's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as requiring assistance in resolving a drug or alcohol problem will be subject to unannounced follow-up testing as directed by the professional, in accordance with law. Follow-up alcohol testing will be conducted just before, during or just after the time when the driver is performing safety sensitive functions.

Note: Pursuant to 49 CFR 40.67(b), direct observation of follow-up and return-to-duty drug tests are now mandatory rather than discretionary to minimize cheating in drug tests. However, where additional testing methodologies are approved by DHHS and adopted by DOT, DOT intends to make these methods available as an alternative to direct observation urine testing.

Enforcement

Note: 49 CFR Section 382 provides that a driver who is tested and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, may not perform or continue to perform safety-sensitive functions including driving a commercial motor vehicle until the start of the driver's next regularly scheduled duty period, but not less than 24 hours after the test was administered. Under 49 CFR 382, this is the only action the employer can take based solely on an alcohol concentration of 0.02 or greater, but not less than 0.04. However, pursuant to 49 CFR Section 382.505, this does not prohibit an employer with authority independent of Part 382 from taking any action otherwise consistent with law.

Any driver who refuses to submit to a post-accident, random, reasonable suspicion or follow-up test shall not perform or continue to perform safety-sensitive functions.

Drivers who test positive for alcohol or drugs in violation of this policy or law shall be subject to disciplinary action up to, and including, dismissal.

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Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to the employee's use of drugs or alcohol, including any records pertaining to the employee's drug or alcohol tests.

Records shall be made available to a subsequent employer or other identified persons only as permitted by law and expressly requested, in writing, by the driver.

Note: Where state law requires, employers and third party administrators may disclose drug and alcohol violations of employees holding commercial drivers licenses (CDL) to state CDL authorities. Such disclosure is not permitted in Alaska. Under Alaska Statute 23.10.660, drug testing results may not be disclosed except 1) to the tested employee, 2) individuals designated by an employer to evaluate test results or hear the explanation of the employee, or 3) as ordered by court or governmental agency.

Notifications

Note: Pursuant to 49 CFR 382.601, the school district must provide the following information to all drivers. Materials supplied to drivers may also include information about other policies and disciplinary consequences based on the district's authority under state and other law, and described as such. The school district must ensure that each driver signs a statement certifying that the employee has received a copy of these materials.

Each driver shall receive copies of educational materials that explain the requirements of the Code of Federal Regulations (CFR), Title 49, Part 382, together with copies of any other required materials and a copy of the district's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. the person designated by the district to answer driver questions about the materials;
2. the categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
3. sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. specific information concerning driver conduct that is prohibited by Part 382;
5. the circumstances under which a driver will be tested for drugs and alcohol under Part 382;
6. the procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver;
7. the requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
8. an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. the consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;
10. the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and
11. information concerning the effect of drugs and alcohol on an individual's health, work and personal life; sign and symptoms of a drug or alcohol problem (the driver's or a

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coworker's), and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program or referral to management.

Each driver shall sign a statement certifying that the employee has received a copy of the above materials.

Note: 49 CFR 382.113 requires the school district the inform the employee, before tests are performed, that the tests are required by 49 CFR 382. 49 CFR 382.113 also states that employers shall not falsely represent that a test administered under their own or other authority is being administered under the authority of the Federal Highway Administration. If the school district establishes a testing program before the compliance date required by federal regulations, the following paragraph should be deleted until after the compliance date.

Before any employee operates a commercial motor vehicle for the school district, the district shall provide the employee with post-accident procedures that will make it possible for the employee to comply with post-accident testing requirements.

Prior to performing drug and alcohol tests, the district shall inform drivers that the tests are given pursuant to the Code of Federal Regulation, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The district shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of the employees employment application.

The district shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall tell the driver which controlled substances were verified as positive.

Revised 12/2025

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AASB Policy Reference Manual

BP 4030 – ALL PERSONNEL - NONDISCRIMINATION IN EMPLOYMENT

Note: Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which became effective November 21, 2009, with implementing regulations effective July 18, 2016, protects applicants and employees from employment discrimination based on genetic information employers are prohibited from discriminating in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

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The district and its employees shall not unlawfully discriminate against or harass employees or job applicants on the basis of sex, race, color, religion, national origin, ancestry, age, marital status, changes in marital status, pregnancy, parenthood, physical or mental disability, Vietnam era veteran status, genetic information, or good faith reporting to the board on a matter of public concern.

The district may provide optional wellness programs to seek to improve health or prevent disease. All wellness programs must be in accord with applicable state and federal law. An employee may not be discriminated against in employment because of the medical information they provide as part of participating in the wellness program, nor may they be subject to retaliation for choosing not to participate.

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4161.4/4261.4/4361.4 – Family and Medical Leave)

Note: The Americans with Disabilities Act sets forth an employers' duty to reasonably accommodate persons with disabilities.

Equal opportunity shall be provided to all employees and applicants in every aspect of personnel policy and practice. The district shall not discriminate against persons with physical or mental disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in question.

(cf. 0411 – Service Animals)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

Note: Federal Regulations (45 CFR, Section 86.9) require federal aid recipients to take "continuing steps" to notify applicants for employment that, in compliance with Title IX, they do not discriminate on the basis of sex. Districts employing 15 or more persons also must give "continuing" notification about nondiscrimination on the basis of handicap. (Vocational Rehabilitation Act of 1973)

The Superintendent or designee shall publicize this policy annually throughout the district and the community.

(cf. 1312.3 - Complaints Concerning Discrimination)

Legal Reference:

ALASKA STATUTES
- *14.18.010 Discrimination based on sex and race prohibited*
- *14.18.020 Discrimination in employment prohibited*
- *14.18.090 Enforcement by state board of education and early development*
- *18.80.220 Unlawful employment practices*
- *39.90.100 Nondiscrimination – Protection for whistleblowers*

ALASKA ADMINISTRATIVE CODE
- *4 AAC 06.510 Discrimination in hiring practices*

UNITED STATES CODE
- *29 U.S.C. 621-634 Age Discrimination In Employment Act*
- *29 U.S.C. 791 et seq. Vocational Rehabilitation Act of 1973, Sections 503 and 504*
- *38 U.S.C. 2011 et seq. Vietnam Era Veterans' Act*
- *42 U.S.C. Ch. 21F Prohibiting Employment Discrimination on the Basis of Genetic Information*
- *42 U.S.C. 2000d-200d-7 Title VI of the Civil Rights Act*
- *42 U.S.C. 2000e-2000e-17 The Equal Employment Opportunities Act*

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waste of funds or clear abuse of authority) or matter under investigation by the municipal ombudsman.
A report may not disclose any information which is legally required to be kept confidential.
An employee initiating a report must first submit the report to the employee's immediate supervisor unless the employee reasonably believes: it would be futile to report to the supervisor, an emergency exists, or that reprisals or discrimination would result.
Employee protections and obligations regarding reports on matters of public concern are fully stated in Alaska Statute 39.90.100-150.
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BP 4111/4211/4311 - ALL PERSONNEL - RECRUITMENT AND SELECTION

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

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

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

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Staff members involved in the selection process shall recommend only those candidates who meet all qualifications established by law and the School Board for a particular position. Nominations for employment shall be based upon appropriate screening devices, interviews,

observations, recommendations from previous employers and any requirements of applicable collective bargaining agreements.

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

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

Before considering the hire of an applicant who is currently under contract in another district, the Superintendent or designee will require the certificated staff to provide written documentation that he/she: (1) has made an effort to secure a release from the employing district thirty calendar days prior to the employing district's first contract day; or, (2) has secured a written release from the employing district.

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

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

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

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

(cf. 4030 - Nondiscrimination in Employment)

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

No person shall be employed by the School Board without the recommendation or endorsement of the Superintendent or designee. The School Board shall be presented with the Superintendent or designee's recommended candidate who may be approved or rejected by the School Board. If the candidate is rejected, the Superintendent or designee shall recommend subsequent candidates until the School Board approves someone to fill the position. The School Board has authority

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

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

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

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

Legal Reference:

ALASKA STATUTES

14.08.111 Duties (regional school boards)
14.14.090 Additional duties
14.20.010 Teacher Certificate Required
14.20.022 Subject-matter expert limited teacher certificate
14.20.035 Evaluation of training and experience
14.20.100 Unlawful to require statement of religious or political affiliation
14.20.110 Penalty for violation of AS 14.20.100

ALASKA ADMINISTRATIVE CODE

4 AAC 04.210, 04.212 and 06.899(6) Highly Qualified Teachers and Objective Uniform Standards
6 AAC 30.810 Employer records
6 AAC 30.840 Retention of records

UNITED STATES CODE

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

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AASB Policy Reference Manual

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WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

BP 4111.2/4211.2/4311.2 – ALL PERSONNEL - LEGAL STATUS REQUIREMENT

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Note: Employers are required to comply with the federal Immigration and Nationality Act as amended by the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. On an individual basis, an employer may hire a citizen rather than an alien, if desired, provided the two individuals are equally qualified. However, an employer may not adopt a blanket policy of always preferring a qualified citizen over a qualified alien.

The district shall hire only citizens and aliens who are lawfully authorized to work in the United States. The district will verify the identity and employment eligibility of all individuals hired to work. The district will not continue the employment of an individual upon knowledge that he or she is no longer lawfully authorized to work in the United States.

District employment practices shall not discriminate on the basis of citizenship status or national origin, nor shall they discriminate against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

(cf. 4111/4211/4311 - Recruitment and Selection)

Note: Employers may be subject to fines and/or imprisonment if they fail to request evidence of employment eligibility or if they knowingly hire or continue to employ undocumented workers. Under 2009 amendments to federal regulations, the term "knowing" includes not only actual knowledge but also knowledge which may fairly be inferred through notice of certain facts and circumstances which would lead a person, through the exercise of reasonable care, to know about a certain condition. Constructive knowledge may include, but is not limited to, situations where an employer: (i) fails to complete or improperly completes the Employment Eligibility Verification Form, I-9; (ii) has information available to it that would indicate that the alien is not authorized to work, such as Labor Certification and/or an Application for Prospective Employer; or (iii) acts with reckless and wanton disregard for the legal consequences of permitting another individual to introduce an unauthorized alien into its work force or to act on its behalf. Knowledge that an employee is unauthorized to work may not be inferred from an employee's foreign appearance or accent.

All new employees shall show appropriate documents which certify that they are legally eligible to work in the United States, as required by law. Nothing in this policy is intended to preclude the employment of teachers under the Exchange Visitor program in 22 C.F.R § 62.24. *Legal Reference:*

UNITED STATES CODE

8 U.S.C. 1324 Immigration and Nationality Act, as amended by Immigration Reform and Control Act of 1986 and Immigration Act of 1990

CODE OF FEDERAL REGULATIONS

8 C.F.R. Part 274(a) Control of Employment of Aliens

22 C.F.R. §62.24 Teachers

Revised 12/2025

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9/92

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

Purpose

The Superintendent or designee shall establish and implement a drug and alcohol testing program for all bus drivers employed by the school district, in accordance with state and federal law. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of drugs and alcohol by bus drivers. This program shall test drivers for the improper use of drugs and alcohol, and shall include random testing. Improper use of drugs and alcohol consists of use that constitutes a federal or state criminal offense or otherwise violates the regulations of the Department of Education and Early Development.

Prohibited conduct

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

Required Testing

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

Consequences for failing or refusing to take a required test

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

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

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

Records

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

Training

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

(cf. 4020 - Drug and Alcohol Free Workplace)

(cf. 3514 - Safety)

(cf. 4158/4358 - Employee Security)

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

Legal Reference:

ALASKA STATUTES

AS 14.09.025 Drug Testing for School Bus Drivers

AS 17.38.120 Employers, driving, minors and control of property

FEDERAL LAW

Omnibus Transportation Employee Testing Act of 1991

The Drug-Free Workplace Act of 1989

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

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

Adopted 1/21/2020

AR 4021 DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS - All Personnel - REGULATION

School bus drivers employed by the district are subject to drug and alcohol testing pursuant to a program that complies with state and federal law. These district regulations reflect several requirements of the federal drug testing regulations, but are not intended to modify or limit the procedures for drug and alcohol testing specifically addressed in state or federal law. District personnel will adhere to the detailed provisions of these laws in administering the district's testing program.

Definitions

For purposes of these regulations, the term "*tests*" includes both drug and alcohol tests, unless specifically stated otherwise, in context.

The terms "*drugs*" and "*controlled substances*" have the same meaning and are interchangeable in these regulations.

"*Safety-sensitive functions*" include all on-duty functions performed from the time a driver begins work or is required to be ready to work until the driver is relieved from work and all responsibility for performing work as a driver. These functions include by way of example, driving, waiting to be dispatched, inspecting and servicing equipment, supervising, performing or assisting in loading and unloading, repairing or obtaining and waiting for help with a disabled vehicle, performing driver requirements related to accidents, and performing any other work for the district.

Prohibited conduct

Drivers shall be prohibited from any drug or alcohol use that could affect performance on the job, including use during the four hours before driving, during any period of time the employee is driving, and during the eight hours following an accident, should one occur.

Any driver required to use a controlled substance during any of these periods shall obtain in advance a written statement from a qualified physician instructing the employee to use the controlled substance and advising the employee that the substance does not adversely affect the employee's ability to safely operate a school bus or other motor vehicle. It is the employee's responsibility to submit this document to the employee's supervisor prior to using the controlled substance during any of the prohibited periods described above, and to use the substance in accordance with the physician's instructions.

Required Testing

Pre-employment tests

Drug and alcohol tests will be required of an applicant for a position as a bus driver only after the individual has been offered the position. Pre-employment tests shall be conducted before the first time a driver performs any safety-sensitive function for the district. Employment with the district is conditional upon the applicant successfully passing these tests.

Unless otherwise prohibited by law, exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the district has been able to make all verifications required by law.

Post-accident tests

Before any employee may operate a school bus, the district will provide the employee with information concerning post-accident testing procedures. Alcohol and drug tests will be conducted as soon after an accident as is practicable on any driver who:

1. was performing a safety-sensitive function with respect to the vehicle and the accident involved serious injury or the loss of human life.

2. received a citation under any state or local law for a moving traffic violation arising out of the accident.

Drivers shall make themselves readily available for drug and alcohol testing after an accident, absent the need for immediate medical attention. No driver involved in any accident, whether or not there was serious injury or death, may use alcohol or a controlled substance for eight hours after the accident, or until the employee has undergone a drug and alcohol test, whichever is first.

If an alcohol test is not administered within two hours after the accident, or a drug test is not administered within 32 hours after the accident, the district will prepare and maintain records explaining why the test was delayed or not conducted.

Reasonable suspicion tests

Whenever a supervisor or district official has a reasonable suspicion that a bus driver has violated the district's prohibitions against the improper use of alcohol or drugs, the district may conduct a test of that driver. This reasonable suspicion must be based on specific, contemporaneous, articulated observations concerning the driver's appearance, behavior, speech or body odors. These observations also may include indications of chronic use or the withdrawal effects of controlled substances.

Alcohol tests will be authorized for reasonable suspicion only if the required observations are made during, just before, or just after, the period of the work day when the driver must comply with these prohibitions. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district will prepare and maintain a record explaining why a test was not conducted within that time. Attempts to conduct an alcohol test will terminate after eight hours.

A supervisor or district official who makes a finding of reasonable suspicion also must make a written record of the observations made that lead to a reasonable suspicion. This written record must be made within 24 hours of the time the test is given, or before the test results are released, whichever is first. The individual making the reasonable suspicion shall not be the individual conducting the test, unless other persons qualified to administer the test are not reasonably available and there is danger that a proper test will not be conducted.

Random tests

Drug and Alcohol tests of bus drivers shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol or drugs shall be conducted just before, during or just after the performance of safety-sensitive functions. The number of random alcohol tests annually must equal 10% of the average number of driver positions. The number of random drug tests annually must equal 50% of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

Return to duty tests

Prior to being permitted to return to performing safety-sensitive functions for the school district, a driver shall be administered a drug or alcohol test, as appropriate. Employees whose conduct

involved misuse of drugs or alcohol may not return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result or the return-to-duty alcohol test produces a verified result that meets federal and district standards.

Follow-up tests

A driver who violates the district's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as requiring assistance in resolving a drug or alcohol problem will be subject to unannounced follow-up testing as directed by the professional, in accordance with law. Follow-up alcohol testing will be conducted just before, during or just after the time when the driver is performing safety sensitive functions.

Enforcement

Any driver who refuses to submit to a post-accident, random, reasonable suspicion or follow-up test shall not perform or continue to perform safety-sensitive functions.

Drivers who test positive for alcohol or drugs in violation of this policy or law shall be subject to disciplinary action up to, and including, dismissal.

Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to the employee's use of drugs or alcohol, including any records pertaining to the employee's drug or alcohol tests.

Records shall be made available to a subsequent employer or other identified persons only as permitted by law and expressly requested, in writing, by the driver.

Notifications

Each driver shall receive copies of educational materials that explain the requirements of the Code of Federal Regulations (CFR), Title 49, Part 382, together with copies of any other required materials and a copy of the district's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. the person designated by the district to answer driver questions about the materials;
2. the categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
3. sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. specific information concerning driver conduct that is prohibited by Part 382;
5. the circumstances under which a driver will be tested for drugs and alcohol under Part 382;
6. the procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver;
7. the requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
8. an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. the consequences for drivers found to have violated the drug and alcohol prohibitions of Part

382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;

10. the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and

11. information concerning the effect of drugs and alcohol on an individual's health, work and personal life; sign and symptoms of a drug or alcohol problem (the driver's or a coworker's), and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program or referral to management.

Each driver shall sign a statement certifying that the employee has received a copy of the above materials.

Before any employee operates a commercial motor vehicle for the school district, the district shall provide the employee with post-accident procedures that will make it possible for the employee to comply with post-accident testing requirements.

Prior to performing drug and alcohol tests, the district shall inform drivers that the tests are given pursuant to the Code of Federal Regulation, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The district shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of the employees employment application.

The district shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall tell the driver which controlled substances were verified as positive.

Revised 1/09

Adopted: 5/13/10

Chatham School District

BP 4030 NONDISCRIMINATION IN EMPLOYMENT

The district and its employees shall not unlawfully discriminate against or harass employees or job applicants on the basis of sex, race, color, religion, national origin, ancestry, age, marital status, changes in marital status, pregnancy, parenthood, physical or mental disability, Vietnam era veteran status, genetic information, or good faith reporting to the board on a matter of public concern.

The district may provide optional wellness programs to seek to improve health or prevent disease. All wellness programs must be in accord with applicable state and federal law. An employee may not be discriminated against in employment because of the medical information they provide as part of participating in the wellness program, nor may they be subject to retaliation for choosing not to participate.

(cf. 4119.11 - Sexual Harassment)

(cf. 4161.4 – Family and Medical Leave)

Equal opportunity shall be provided to all employees and applicants in every aspect of personnel policy and practice. The district shall not discriminate against persons with physical or mental disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in question.

(cf. 0411 – Service Animals)

(cf. 4119.41 - Employees with Infectious Disease)

The Superintendent or designee shall publicize this policy annually throughout the district and the community.

(cf. 1312.3 - Complaints Concerning Discrimination)

(cf. 4111.1 - Affirmative Action)

Legal Reference:

ALASKA STATUTES

14.18.010 Discrimination based on sex and race prohibited

14.18.020 Discrimination in employment prohibited

14.18.090 Enforcement by state board of education and early development

18.80.220 Unlawful employment practices

39.90.100 Nondiscrimination – Protection for whistleblowers

ALASKA ADMINISTRATIVE CODE

4 AAC 06.510 Discrimination in hiring practices

UNITED STATES CODE

29 U.S.C. 621-634 Age Discrimination In Employment Act

29 U.S.C. 791 *et seq.* Vocational Rehabilitation Act of 1973, Sections 503 and 504

38 U.S.C. 2011 *et seq.* Vietnam Era Veterans' Act

42 U.S.C. Ch. 21F Prohibiting Employment Discrimination on the Basis of Genetic Information

42 U.S.C. 2000d-200d-7 Title VI of the Civil Rights Act

42 U.S.C. 2000e-2000e-17 The Equal Employment Opportunities Act

42 U.S.C. 12101-12213 Americans With Disabilities Act

CODE OF FEDERAL REGULATIONS

29 C.F.R. §1635.8 Acquisition of genetic information

Adopted 1/21/2020

Chatham School District

BP 4030

EMPLOYEE NOTICE
PROTECTION FOR WHISTLEBLOWERS

Any employee of the school district may in good faith report to a public official or a public body or testify before a public body about a matter of public concern.

A matter of public concern means a violation of federal, state, or local law (including school board policy), a danger to public health or safety, gross mismanagement (including a substantial waste of funds or clear abuse of authority) or matter under investigation by the municipal ombudsman.

A report may not disclose any information which is legally required to be kept confidential.

An employee initiating a report must first submit the report to the employee's immediate supervisor unless the employee reasonably believes: it would be futile to report to the supervisor, an emergency exists, or that reprisals or discrimination would result.

Employee protections and obligations regarding reports on matters of public concern are fully stated in Alaska Statute 39.90.100-150.

added 9/93

BP 4111 RECRUITMENT AND SELECTION - Certificated Personnel

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

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

1. Assessment of the district's needs to determine those areas where specific skills, knowledge and abilities are lacking.

2. Development of job descriptions which accurately portray the position, including requirements that a teacher be qualified in accordance with federal and state law.

3. Dissemination of vacancy announcements to ensure a wide range of candidates, when necessary.

4. Screening procedures which will identify the best possible candidates for interviews.

5. Interview procedures which will determine the best qualified candidate for recommendation to the School Board.

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

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

Before considering the hire of a certificated staff member who is currently under contract in another district, the Superintendent or designee will require the certificated staff to provide written documentation that he/she: (1) has made an effort to secure a release from the employing district thirty calendar days prior to the employing district's first contract day; or, (2) has secured a written release from the employing district.

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

(cf. 4112.8 - Employment of Relatives)

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

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

No person shall be employed by the School Board without the recommendation or endorsement of the Superintendent or designee. The School Board shall be presented with the Superintendent or designee's recommended candidate who may be selected or rejected by the School Board. If the candidate is rejected, the Superintendent or designee shall recommend subsequent candidates until the School Board selects someone to fill the position. The School Board shall make the final decision on the selection of all employees.

(cf. 6181 - Charter School)

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

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

Legal Reference:

ALASKA STATUTES

14.08.111 Duties (regional school boards)

14.14.090 Additional duties

14.20.010 Teacher Certificate Required

14.20.022 Subject-matter expert limited teacher certificate

14.20.035 Evaluation of training and experience

14.20.100 Unlawful to require statement of religious or political affiliation

14.20.110 Penalty for violation of AS 14.20.100

ALASKA ADMINISTRATIVE CODE

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

6 AAC 30.810 Employer records

6 AAC 30.840 Retention of records

UNITED STATES CODE

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

Revised 3/2016

9/92

Chatham School District

BP 4111.2/4211.2/4311.2 PERSONNEL - LEGAL STATUS REQUIREMENT

The district shall hire only citizens and aliens who are lawfully authorized to work in the United States. The district will verify the identity and employment eligibility of all individuals hired to work. The district will not continue the employment of an individual upon knowledge that he or she is no longer lawfully authorized to work in the United States.

District employment practices shall not discriminate on the basis of citizenship status or national origin, nor shall they discriminate against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

(cf. 4111/4211 - Recruitment and Selection)

All new employees shall show appropriate documents which certify that they are legally eligible to work in the United States, as required by law. Nothing in this policy is intended to preclude the employment of teachers under the Exchange Visitor program in 22 C.F.R § 62.24.

Legal Reference:

UNITED STATES CODE

8 U.S.C. 1324 Immigration and Nationality Act, as amended by Immigration Reform and Control Act of 1986 and Immigration Act of 1990

CODE OF FEDERAL REGULATIONS

8 C.F.R. Part 274(a) Control of Employment of Aliens

22 C.F.R. §62.24 Teachers

Adopted 1/21/2020

Chatham School District

AASB POLICY REFERENCE MANUAL UPDATE SERVICE
2025 PERSONNEL SERIES
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.

This update constitutes a housecleaning of the **4000 Series – Personnel**. Many updates include minor grammatical/titling/explanatory note changes that do not require Board approval. Titles of the series have been updated to better clarify whether they apply to certificated personnel, classified personnel, or supervisory/management personnel. This is accomplished by titling each policy with the appropriate label:

1. All Personnel
2. Certificated Personnel (4100 Numbers)
3. Classified Personnel (4200 Numbers)
4. Management and Supervisory Personnel (4300 Numbers)

If the policy applies to more than one employee group, it has been assigned a policy number for each group.

The following polices do **not** require formal board adoption:

Formal Adoption Not Required – Grammatical/Titling/Explanatory Note Changes Only

BP 4000	BP 4020	AR 4021	BP 4030
E 4030	BP 4111.2/4211.2/4311.2	BP 4112.1/4312.1	AR 4112.5/4212.5/4312.5
BP 4112.10	BP 4112.61/4212.61/4312.61	BP 4117.6	BP 4119.11/4219.11/4319.11
E 4119.21	BP 4119.41/4219.41/4319.41	E 4119.42/4219.42/4319.42	BP 4131/4231/4313
BP 4132/4232/4332	BP 4135/4235/4335	BP 4136/4236/4336	BP 4141/4241
BP 4141.6/4241.6	BP 4143/4243	BP 4144/4244/4344	AR 4144/4244/4344
BP 4151/4251/4351	BP 4154/4254/4354	AR 4154/4254/4354	E 4154/4254/4354
BP 4156.3/4256.3/4356.3	BP 4157/4257/4357	BP 4161/4261/4361	AR 4161.1
BP 4161.3	BP 4161.4/4261.4/4361.4	AR 4161.4/4261.4/4361.4	E 4161.4/4261.4/4361.4
BP 4161.7/4261.7/4361.7	BP 4170/4270/4370	BP 4180/4280/4380	AR 4180/4280/4380
BP 4213	BP 4215	BP 4216	BP 4218
BP 4222	AR 4222	BP 4231	BP 4253
BP 4300	BP 4313.2	BP 4315	BP 4315.1
BP 4361.1			

The following policies **do** require board approval:

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
BP 4021	Yes	This update clarifies that school bus driver testing may be accomplished through contracting with the transportation services provider.
BP 4111/4211/4311	Yes	***Merge BP 4111 and BP 4211*** This update clarifies language regarding inquiries into protected information when hiring. It also authorizes the board to delegate the authority to make classified hires to the superintendent. This policy merges the previous BP 4211 into a single policy.
BP 4111.1/4211.1/4311.1	Yes	***Deleted Board Policy*** AASB recommends the deletion of the affirmative action policy, which includes problematic language regarding hiring preferences. Districts are encouraged to consult with legal counsel to discuss any proposed hiring preferences.
BP 4112.5/4212.5/4312.5	Yes	This update clarifies that school district volunteers must be subject to a background check, and that an omission on an application can be grounds for denial of hire (or dismissal).
BP 4112.6/4212.6/4312.6	Yes	This update clarifies when and how board members may review employee records and information.
BP 4113	Yes	This update provides additional guidance regarding the assignment of certificate personnel.
BP 4115	Yes	This update adds language to clarify that employees evaluating certificated personnel in the District must hold a Type B administrator certificate.
BP 4117.2/4217.1/4317.2	Yes	***Merge BP 4117.2 and BP 4217.2*** This update simplifies the process by which an employee resigns. It also merges the classified and certified resignation policies.
BP 4117.4	Yes	This update codifies the requirement established by the Alaska Supreme Court that certified employees may call witnesses at a pre-termination hearing.
BP 4118	Yes	This update clarifies what constitutes progressive discipline, and that reassignment is not necessarily disciplinary.
BP 4119.3/4219.3/4319.3	Yes	This update requires that, as a best practice, job descriptions should be reviewed and updated annually.
BP 4119.12/4219.12/4319.12	Yes	This update updates harassment language to fit best practices, including that it relates to all school district activities and facilities.
BP 4119.22/4219.22/4319.22	Yes	This update simplifies the model dress code policy, and applies it to all personnel.
BP 4119.23/4219.23/4319.23	Yes	This update clarifies best practices regarding the release of unauthorized District information.
BP 4119.25/4219.25/4319.25	Yes	This update clarifies that the District may regulate political activity on school property at any time (not just during the instructional day) in accordance with law.
BP 4122	Yes	This update requires that the superintendent establish criteria for a student teacher program.
BP 4133/4233/4333	Yes	This update provides clearer guidelines on employee use of travel expenses.
BP 4156.2/4256.2/4356.2	Yes	This update removes specific language regarding the use of monetary awards for employees, while still allowing latitude to provide employee awards, as appropriate.
BP 4158/4258/4358	Yes	This update requires that the superintendent or designee is made aware of all police reports made by personnel in the course of their duties.

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
BP 4159/4259/4359	Yes	This update includes best practice language regarding employee mental health support.
AR 4161/4261/4361	Yes	***Deleted Administrative Regulation*** AASB recommends the deletion of the model regulation regarding COVID 19 emergency and sick leave, which is no longer applicable.
BP 4161.1	Yes	This update revises BP 4161.1 to clarify and better align it with state law.
BP 4161.2/4261.2/4361.2	Yes	This update clarifies that personnel leave is generally a bargained for benefit. It also removes a restriction tying it to sick leave, which is an independent type of leave.
BP 4212	Yes	Related to BP 4111/4211/4311, this update clarifies that the Board may delegate the hire of classified employees to the superintendent.
BP 4314	Yes	This update simplifies language regarding the assignment of management and supervisory staff, while removing the recommendation that management personnel routinely apply for transfers (or be involuntarily rotated).