

Policy Committee  
Wednesday, October 9, 2024 5:00 PM Alaskan

District Office Board Room  
300 Kostrometinoff Street  
Sitka, AK 99835

1. Electronic Email\_BP 3523
2. Paraprofessionals BP 4222
3. Certificated Personnel - Informal Hearing for Non-Retention of Nontenured Staff\_AR 4117.6
4. Nonretention\_BP 4117.6
5. Uniform Investigations\_BP 5141.43
6. Uniform Investigations AR 5141.43
7. Volunteer Assistance BP 1250

# Model Policy

## BP 4222 PARAPROFESSIONALS

Note: Under the Every Student Succeeds Act, NCLB's requirements establishing minimum professional standards for paraprofessionals have been repealed. Instead, paraprofessionals in Title I supported programs must meet licensure or certification requirements as adopted by the State of Alaska. Alaska's qualifications, found at [4 AAC 04.220](#), reflect NCLB's past requirements for paraprofessionals working in Title I programs. Additionally, content, knowledge, disposition, and performance standards for all paraprofessionals are set out in the *Alaska State Paraprofessional Performance Standards*.

The School Board favors the use of paraprofessionals and considers them to be members of a professional team dedicated to the best interests of students. By assisting teachers, noncertificated persons allow teachers to dedicate their skills, knowledge, and efforts primarily to teaching. Paraprofessionals also can help teachers to provide individualized student instruction and an enriched educational program.

The district shall use paraprofessionals in those classes where they will provide the greatest benefit to students, taking into consideration such factors as large class size, student age group and teacher workload.

The Superintendent or designee shall ensure that all paraprofessionals have appropriate training and supervision, including the training set forth in BP/AR 5141.42, *Professional Boundaries for staff and students*.

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

Note: Special Education paraprofessionals must serve under the supervision of qualified personnel and receive training in accordance with [4 AAC 52.250](#).

Paraprofessionals are expected to employ high ethical standards as they work with students and to respect school rules, district policies and administrative regulations.

The School Board recognizes the need for qualified teaching staff and encourages paraprofessionals to seek opportunities leading to a teaching credential. The district shall support these efforts to the extent possible, particularly as they relate to obtaining bilingual or special education credentials.

The Superintendent or designee and/or the staff development committee shall develop an appropriate professional development program for paraprofessionals.

### *Paraprofessionals Working in Title I Programs*

Note: Under 4 AAC 04.220, paraprofessionals working in programs supported with Title I funds who do not meet the higher education requirements must: 1) take and pass the ParaPro Assessment by achieving a score of at least 459; and, 2) show, through observations and interviews conducted by qualified district personnel, mastery of all entry level requirements of the instructional content/assisting practice content standard set out in the *Alaska State Paraprofessional Performance Standards*.

Paraprofessionals working in a program supported with Title I funds must have a high school diploma or its recognized equivalent and must meet at least one of the following requirements: (1) completed at least two years of study, or 48 semester hours or equivalent, at an accredited institution of higher education; (2) obtained an Associate's or higher degree at an accredited institution; or (3) demonstrated, through formal assessment, the instructional content/assisting practice standards required by the State of Alaska.

Exceptions to the above requirements may be made for paraprofessionals who act as translators or who have only non-instructional duties.

Note: Non-instructional duties include providing computer technical support and clerical duties. [4 AAC 04.220\(e\)](#).

### *Legal Reference:*

#### ALASKA ADMINISTRATIVE CODE

[4 AAC 04.220](#) *Paraprofessional standards*

[4 AAC 05.080](#) *School curriculum and personnel*

[4 AAC 52.250](#) *Special education aides*

[4 AAC 52.255](#) *Interpreters*

#### UNITED STATES CODE

*Elementary and Secondary Education Act, [20 U.S.C. § 6311](#), as amended by the Every Student Succeeds Act, ([P.L. 114-95](#) (December 10, 2015))*

*Revised 10/2021*

**AASB Policy Reference Manual**

# Model Policy

## AR 4117.6 - CERTIFICATED PERSONNEL - INFORMAL HEARING FOR NON-RETENTION OF NONTENURED STAFF

Note: This regulation provides informal hearing procedures for nontenured staff who are non-retained. Pursuant to [AS 14.20.175](#), a non-retained nontenured teacher may request an informal hearing by the School Board. That statute also provides that the School Board, by bylaw or regulation, define the procedure under which the informal hearing can be requested and obtained.

A nontenured teacher may be non-retained for any cause that the employer determines to be adequate. The following procedures shall apply to the non-retention of nontenured teachers. Unless otherwise noted, all days refer to calendar days.

1. Notification. The district shall notify a nontenured teacher of non-retention in accordance with [AS 14.20.140](#)(b) and any applicable provisions of the negotiated agreement with certificated staff. Unless an earlier date is set forth in the negotiated agreement, the teacher shall be notified in writing delivered or registered mail postmarked on or before the last day of the school term.

2. Statement of Cause. Within ten (10) days of receipt of the notification of non-retention, the teacher may submit a written request to the Superintendent or designee for a written statement of cause for the non-retention. Failure to submit a timely written request constitutes waiver of this right. On the teacher's timely written request, the Superintendent or designee shall deliver to the teacher a written statement of cause for the non-retention within ten (10) days.

3. Right to Informal Hearing. Within ten (10) days of receipt of the notice of non-retention, a nontenured teacher may submit a written request to the Superintendent or designee for an informal hearing before the School Board. Failure to submit a timely written request constitutes waiver of the right to an informal hearing. The Superintendent or designee shall schedule an informal hearing and shall inform the teacher of the date, time and place of the hearing not less than ten (10) days prior to the informal hearing.

5. Representation. The teacher may appear individually or be represented by a person of the teacher's choosing.

6. Hearing Procedures.

a. The informal hearing shall be held in closed session, unless opened by mutual consent.

**Commented [DG1]:** In the CBA: "...non-tenured teachers will receive notice of renewal or non-renewal of contracts ten (10) days prior to the last day of the school year."

- b. The district shall record the informal hearing. On the teacher's written request, a copy shall be provided at the teacher's expense.
- c. The representatives may submit whatever written documents they feel are germane to the arguments they will present, including affidavits. No witnesses may testify, except that the teacher's representative and a representative of district administration shall have the right to make a statement or presentation to the School Board. Additionally, the teacher can speak on his or her own behalf, even if represented.
- d. Any written argument or documents that the parties expect to present at the informal hearing shall be exchanged by the parties no later than three (3) days prior to the informal hearing.
- e. The informal hearing shall be scheduled for one hour and shall proceed as follows:
  - i. district administration presentation (20 min.);
  - ii. teacher presentation (20 min.);
  - iii. rebuttal presentation by district (5 min.);
  - iv. rebuttal by teacher (5 min.);
  - v. district closing statement (5 min.);
  - vi. teacher closing statement (5 min.);
- f. The School Board may, in its discretion, vary the proceedings.

7. Decision. Following deliberation in executive session, the School Board shall render an oral decision to affirm or revoke the notice of non-retention. The decision will be made by majority vote of the School Board members participating at the informal hearing. The School Board shall issue written notice of its decision within ten (10) days after the hearing.

*Revised 2/06*

**9/92**

# Model Policy

## BP 4117.6 NONRETENTION

Note: [AS 14.20.145](#) provide automatic reemployment rights to employees who do not receive notice of nonretention in accordance with [AS 14.20.140](#). This sample policy should be reviewed in conjunction with the district's collective bargaining agreement, if any, to determine whether a notice date earlier than that required by law is specified.

The Superintendent or designee shall provide the School Board with his/her recommendations regarding the nonretention of certificated employees.

The School Board may decide not to rehire a nontenured employee at the end of his/her first, second, or third year and give written notice of its decision to the employee at any time during the year. If the School Board does not give nontenured teachers written notice of nonretention by the last day of the school term, the employee shall be offered a contract for the following year.

Note: [AS 14.20.175](#) mandates School Boards to provide by regulation or bylaw procedures by which nontenured teachers may request and receive an informal School Board hearing regarding nonretention.

Nonretention of nontenured teachers may be based on any cause deemed adequate by the Superintendent or designee or, if an informal School Board hearing is held, any cause deemed adequate by the School Board. The Superintendent or designee shall establish administrative regulations providing for an informal hearing before the School Board upon teacher request.

The nonretention of tenured teachers shall comply with the cause and procedural requirements specified in law, including notice of nonretention before May 15.

*(c.f. 4112.1 - Contracts)*

*(cf. 4117.4 - Dismissal)*

*(cf. 4116 - Nontenured/Tenured Status)*

*(cf. 4117.3 - Personnel Reduction)*

*Legal Reference:*

ALASKA STATUTES

**Commented [DG1]:** In the CBA:  
“...non-tenured teachers will receive notice of renewal or non-renewal of contracts ten (10) days prior to the last day of the school year.”

[14.20.140](#) *Notification of nonretention*

[14.20.145](#) *Automatic re-employment*

[14.20.175](#) *Nonretention*

[14.20.180](#) *Procedure and hearing upon notice of dismissal or nonretention*

[14.20.210](#) *Authority of school board or department to adopt bylaws*

*Revised 4/2014*

**9/92**

**AASB Policy Reference Manual**

# 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**

# 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

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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**

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Community Relations

**Volunteer Assistance**

BP 1250

~~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 recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. 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.

Note: The following optional paragraph is offered for districts that wish to provide students the greatest possible protection, and should be revised or deleted based on the district's needs and ability to implement this policy.

~~All persons who wish to perform more than \_\_\_\_\_ hours of volunteer service with or around students must undergo a background check. shall submit evidence that they are free from active tuberculosis and have been fingerprinted for criminal record clearance~~ [authorize a background check](#)

~~The Superintendent or designee may authorize the use of volunteers. The Superintendent or designee shall establish regulations to protect the safety of both students and volunteers. Like employees and students, volunteers shall act in accordance with district policies and regulations.~~

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

*(cf. 5141.42 – Professional Boundaries of Staff with Students)*

*(cf. 4112.5 / 4212.5 / 4312.5 – All Personnel Security Check)*

*Revised 08/2024/97*

**VOLUNTEER ASSISTANCE**

AR 1250

Note: This AR addresses some of the details associated with the use of volunteers.

This regulation provides the procedures for approving members of the public to serve as volunteers, including chaperones.

**Responsibilities of Principals:**

1. Coordinate the use of school volunteers.
2. Confirm that the school volunteer has completed the volunteer packet.
3. Require updated volunteer packets are received on the schedule set by the District.
4. Keep and maintain a register of volunteer activity at the school.
5. Inform volunteers of school rules and routines, answer questions, and provide volunteer support as appropriate.
6. When required to ensure the safety of students and the smooth operation of the educational program, principals may decline the services of any volunteer.
7. Determine which volunteers are required to complete mandatory reporting training and inform volunteers how to receive the training.

**Responsibilities of the District**

1. Develop a volunteer packet for individuals to use to apply as a volunteer.
2. Facilitate the volunteer approval process.
3. Verify the identity of the volunteer with a photo id.
4. Maintain the volunteer packet materials in the volunteer's file.
5. Review the background check and make an individualized determination about the volunteer in accordance with BP 4112.5 / 4212.5 / 4312.5.
6. Keep and maintain an approved volunteer list, with the dates that the background check was completed, in order for school principals to verify the eligibility status of volunteers.
7. Notify the volunteer of their eligibility status.
8. Notify volunteers when background checks need renewal.
9. Inform volunteers that they are subject to the District's policies and regulations where applicable.

**Responsibilities of Volunteers**

1. Complete the volunteer packet.
2. Obtain and pay for a background check.
3. Submit to the background check every two years.
4. Self-report any convictions that occur in the intervening time between background checks.
5. Recognize that they are neither employees nor an independent contractor and serve at the discretion of the District.

**Mandatory Reporting Training**

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Volunteers who interact with children for more than four hours per work are required to complete mandatory reporting training. This direction will be provided by the school principal.

Note: Pursuant to AS 47.17.020(a)(9), “volunteers who interact with children in a public or private school for more than four hours a week” must report child abuse and child neglect. AS 47.17.020(a) requires school districts to provide training to such volunteers on the recognition and reporting of child abuse and neglect.

Created 08/2024

**AASB POLICY REFERENCE MANUAL**

**9/92**

## **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**