

Board Policy Review Committee

Monday, August 29, 2022 9:00 AM

District Office Conference Room, 2920 3.5 Nome-Teller Hwy, Nome, Alaska 99762

A. Policies for Review

1. ***NEW POLICY* BP 3511 ENERGY CONSERVATION**

B. AASB Policy Updates January 2022

1. **AASB January Instruction Sheet**
2. **BP 3290 GIFTS GRANTS AND REQUESTS**
3. **BP 3515.6 USE OF SCHOOL SAFETY VIDEO SURVEILLANCE MONITORING SYSTEMS
(FORMERLY KNOWN AS BP 3515.6 SAFETY AND SECURITY RECORDING SYSTEMS)**

4. **BP 3550 FOOD SERVICE**

5. **BP 3554 OTHER FOOD SALES**

6. **BP 3580 DISTRICT RECORDS**

C. AASB Policy Updates May 2022

1. **AASB May Instruction Sheet**

2. **BP 1330 USE OF SCHOOL FACILITIES**

3. **BP 3513.3 TOBACCO-FREE SCHOOLS/SMOKING**

4. ***NEW POLICY* BP 3522 DISTRICT DATA PROTECTION PROGRAM**

5. ***NEW AR* AR 3522 DISTRICT DATA PROTECTION PROGRAM**

6. ***NEW POLICY* BP 3590 ELECTRONICS SIGNATURES**

7. **BP 4113 ASSIGNMENT**

8. **BP 4131 CERTIFICATED STAFF DEVELOPMENT**

9. **BP 4158 EMPLOYEE SECURITY**

10. **BP 5125.1 RELEASE OF DIRECTORY INFORMATION**

11. **BP 5127 GRADUATION CEREMONIES AND ACTIVITIES**

12. **BP 5131.6 ALCOHOL AND OTHER DRUGS**

13. **BP 5145.2 FREEDOM OF SPEECH/EXPRESSION**

14. **BP 6145.5 STUDENT ORGANIZATIONS AND EQUAL ACCESS**

15. **AR 6145.5 STUDENT ORGANIZATIONS AND EQUAL ACCESS**

16. **BP 6161.4 INTERNET**

17. **BP 6161.8 RESEARCH**

18. **BP 6164.2 GUIDANCE AND COUNSELING SERVICES**

19. **BP 6174.1 EDUCATION OF NATIVE/INDIAN CHILDREN**

20. **BP 6175 MIGRANT CHILDREN PROGRAM**

21. **BB 9200 BOARD MEMBER**

22. **BB 9260 LEGAL PROTECTION**

23. **BB 9270 CONFLICT OF INTEREST**

BP 3511 ENERGY CONSERVATION

Note: This optional policy may be revised or deleted as desired.

The School Board desires to reduce energy use in the district in order to help conserve natural resources and save money to support other district needs.

The Superintendent or designee shall establish energy use reduction goals, monitor energy consumption and encourage employees and students to conserve resources. The Superintendent or designee shall regularly inspect district facilities and operations and make recommendations for maintenance and capital expenditures which may help the district reach its energy consumption goals.

(cf. 3510 Maintenance)

9/92

AASB POLICY REFERENCE MANUAL UPDATE SERVICE

2021 *Business and Noninstructional Operations* UPDATE

INSTRUCTION SHEET

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

This update revises various board policies and administrative regulations in Series 3000 of the AASB Model Policies, *Business and Noninstructional Operations*.

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

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
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ARTICLE 3, Series 3000 – Business and Noninstructional Operations

BP 3000	Yes	This update clarifies the working relationship between the Board and Superintendent, as well stylistic edits to better reflect the Board’s fiscal practices.
BP 3100	No	This update provides stylistic edits to the Board’s budget process, and clarifies the importance of public input in the budgetary process.
AR 3100	No	This update recognizes that some local ordinances may require a date earlier than May for the adoption of a budget. As an AR, this update does not require board approval.
BP 3260	No	This update provides stylistic edits to the Board’s material fees program.
BP 3270	Yes	This update provides the Superintendent greater discretion to dispose of used District property, in an amount up to \$5,000.
BP 3280	No	This update provides stylistic edits to the Board’s material fees program. This update provides the Superintendent greater discretion to dispose of used District property, in an amount up to \$5,000.

REPLACE/ADD

FORMAL
ADOPTION
REQUIRED

DESCRIPTION

		This update clarifies that districts in municipalities or boroughs may work with their municipality or borough on the sale or lease of school facilities.
BP 3290	Yes	To ensure appropriate oversight, this update establishes that all donations greater than \$1,000 shall be brought before the Board. It also states that the Superintendent may apply for special revenue grants.
BP 3300	Yes	This update removes the requirement that the Board approve or ratify <i>all</i> transactions. Transactions may still be subject to Board approval elsewhere in board policy.
BP 3315	Yes	This update adds a conflict of interest provision for awards with federal funds.
BP 3400	No	This update provides stylistic edits to the management of district accounts policy.
BP 3440	No	This update adds a reference to BP 3440.1, <i>Fixed Assets Capitalization</i> .
BP 3450	Yes	This update strengthens best practices for the maintenance of liquid money in school buildings.
AR 3450	Yes	This update rennumbers AR 3451 and associates it with AR 3450.
BP 3470	No	This update clarifies the definition of the committed fund balance and assigned fund balance. It also adds reference to the DEED Uniform Chart of Accounts.
BP 3510	Yes	This update provides greater clarity regarding the Superintendent's role in assuring proper inspection and maintenance of district buildings.
BP 3514.1	Yes	This update clarifies Board and Superintendent roles in the management of hazardous substances.
AR 3514.1	No	This update clarifies Board and Superintendent roles in the administration of pesticide application. As an AR, this update does not require board approval.
BP 3515	Yes	This update provides stylistic edits to the management of school safety and security policy. It also adds several policy references.
AR 3515	No	This update strengthens best practices for security and safety in school buildings. As an AR, this update does not require board approval.
BP 3515.6	No	This update makes grammatical corrections to BP 3515.6
BP 3530	No	This update emphasizes Board intent to maintain a robust risk management program.

REPLACE/ADD

FORMAL
ADOPTION
REQUIRED

DESCRIPTION

BP 3540	Yes	This update clarifies that there must be adequate space on a bus schedule so that transportation to charter schools does not interfere with transportation to attendance area schools. It also makes stylistic changes.
BP 3541.1	Yes	This update raises the recommended amount of private insurance for persons transporting students to \$1,000,000. It also revises the school related trip section to ensure that trips in school vans are covered by policy.
BP 3541.5	Yes	This update removes the monetary requirement for districts that wish to adopt in-lieu-of transportation arrangements with parents.
BP 3542	No	This update retitles BP 3542 to recognize that it applies to bus drivers.
BP 3550	Yes	This update includes language to recognize various dietary guidelines that may apply to different districts. It also updated nutrition terminology. Finally, it updates language authorizing the use of independent contractors to perform food services.
BP 3554	No	This update makes the food sale policy inclusive of all District programs.
BP 3580	No	This update incorporates reference to AS 40.21.070, <i>Records Management for Local Records</i> .

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

GIFTS, GRANTS AND BEQUESTS

BP 3290

Note: This optional policy may be revised as needed to reflect district philosophy and needs.

The School Board greatly appreciates the support of community members and may accept suitable donations on behalf of the district. All donations greater than \$1,000 shall be brought before the Board. The Superintendent or designee may apply for special revenue grants.

To be acceptable, a gift, grant, or bequest must satisfy the following criteria:

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

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

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

(cf. 3430 - Investing)
(cf. 3440 - Inventories)

BP 3290 GIFTS, GRANTS AND BEQUESTS

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1. Not commit the district to a program which the Board would be unwilling to continue when the donated funds are exhausted.
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(cf. 3430 - Investing)

(cf. 3440 - Inventories)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business & Non-Instructional Operations

USE OF SCHOOL SAFETY VIDEO SURVEILLANCE MONITORING SYSTEMS **BP 3515.6(a)**

The School Board authorizes the use of video surveillance equipment on school district property, school vehicles, and school contracted vehicles to ensure health, welfare, and safety of all staff, students, and visitors to district property and/or passenger in district contracted or authorized vehicles and to deter inappropriate behavior. Cameras will also be utilized to safeguard district facilities and equipment, as well as equipment owned by staff or students.

In dealing with surveillance of students and employees, the Board recognizes both its obligation to provide appropriate levels of supervision in the interest of safety and the fact that students and employees have privacy rights that are reduced but not eliminated while under the supervision of the school. Thus, video surveillance, like other forms of supervision, must be carried out in a way that respects privacy rights.

District Administrators are responsible for determining whether video recordings are educational records as defined by the Family Educational Rights and Privacy Act (FERPA)), 20 U.S.C. § 1232g and 34 CFR Part 99.

School safety video recordings which are not education records may be disclosed as provided in the Alaska Public Records Act, AS § 40.25.110 – 40.25.125.

Use

Video surveillance cameras may be used to monitor and/or record in locations authorized by the School Site Administrator or the officials of the school district. Public notification signs must be prominently displayed, indicating the use of video surveillance. The district shall also notify staff and students through student/parent and staff handbooks that security cameras are in place within district property.

Camera Placement

The security camera system will be installed in public areas only. These areas include school buses, grounds, athletic areas, exterior entrances or exits to school buildings and large gathering spaces such as classroom corridors, cafeteria, lobby, and main entrances. Restrooms, changing rooms, private offices, nurse's offices, and locker rooms are excluded from surveillance camera use. Security camera usage is prohibited in any space where there is a reasonable expectation for privacy.

Security

Only a designated employee or agent of the school district will install surveillance cameras. Only designated school officials shall have access to the camera equipment and operations system. For the purposes of this policy, school officials are the Superintendent or his/her expressly authorized designees. Only these school officials shall handle the camera or copies of the video segments. Video copies shall be stored in a secure area. Video copies may never be sold, publicly viewed or distributed in any other fashion except as approved for by this policy and/or relevant to legislation. Law enforcement personnel may review camera recordings, when available, to investigate criminal conduct.

USE OF SCHOOL SAFETY VIDEO SURVEILLANCE MONITORING SYSTEMS BP 3515.6(B)

Viewing of Video Recordings

Video monitors used to view video recordings should not be located in a position that enables public viewing. Video recordings may only be viewed by school site administrators, school official, or school staff members with direct involvement with the recorded contents of the specific video recording or employees or agents responsible for the technical operation of the system (for technical purposes only). Parents may submit a written request to view video recordings that pertain only to their children in relation to a disciplinary issue, but the viewing may be approved only if it does not violate the privacy of other students (see next paragraph).

Use of Video Recordings for Disciplinary Action

Video recordings may be used as a basis for student or employee disciplinary action. Video surveillance recordings involving students are considered to be educational records under FERPA. Therefore, consent must be given in order to disclose information contained on video recordings obtained through video surveillance, except to the extent that FERPA authorizes disclosure without consent. Viewing may be refused or limited where viewing would be an unreasonable invasion of a third party's personal privacy, give rise to a concern for the safety of a third party or where protected from disclosure by law. All viewing requests must be submitted in writing.

Retention of Video Recordings

A copy of a video recording shall be made when an incident results in a long-term suspension, a student injury, or there is a prospect of a legal claim against the district. The copy of the video recording shall be sent to the Superintendent or designee to be kept in a secure location. If a recording is used in the making of a decision about a student or employee, the recording must be kept for a minimum of one year, unless earlier erasure is authorized by or on behalf of the individual or the relevant appeals periods have been expired.

Video recordings shall be maintained for no more than 30 days and then erased unless they are being retained as indicated in the preceding paragraph or at the request of the school site administrator. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

Review

Each school site administrator is responsible for the proper implementation and control of the video surveillance system. The Superintendent of Schools or designee shall develop regulations governing the use of video recordings in accordance with applicable law and board policy.

(cf. 1340 – Access to District Records)

(cf. 3515 – School Safety and Security)

(cf. 3580 – District Records)

(cf. 5125 – Student Records)

Legal References:

UNITED STATES CODE 20 U.S.C. 1232g

UNITED STATES CODE OF FEDERAL REGULATIONS 34 CFR Part 99

ALASKA STATUTES

40.21.070 – Records Management for Local Records 40.25.110-250 Public Records Act

ALASKA ADMINISTRATIVE CODE

2 AAC 96.100-370 Public Information

BP 3515.6 SAFETY AND SECURITY RECORDING SYSTEMS

USE OF VIDEO AND AUDIO RECORDING

The School Board recognizes that maintaining the safety and security of students, staff, and District property is best implemented with a multifaceted approach. To the extent modern technology provides tools to maintain safety and security, the use of technology such as video surveillance cameras is supported by the Board.

Video recording devices may be utilized on school grounds and may be equipped with audio recording capabilities. Video recording shall be in accordance with applicable laws pertaining to such use. The District shall also comply with applicable law related to maintaining video recordings and student records, as appropriate.

Purpose of Electronic Recording Systems

1. To promote the safety of all individuals while on District campuses;
2. To encourage overall positive behavior;
3. To act as a deterrent to inappropriate, unsafe, or criminal activities;
4. To assist in providing physical security for District assets;
5. To provide visual resources in areas having limited visibility;
6. To provide retroactive and investigative support to School and District Administrators (e.g., theft, vandalism, harm to others); and/or
7. To assist Law Enforcement, and School and/or District Administration during investigative or emergency situations.
8. Other outcomes such as diagnosis of false alarms and investigation of alleged employee misconduct, for example.

Exclusions

Video and audio monitoring are not permitted in areas where there is a reasonable expectation of privacy (e.g., restrooms, locker rooms, individuals' offices, staff break areas). Recording of teacher instruction for purposes of completing a performance evaluation or for professional growth opportunities is not intended to be covered by this policy and shall not be permitted except as provided by state law and/or consent or request of the employee. Recording of students for purposes of their educational programming is also not intended to be covered by this policy.

AUTHORIZED ACCESS TO VIDEO RECORDINGS

District Administrators, including the Superintendent, Director of Maintenance, Director of Technology, School Principals, and appointed Designees may:

1. View "Live" Video;
2. View Recorded Video; and/or
3. Export Recorded Video

An annual review of this board policy including purpose of electronic recording devices with authorized users.

Non-school personnel may be authorized to view preserved video footage on a case-by-case basis by the Superintendent or Designee. Preserved footage will be released by the Superintendent or

Designee in limited circumstances on a case-by-case basis as follows:

1. In order to protect the health and safety of all students and staff, recordings that reveal unlawful actions will be brought to the attention of and/or released to law enforcement agencies, per District policy;
2. A legal parent/guardian of a student pictured on preserved video footage may be permitted by the Superintendent or Designee to view video footage, as relevant circumstances warrant;
3. A legal parent/guardian of a student shall be permitted to view any preserved video footage that is used in a disciplinary action against their child; parents must be able to identify their child only. Digital pixelating may be required; and/or
4. In response to a judicial subpoena or court order.

Transfers or Release of Video Disclosures

All transfers of video disclosures to sources outside the District must be documented. Such transfers shall be limited to judicial subpoenas or court orders. Law enforcement may be given access to video by subpoena or as part of an ongoing investigation, by the Superintendent or Designee.

Maintenance

Camera and video software maintenance may be performed each year, but will occur as frequently as is necessary to maintain the video surveillance system. This may result in an occasional downtime but is not expected to impact video recording. The following maintenance procedures and actions will be included in this process:

1. Video recording may be suspended at any time, and without prior notification;
2. Installation of new cameras on school grounds will be overseen by the Director Maintenance in collaboration with the Director of Technology;

Periodic System and Video Image Audit

A periodic audit of the video system and its recordings shall be conducted by no fewer than two (2) authorized District personnel.

Results should verify that the surveillance system has not been modified or altered by unauthorized personnel, that observed target areas remain accurate, and that overall integrity of the system is intact.

System Monitoring & Security

There will be no expectation for authorized School or District personnel to continuously monitor video. The District will, on average, retain video on-site or in a cloud based solution for the most recent 30-day period. Video content reviews will take place at the District or School offices, or outside of the District or School only on designated devices of the authorized School or District personnel as needed, connections will have secured, password-protected access by appropriate personnel, and will be located away from public view. Video footage beyond the designated period of time will be archived by an authorized user.

EDUCATION RECORD

A photo or video of a student will become an education record, subject to specific exclusions, when the photo or video is: (1) directly related to the student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution for a specific purpose.

Directly Related to a Student

Factors that may help determine if a photo or video should be considered “directly related” to a student are as follows:

1. The educational agency or institution uses the photo or video for disciplinary action (or other official purposes) involving the student (including the victim of any such disciplinary incident);
2. The photo or video contains a depiction of an activity:
 - a. that resulted in an educational agency or institution’s use of the photo or video for disciplinary action (or other official purposes) involving a student (or, if disciplinary action is pending or has not yet been taken, that would reasonably result in use of the photo or video for disciplinary action involving a student);
 - b. that shows a student in violation of local, state, or federal law;
 - c. that shows a student getting injured, attacked, victimized, ill, or having a health-related emergency;
3. The person or entity taking the photo or video intends to make a specific student the focus of the photo or video (e.g., ID photos, or a recording of a student presentation); or
4. The audio or visual content of the photo or video otherwise contains personally identifiable information contained in a student’s education record.

Maintained by an Educational Agency

To be considered an education record of a student under FERPA, an educational agency or institution, or a party acting for the agency or institution, must maintain the record within the student’s disciplinary record file.

NOTIFICATION OF USE OF SECURITY CAMERAS

Appropriate signage will be posted in noticeable locations on campus that notify students, staff, and the community of the District’s use of video cameras. Signs may also be posted in general locations informing persons that the buildings and grounds may be under electronic surveillance.

The District will ensure that reasonable efforts are made to notify students, parents and staff at the beginning of the school year regarding the use of video cameras on school grounds. Such notification may include, but not be limited to, staff in-service, employee email, student handbooks, and/or beginning of the year correspondence. Communication shall, at a minimum, reference District policy and may identify key procedures related to video camera usage. During the initial implementation period, the Superintendent may vary notification based on circumstances and available options.

MISCELLANEOUS

The Superintendent or Designee is authorized to develop Administrative Regulation(s) governing the use of video recording in accordance with applicable state and federal law and Board policy.

It is a violation of this policy to interfere, obstruct, or disable any of the District’s cameras or recording systems. This includes, covering the cameras, cutting the wires, or disabling the system in any way.

This policy does not apply to the monitoring of the District’s network infrastructure or employee use of the District’s network infrastructure.

This policy serves as notification to employees and the public, at large, that video systems may be in use on school campuses for the purposes described herein.

Legal Reference:

UNITED STATES CODE

[20 U.S.C. §1232g](#) (Family Educational Rights and Privacy Act of 1974)

CODE OF FEDERAL REGULATIONS

[34 C.F.R. §99.1](#) *et seq.* (FERPA regulations)

[34 C.F.R. §99.3](#) (FERPA regulations “Education Record”)

Adopted: August 11, 2020

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

FOOD SERVICE

BP 3550(a)

Note: The following optional policy may be revised to reflect district philosophy and needs.

The School Board recognizes that students need adequate, nourishing food in order to grow, learn, and to give a good foundation for their future physical well-being. The Board may provide for a food service program based on regular lunch service and include other snack and breakfast programs as the needs of the students and the financial capacity of the district permit. The Board recognizes that breakfast, lunch and other nutrition programs are an important complement to the nutritional responsibilities of parents/guardians.

The Board believes that:

1. Foods and beverages available on school premises should contribute to the nutritional well-being of students and meet the nutritional criteria of the applicable child nutrition program operating in the District. Nutrition programs must comply with applicable state and federal law.
2. Foods can help students and families feel comfortable in the school. The District may include cultural and subsistence foods if available and can be served in compliance with school safety and nutritional programs.
3. Foods and beverages available should be considered as carefully as other educational support materials as they can serve to build cultural connectedness for students.
4. Foods and beverages should be prepared in ways which will appeal to students while retaining nutritive quality.
5. To further Alaskan values, food and beverages should be prepared and served in ways that reduce waste.
6. Food should be served in quantities appropriate to the needs of students at their age level and served in as pleasant and relaxed an atmosphere as possible, with adequate time for students to eat and travel to and from the cafeteria.
7. Schools are encouraged to assess common eating habits and eating times to establish appropriate meal and snack times.
8. Foods grown in the state provide nutritional, environmental, and economic benefits and should be utilized in the district's food service program to the extent feasible.
9. The District and its schools will have food safety plans and written guidance for procuring, receiving, and preparing subsistence foods harvested and donated to the school.
10. The District will include subsistence foods as a part of the nutritional and dietary guidelines for Americans.

Note: Effective January 14, 2010, the U.S. Department of Agriculture requires schools participating in the National School Lunch and Breakfast Programs to develop a written food safety program for the preparation and serving of school meals. The goal is to prevent and reduce the risk of food-borne illness among students. Schools are required to utilize the "hazard analysis and critical control point (HACCP) system" when developing their food safety programs. A written safety program must be in place for each food preparation and service facility that prepares and serves meals under the federal breakfast or lunch programs.

The Superintendent or designee will oversee the development of a written food safety program for each food preparation and serving facility in the district, as required by law. Foods and beverages will be stored, prepared and served in accordance with food safety regulations in order to prevent or reduce the risk of food-borne illness among students.

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WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

FOOD SERVICE (continued)

BP 3550(b)

Note: Effective July 1, 2015, federal regulations of the Department of Agriculture, Food and Nutrition Service, require that certain food service personnel meet minimum professional standards. More specifically, school nutrition program directors who are responsible for management of the day-to-day food service operations for all schools in the district must meet minimum educational qualifications as a condition of hire. The qualifications vary depending upon the student enrollment (size) of the district. The qualification requirements are applicable to the hire of new directors only; current directors employed prior to the July 1, 2015 effective date are grandfathered. In addition, the new regulations require minimum continuing education and training requirements for all student nutrition staff, including school nutrition program directors, school nutrition program managers who are responsible for day-to-day operations of food service for a particular school, and other personnel who work an average of at least 20 hours per week. The hours of continuing education/training varies depending upon the position held by the individual.

Qualified and trained food service personnel are critical to a healthy and safe food service program. The Superintendent or designee shall hire qualified personnel and/or an independent contractor, taking into consideration professional standards required by law, and will ensure that continuing education and training is provided to food service personnel in compliance with applicable state and federal standards.

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(cf. 4131 – Certificated Staff Development)

The School Board intends that, insofar as possible, the school food services program shall be self-supporting and may include foods from school gardens, greenhouses and farms. The Board shall review and approve of menu prices. Program financial reports shall be presented regularly for inspection by the Board.

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(cf. 3554 – Other Food Sales)

(cf. 5040 – Student Nutrition and Physical Activity)

(cf. 6163.4 – School Gardens, Greenhouses and Farms)

Commented [AP4]: We do not have this policy

Legal Reference:

UNITED STATES CODE

Richard B. Russell National School Lunch Act, 42 U.S.C. 1751-1769j

Child Nutrition Act of 1996, 42 U.S.C. 1771-1793

CODE OF FEDERAL REGULATIONS

7 C.F.R. Parts 210, 220, and 235 National School Lunch Program and Breakfast Program

FEDERAL REGISTER

Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010, Vol. 80, No. 40 and No. 88 (2015)

BP 3550 FOOD SERVICE

The School Board recognizes that students need adequate, nourishing food in order to grow and learn and to give a good foundation for their future physical well-being. The School Board may provide for a food service program based on regular lunch service and including such other snack and breakfast programs as the needs of the students and the financial capacity of the district permit. The School Board recognizes that the lunch program is an important complement to the nutritional responsibilities of parents/guardians.

The School Board believes that:

1. Foods and beverages available on school premises should contribute to the nutritional well-being of students and meet the nutritional criteria of the National School Lunch and Breakfast Programs and current U.S. Dietary Guidelines for Americans.
2. Foods can help students and families to feel comfortable in the school. To further this, the District may include cultural and subsistence foods if available and can be served in compliance with school safety and nutritional programs.
3. Foods and beverages available should be considered as carefully as other educational support materials and can serve to build cultural connectedness for students.
4. Foods and beverages should be prepared in ways which will appeal to students while retaining nutritive quality.
5. To further Alaskan values, food and beverages should be prepared and served in ways that reduce waste.
6. Food should be served in quantities appropriate to the needs of students at their age level and served in as pleasant and relaxed an atmosphere as possible, with adequate time for students to eat.
7. Schools are encouraged to assess common eating habits and eating times to establish appropriate meal and snack times.
8. Foods grown in the state provide nutritional, environmental, and economic benefits and should be utilized in the district's food service program to the extent feasible.
9. The District and its schools will have food safety plans and written guidance for procuring, receiving, and preparing subsistence foods harvested and donated to the school.
10. The District will include subsistence foods within food pyramids as a part of the nutritional and dietary guidelines for Americans.

Note: *Effective January 14, 2010, the U.S. Department of Agriculture requires schools participating in the National School Lunch and Breakfast Programs to develop a written food safety program for the preparation and serving of school meals. The goal is to prevent and reduce the risk of food-borne illness among students. Schools are required to utilize the "hazard analysis and critical control point (HACCP) system" when developing their food safety programs. A written safety program must be in place for each food preparation and service facility that prepares and serves meals under the federal breakfast or lunch programs.*

The Superintendent or designee will oversee the development of a written food safety program for each food preparation and serving facility in the district, as required by law. Foods and beverages will be stored, prepared and served in accordance with food safety regulations in order to prevent or reduce the risk of food-borne illness among students.

Note: *Effective July 1, 2015, federal regulations of the Department of Agriculture, Food and Nutrition Service, require that certain food service personnel meet minimum professional*

standards. More specifically, school nutrition program directors who are responsible for management of the day-to-day food service operations for all schools in the district must meet minimum educational qualifications as a condition of hire. The qualifications vary depending upon the student enrollment (size) of the district. The qualification requirements are applicable to the hire of new directors only; current directors employed prior to the July 1, 2015 effective date are grandfathered. In addition, the new regulations require minimum continuing education and training requirements for all student nutrition staff, including school nutrition program directors, school nutrition program managers who are responsible for day-to-day operations of food service for a particular school, and other personnel who work an average of at least 20 hours per week. The hours of continuing education/training varies depending upon the position held by the individual.

Qualified and trained food service personnel are critical to a healthy and safe food service program. The Superintendent or designee shall hire qualified personnel, taking into consideration professional standards required by law, and will provide continuing education and training in compliance with federal standards.

(cf. 4131 – Certificated Staff Development)

The School Board intends that, insofar as possible, the school food services program shall be self-supporting and may include foods from school gardens, greenhouses and farms. The School Board shall review and approve of menu prices. Program financial reports shall be presented regularly for inspection by the School Board.

(cf. 3554 – Other Food Sales)

(cf. 5040 – Student Nutrition and Physical Activity)

Legal Reference:

UNITED STATES CODE

Richard B. Russell National School Lunch Act, [42 U.S.C. 1751-1769j](#)

Child Nutrition Act of 1996, [42 U.S.C. 1771-1793](#)

CODE OF FEDERAL REGULATIONS

[7 C.F.R. Parts 210, 220, and 235](#) National School Lunch Program and Breakfast Program

FEDERAL REGISTER

Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010, Vol. 80, No. 40 and No. 88 (2015)

Revised 04/2019

Revised 03/2016

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Business & Non-Instructional Operations

OTHER FOOD SALES

BP 3554

The Board believes that all food available at school should contribute to the development of sound nutritional habits and should reflect concern for the health and well-being of our students.

During School Day

Between the hours of 12:00 AM and 30 minutes after the conclusion of the instructional day, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales meet the requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools, also known as Smart Snacks in School, or other District programs, do not impair the food service's ability to be financially sound, and observe appropriate sanitation and safety procedures.

(cf. 5040 – Student Nutrition and Physical Activity)

(cf. 6163.4 – School Gardens, Greenhouses and Farms)

Commented [AP1]: We do not have this policy

Outside of School Day

From 30 minutes after the conclusion of the instructional day until 12:00 AM, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales comply with state and federal regulations and observe appropriate sanitation and safety procedures.

(cf. 1321 - Solicitations of Funds From and by Students)

Legal Reference:

UNITED STATES CODE

Richard B. Russell National School Lunch Act, 42 U.S.C. 1751-1769j

Child Nutrition Act of 1996, 42 U.S.C. 1771-1793

CODE OF FEDERAL REGULATIONS

7 C.F.R. Parts 210 and 220, National School Lunch Program and Breakfast Program

FEDERAL REGISTER

Nutrition Standards for All Foods Sold in Schools ("Smart Snacks in School"), Vol. 78, No. 125, Part II, Department of Agriculture (2013)

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Business & Non-Instructional Operations

9/92

BP 3554 OTHER FOOD SALES

The Board believes that all food available at school should contribute to the development of sound nutritional habits and should reflect concern for the health and well-being of our students.

During School Day

Between the hours of 12:00 AM and 30 minutes after the conclusion of the instructional day, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales meet the requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools, also known as Smart Snacks in School, do not impair the food service's ability to be financially sound, and observe appropriate sanitation and safety procedures.

(cf. 5040 - Student Nutrition and Physical Activity)

(cf. 6163.4 - School Gardens, Greenhouses and Farms)

Outside of School Day

From 30 minutes after the conclusion of the instructional day until 12:00 AM, the Superintendent or designee may permit food and beverage sales by student or adult entities or organizations provided that these sales comply with state and federal regulations and observe appropriate sanitation and safety procedures.

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

Legal References:

UNITED STATES CODE

Richard B. Russell National School Lunch Act, [42 U.S.C. 1751-1769j](#)

Child Nutrition Act of 1996, [42 U.S.C. 1771-1793](#)

CODE OF FEDERAL REGULATIONS

[7 C.F.R. Parts 210 and 220](#), National School Lunch Program and Breakfast Program

FEDERAL REGISTER

Nutrition Standards for All Foods Sold in Schools ("Smart Snacks in School"), Vol. 78, No. 125, Part II, Department of Agriculture (2013)

Revised 4/2014

Revised 11/2014

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

DISTRICT RECORDS

BP 3580(a)

Note: Alaska Statute 40.21.070 requires districts to follow the state records management and retention program to the extent practical. In 2007, the Department of Education and Early Development updated its 1992 publication relating to records retention practices for school districts. The newly updated *Model Records Retention Schedule for Alaska School Districts* lists and describes most records that school districts administer and recommends minimum retention guidelines, irrespective of the media utilized. The schedule is only a guide and districts may establish their own varying schedules to meet specific school or community needs or practices.

School district records shall be developed, maintained and disposed of according to the requirements of federal and state laws and regulations. Records, regardless of format, should remain accessible and durable for their prescribed retention period. Electronic records, including email, should be administered under operating policies and procedures, ideally in an unaltered format, to ensure that the records remain authentic and trustworthy for their full retention period.

Note: In 2007, the Federal Rules of Civil Procedure underwent a major revision to include electronic discovery rules. The Federal Rules mandate that entities, including school districts, retain documents that are relevant to a claim or defense to a claim. Thus, electronically stored information that is relevant to a claim must be saved for an extended period of time. Even inadvertent destruction of electronic data, for example pursuant to your email purging procedures, can result in sanctions for your district if you are involved in litigation. A "litigation hold" is a directive to parties not to destroy any documents, including electronically stored information in all of its various forms, that might be relevant to a legal proceeding, or that might lead to the discovery of relevant information. In the event the district becomes aware of actual or threatened litigation, audit, or investigation that may concern a group of records, those records should not be disposed of until authorized to do so upon advice of your attorney.

The Superintendent or designee shall undertake the preservation and retention of records and data, including electronically stored information, when there becomes a likelihood that potential litigation will occur.

Irreplaceable, vital school district records must be protected against destruction in the event of a fire, flood, earthquake, terrorist act or other disaster. Vital records are those containing critical information essential to the continuity of operations, or the protection of the rights and interests of the school district, its students, and staff. The Superintendent or designee shall identify vital records and implement measures to ensure that these documents are preserved.

The School Board authorizes the destruction of records having no legal or administrative value or historical interest, following retention for those periods described in the records retention schedule.

Note: Alaska Statute 40.21.080 provides that public records may not be destroyed except on the authority of the local governing body. The Board may authorize by policies or regulations, the disposal of "routine records." The District should establish regulations defining its routine records, and time limits for retention of all records.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Noninstructional Operations

DISTRICT RECORDS

BP 3580(B)

OPTION 1:

The Superintendent or designee shall establish administrative regulations in accordance with AS 40.21.070 so that district personnel will know how district records are to be maintained or destroyed. The regulations shall include retention periods for district records, as appropriate to the record involved.

Commented [AP1]: Please pick one out of the two options

OPTION 2:

The School Board adopts as its Records Management System the Model Records Retention Schedule for Alaska School Districts. The Superintendent or designee will implement a records management program consistent with this Schedule.

Commented [AP2]: This is in our current policy

The Superintendent or designee shall ensure the confidentiality of district records as permitted or required by law. All district employees must guard against improper disclosure of confidential and personally identifiable information.

(cf. 1340 - Access to District Records)

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

(cf. 5125 - Student Records)

Note: Participants in the E-rate program have specific document retention requirements which go into effect for funding year 2004. Under FCC rules, program beneficiaries must "retain all records related to the application for, receipt and delivery of discounted services for a period of five years after the last day of service delivered" in any particular funding year. FCC Rule § 54.516. Specifically, eight categories of documents must be retained: prebidding process, bidding process, contracts, application process, purchase and delivery of services, invoicing, inventory, and forms and rule compliance.

Legal Reference:

ALASKA STATUTES

40.25.120-40.25.220 Public Records Act

14.03.115 Parental Access

14.17.910 Restrictions governing receipt and expenditure of money from public school foundation account

40.21.010-40.21.140 Public records

ALASKA CONSTITUTION

art. 1, sec. 22, Right to Privacy

UNITED STATES CODE

5 U.S.C. § 552a – Privacy Act

20 U.S.C. § 1232 g & 34 CFR Part 99 – Family Educational Rights & Privacy Act

Commented [AP3]: Deleted: CODE OF FEDERAL REGULATIONS
34 CFR Part 99 – Family Educational Rights & Privacy Act

AASB POLICY REFERENCE MANUAL

9/92

BP 3580 DISTRICT RECORDS

Note: [Alaska Statute 40.21.070](#) requires districts to follow the state records management and retention program to the extent practical. In 2007, the Department of Education and Early Development updated its 1992 publication relating to records retention practices for school districts. The newly updated Model Records Retention Schedule for Alaska School Districts lists and describes most records that school districts administer and recommends minimum retention guidelines, irrespective of the media utilized. The schedule is only a guide and districts may establish their own varying schedules to meet specific school or community needs or practices.

School district records shall be developed, maintained and disposed of according to the requirements of federal and state laws and regulations.

Records, regardless of format, should remain accessible and durable for their prescribed retention period. Electronic records, including email, should be administered under operating policies and procedures, ideally in an unaltered format, to ensure that the records remain authentic and trustworthy for their full retention period.

Note: In 2007, the Federal Rules of Civil Procedure underwent a major revision to include electronic discovery rules. The Federal Rules mandate that entities, including school districts, retain documents that are relevant to a claim or defense to a claim. Thus, electronically stored information that is relevant to a claim must be saved for an extended period of time. Even inadvertent destruction of electronic data, for example pursuant to your email purging procedures, can result in sanctions for your district if you are involved in litigation. A "litigation hold" is a directive to parties not to destroy any documents, including electronically stored information in all of its various forms, that might be relevant to a legal proceeding, or that might lead to the discovery of relevant information. In the event the district becomes aware of actual or threatened litigation, audit, or investigation that may concern a group of records, those records should not be disposed of until authorized to do so upon advice of your attorney.

The Superintendent or designee shall undertake the preservation and retention of records and data, including electronically stored information, when there becomes a likelihood that potential litigation will occur.

Irreplaceable, vital school district records must be protected against destruction in the event of a fire, flood, earthquake, terrorist act or other disaster. Vital records are those containing critical information essential to the continuity of operations, or the protection of the rights and interests of the school district, its students, and staff. The Superintendent or designee shall identify vital records and implement measures to ensure that these documents are preserved.

The School Board authorizes the destruction of records having no legal or administrative value or historical interest, following retention for those periods described in the records retention schedule.

Note: [Alaska Statute 40.21.080](#) provides that public records may not be destroyed except on the authority of the local governing body. The Board may authorize by policies or regulations, the disposal of "routine records." The District should establish regulations defining its routine records, and time limits for retention of all records.

The School Board adopts as its Records Management System the Model Records Retention Schedule for Alaska School Districts. The Superintendent or designee will implement a records management program consistent with this Schedule.

The Superintendent or designee shall ensure the confidentiality of district records as permitted or required by law. All district employees must guard against improper disclosure of confidential and personally identifiable information.

(cf. 1340 - Access to District Records)

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

(cf. 5125 - Student Records)

Note: *Participants in the E-rate program have specific document retention requirements which go into effect for funding year 2004. Under FCC rules, program beneficiaries must "retain all records related to the application for, receipt and delivery of discounted services for a period of five years after the last day of service delivered" in any particular funding year. FCC Rule § 54.516. Specifically, eight categories of documents must be retained: pre-bidding process, bidding process, contracts, application process, purchase and delivery of services, invoicing, inventory, and forms and rule compliance.*

Legal References:

ALASKA STATUTES

[09.25.120-09.25.220](#) Public Records Act

[14.03.115](#) Parental Access

14.17.190 Restrictions governing receipt and expenditure of money from public school foundation account

[40.21.010-40.21.140](#) Public records

ALASKA CONSTITUTION

[art. 1, sec. 22, Right to Privacy](#)

UNITED STATES CODE

[5 U.S.C. § 552a](#) - Privacy Act

[20 U.S.C. § 1232g](#) - Family Educational Rights & Privacy Act

CODE OF FEDERAL REGULATIONS

[34 CFR Part 99](#) - Family Educational Rights & Privacy Act

Revised 6/08

Adopted: June 10, 2003

Nome Public Schools

AASB POLICY REFERENCE MANUAL UPDATE SERVICE

2021-2022 UPDATE

INSTRUCTION SHEET

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

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

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
<u>ARTICLE 1, Series 1000 – Community Relations</u>		
BP 1330	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
<u>ARTICLE 3, Series 3000 – Business and Noninstructional Operations</u>		
BP 3513.3	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 3522	Yes	***New Board Policy*** This new policy recognizes the importance of data protection and directs the superintendent to develop and maintain a District Data Protection Program, implemented through an administrative regulation (below).
AR 3522	Yes	***New Administrative Regulation*** This administrative regulation implements a Data Protection Plan framework. It was prepared in collaboration with ALASBO’S technology group. It implements best practices for protecting district information and technology. While Administrative Regulations are not normally subject to Board approval, AASB recommends this Data Protection Plan regulation be reviewed by the Board due to its scope and breadth. AASB will be providing

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
		training on best practices for implementing this regulation in the coming months.
BP 3590	Yes	***New Board Policy*** This policy establishes guidelines for how to utilize and accept electronic signatures in business, noninstructional, and instructional settings.
<u>ARTICLE 4, Series 4000 – Personnel</u>		
BP 4113	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 4131	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act. It also removes a reference to a previously repealed policy.
BP 4158	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
<u>ARTICLE 5, Series 5000 – Students</u>		
BP 5030	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 5125.1	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 5127	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 5131.6	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 5145.2	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
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ARTICLE 6, Series 6000 – Instruction

BP 6145.5	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
AR 6145.5	No	This regulation has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 616.4	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 6161.8	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 6164.2	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 6174	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BP 6175	No	This policy has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.

ARTICLE 9, Series 9000 – Bylaws of the Board

BB 9200	Yes	This bylaw has been revised to clarify that no board members should abstain from a vote absent a compelling reason to do so.
BB 9260	Yes	This bylaw has been revised to remove references to the No Child Left Behind Act and provide proper references to the Every Student Succeeds Act.
BB 9270	Yes	This revised bylaw addresses how a member must recuse themselves due to a conflict of interest.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Community Relations

USE OF SCHOOL FACILITIES

BP 1330

Note: A.S. 14.03.100 authorizes boards to grant the use of school facilities for lawful gatherings and assemblies and mandates that boards adopt written bylaws to ensure reasonable and impartial use of school facilities. If challenged, the district should be prepared to legally defend the reasonableness of its rules. The following sample policy may be revised to reflect local philosophy and needs. The district should be able to provide supporting rationale for its policy/regulations; that is, the policy/regulations must be deemed to be “reasonable.”

Note: Pursuant to the Boy Scouts of America Equal Access Act, districts that make their premises and facilities available for use by youth and community groups must apply that policy equitably to all groups, including the Boy Scouts or other affiliated groups. Specifically, schools are prohibited from denying equal access to school facilities to the Boy Scouts or any other youth group “for reasons based on membership or leadership criteria or oath of allegiance to God and country.” According to Alaska’s uncodified law, a school district that violates this law risks losing state funding.

Deleted: Under the No Child Left Behind Act of 2001

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

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

Commented [AP1]: This optional language is included in our current BP.

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

(cf. 0100 – Philosophy)

(cf. 0430 – Community School Program)

(cf. 6145.5 – Student Organizations and Equal Access)

Legal Reference:

ALASKA STATUTES

04.16.080 – Sales or consumption at school events

14.03.100 – Use of school facilities

UNITED STATES CODE

Boy Scouts of America Equal Access Act, 20 U.S.C. 7905.

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

Revised 4/2022

Deleted: 3/2019

BP 1330 USE OF SCHOOL FACILITIES

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

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

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

(cf. 0100 - Philosophy)

(cf. 0430 - Community School Program)

(cf. 6145.5 – Student Organizations and Equal Access)

Legal References:

ALASKA STATUTES

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

[14.03.100](#) Use of school facilities

UNITED STATES CODE

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

Revised 04/2019

Revised 03/2015

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Business and Non-instructional Operations

TOBACCO-FREE SCHOOLS/SMOKING

BP 3513.3(a)

OPTION 1: Tobacco-Free Schools

Note: The federal Every Student Succeeds Act prohibits smoking in district facilities. The following language extends this to prohibit tobacco use in school buildings, on school grounds and parking areas, at school events and in vehicles used for transporting students. The ability of the Board to adopt this following policy may be restricted by collective bargaining agreements.

Deleted: No Child Left Behind

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on district property and at school-sponsored activities. Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke.

As role models, district employees should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.

Commented [AP1]: Deleted: The School Board recognizes that the maintenance of a tobacco-free workplace is important. The primary objective of enforcing a tobacco-free policy is to provide a tobacco-free environment that:

- Fosters a health-conscious atmosphere
- Reduces health risks caused by second hand smoke
- Reduces sanitation issues due to other tobacco products
- Provides a safe environment for students, staff and visitors.

In accordance with law and to promote the health and safety of all students and staff, it is the intent of the Board to establish a tobacco-free environment. Consequently, it is a violation for students, staff, visitors, contractors and all others to use, distribute or sell tobacco, including any smoking device, on district premises, at school-sponsored activities on or off district premises and in district-owned, rented or leased vehicles.

Commented [AP2]: Deleted: Tobacco use or distribution by students, parents, all district employees, contractors and all other visitors is prohibited on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception. Students who violate this policy shall be subject to disciplinary procedures that may result in suspension or expulsion. Visitors who violate this policy will be asked to leave the premises and if necessary, law enforcement will be notified. Employees who violate this policy will be subject to disciplinary sanctions, up to and including termination of employment.

Staff and/or all others authorized to use district vehicles to transport district students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purposes of this policy, "tobacco" is defined to include tobacco in any form and/or any nicotine delivering devices. This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Because it is illegal for minors under the age of 19, tobacco possession is prohibited for students and all visiting students on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception.

This policy shall be in effect and enforceable at all times regardless of whether or not school is in session. The Superintendent or designee shall post appropriate signs prohibiting tobacco use in accordance with law.

The Superintendent shall:

The Superintendent may develop administrative regulations as necessary to implement this policy, including provisions for notification of the district's policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs; disciplinary consequences; and procedures for filing and handling complaints about violations of the district's policy.

- Publish and give to each employee a statement, notifying employees of the provisions of this. policy.
- Provide information regarding opportunities for cessation services on-campus or referral to off-campus services through community organizations.
- Make a good faith effort to maintain a tobacco-free workplace
- Immediately take appropriate corrective and/or disciplinary actions if staff are found in violation of the policy.

The Superintendent may consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off district grounds.

(cf. BP 4118 - Suspension/Disciplinary Action)

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Business and Non-instructional Operations

TOBACCO-FREE SCHOOLS/SMOKING (continued) BP 3513.3(b)

Note: Federal law does permit the use of tobacco products in a private residence. The following language clarifies whether or not your district will permit smoking in district-provided housing.

This prohibition does/does not apply to any private residence owned or leased by the district for housing purposes.

(cf. 5131.62 - Tobacco)

OPTION 2: Smoking

Note: The following optional policy establishes designated areas where employees may smoke. A.S. 18.35.305 allows designated smoking areas if properly ventilated, located where minors are not permitted, and a collective bargaining agreement requires the designation of an employee smoking area. Federal law requires that the designated smoking area, if any, be outside district facilities.

The School Board recognizes that secondhand smoke is a major contributor to indoor air pollution and presents a health risk to all.

Smoking is prohibited in public schools and meetings except as allowed by law in private residences and designated employee smoking areas. District employees and adult visitors may smoke on school grounds in areas designated by the Superintendent or designee. Such areas shall be properly ventilated and prohibited to minors.

Legal Reference:

ALASKA STATUTES

18.35.300-18.35.330 Health nuisances

20 U.S.C. 7973, Nonsmoking Policy for Children's Services

Revised 4/2022

Commented [AP3]: There was no "Option 1"

Commented [AP4]: Deleted: CITY OF NOME ORDINANCE 11-04-02
CHAPTER 10.50 Smoking Pollution Control to Regulate Smoking in Eating Establishments, Public Buildings and Taxis
ALASKA STATUTES
11.76.100 - .105 Selling or Giving Tobacco to a minor;
Possession of Tobacco by a Minor
14.30.360 Curriculum (Health and Safety Education)

Deleted: PL 107-110, Section 1303

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Business and Non-instructional Operations

9/92

BP 3513.3 TOBACCO-FREE SCHOOLS/SMOKING

The School Board recognizes that the maintenance of a tobacco-free workplace is important. The primary objective of enforcing a tobacco-free policy is to provide a tobacco-free environment that:

- Fosters a health-conscious atmosphere
- Reduces health risks caused by second hand smoke
- Reduces sanitation issues due to other tobacco products
- Provides a safe environment for students, staff and visitors.

As role models, district employees and Board members should demonstrate conduct that is consistent with school programs to discourage students from using tobacco products.

Tobacco use or distribution by students, parents, all district employees, contractors and all other visitors is prohibited on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception. Students who violate this policy shall be subject to disciplinary procedures that may result in suspension or expulsion. Visitors who violate this policy will be asked to leave the premises and if necessary, law enforcement will be notified. Employees who violate this policy will be subject to disciplinary sanctions, up to and including termination of employment.

Because it is illegal for minors under the age of 19, tobacco possession is prohibited for students and all visiting students on all school district property (owned or leased), at on or off campus school sponsored events, and in all school vehicles at all times without exception.

The Superintendent shall:

- Publish and give to each employee a statement, notifying employees of the provisions of this policy.
- Provide information regarding opportunities for cessation services on-campus or referral to off-campus services through community organizations.
- Make a good faith effort to maintain a tobacco-free workplace
- Immediately take appropriate corrective and/or disciplinary actions if staff are found in violation of the policy.

(cf. BP 4118 - Suspension/Disciplinary Action)

Legal References:

CITY OF NOME ORDINANCE 11-04-02

CHAPTER 10.50 Smoking Pollution Control to Regulate Smoking in Eating Establishments, Public Buildings and Taxis

ALASKA STATUTES

[11.76.100 - .105](#) Selling or Giving Tobacco to a minor; Possession of Tobacco By a Minor

[14.30.360](#) Curriculum (Health and Safety Education)

[18.35.300-18.35.330](#) Health nuisances

PL 107-110, Section 1303, Nonsmoking Policy for Children's Services

Revised 11/2011

Adopted: June 10, 2003

Nome Public Schools

DISTRICT DATA PROTECTION PROGRAM

BP 3522

The protection of sensitive data and technology, including, but not limited to Internet access, privacy, electronic mail, hardware, software, and cloud resources, is vital in supporting teaching and learning through access to resources, information, learning activities, interpersonal communications, research, training, collaboration, curriculum, and materials.

The School Board recognizes data/information as a resource that must be protected from unauthorized access or use and as such supports a balance of security and access. The Board expects District staff, student, and parent data to be protected by adequate controls commensurate with the sensitivity of the data.

The Board directs the Superintendent to develop and maintain an effective District Data Protection Program and associated regulations and protocols for the protection of sensitive District information. Such regulations shall include developing appropriate controls to protect the confidentiality, availability, and integrity of District information.

(cf. 1340 and AR 1340 - Access to District Records)

(cf. 3523 and AR 3523 - Employee Use of District Information Technology)

(cf. 3580 - District Records)

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

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

(cf. 4119.25/4219.25/4319 and AR 4119.25/4219.25/4319 -Political Activities of Employees)

(cf. 5125 - Student Records)

(cf. 6161.4 - Internet)

Legal Reference:

UNITED STATES CODE

47 U.S.C. 201 et seq., Communications Decency Act of 1995, as amended

20 U.S.C. 1232g., Federal Family Educational Rights and Privacy Act of 1974, as amended

47 U.S.C. 231 et seq., Children's Online Privacy Protection Act of 2000, as amended

Revised 5/2022

DISTRICT DATA PROTECTION PROGRAM

AR 3522

Note: This District Data Protection Program (DDPP) was developed by utilizing the National Institute of Standards and Technology (NIST) Common Security Framework (CSF). The following administrative regulation describes the framework and an outline of how a program may be implemented. This regulation may be modified to fit district needs.

Introduction

The District Information Technology (IT) Department (or contracted services) has a responsibility to protect sensitive District data to include financial, employee, and student data, while allowing for a positive learning environment. The objective is to employ technology resources that create equitable and accessible learning systems that make learning possible everywhere and all the time.

Section 1. Responsibilities

The District is responsible for providing the following activities in support of the District's data protection program:

Superintendent

- Superintendent periodically reports to the board regarding the function and performance of the DDPP.
- Shall appoint a Data Protection Leader (see activities below) who will provide an annual risk assessment to the board in support of a separate District Data Protection Program.
 - The designated Data Protection Leader shall have sufficient decision-making capabilities to effectively manage all aspects of the DDPP to include:
 - Executing emergency contracts in the event of a data breach.
 - Directing staff/faculty activities as required in support of the DDPP.
 - Directing or implementing changes to the network/operating environment as required.
 - Provide incident information to Human Resources as needed.
- Shall participate in one “tabletop” disaster recovery exercise per year wherein a cybersecurity incident is simulated, and receive the report on the outcome of the exercise.
- Shall review an annual risk assessment and provide comments to the Data Protection Leader as required.
- Shall prepare a separately itemized annual security budget.

Data Protection Leader

- Shall be formally recognized as the District’s Data Protection Program Leader.
- Shall be responsible for the design, architecture, implementation, program management and oversight of the DDPP on behalf of the District.
- Shall ensure that an annual Risk Assessment is prepared and delivered to the Superintendent in support of an Annual Security Budget Request.
- Shall be responsible for the maintenance and dissemination of all required security documentation to include training records, plans, policies, procedures, configurations, and standards applicable to the DDPP.

DISTRICT DATA PROTECTION PROGRAM

AR 3522(b)

- Be responsible for conducting an annual tabletop exercise with the leadership simulating a Data Security Breach.
- Ensuring a successful restore from data backups on a quarterly basis.
- Shall lead annual security training for all staff and District personnel and maintain all training records as required.

Staff and Faculty

- Shall be responsible for completing all security training assignments in a timely manner.
- Maintaining all data in their purview in the manner directed by the Data Protection Leader.
- Reporting security incidents and problems in accordance with District policies and procedures.
- Comply with the District data security policies and procedures.

Section 2. Framework

The District recognizes an effective data protection program is essential to protecting sensitive data and ensuring information technology enables a rich learning environment. The District Data Protection Leader is responsible for recommending and implementing appropriate controls to protect District information and resources. The data protection framework will employ a layered defense strategy with protocols to prevent, detect, and respond to potential threats. The core framework shall be implemented through a combination of Department people, processes, and technologies capable of meeting the requirements and standards. In addition, the Data Protection Leader will develop and maintain a District knowledge base that will act as a document and information repository for all District data protection related information. The following sections outline the core governance framework for the DDPP.

- Data Protection Governance
- Training
- Network Security
- Endpoint Security
- Application Security
- Data Security
- Identity & Access Management

Section 3. Data Protection Governance

The Data Protection Leader shall establish a governance structure to ensure the confidentiality, integrity, and availability of District systems and data. The Data Protection Leader shall maintain an electronic document repository with all required procedures, guidelines, and checklists including the following elements:

- **Data Protection Plan** – Develop and implement a DDPP that provides an overview of District data protection requirements and describes the controls, responsibilities, and expected behavior of individuals who access various systems. It shall include a 1-page

DISTRICT DATA PROTECTION PROGRAM

AR 3522(c)

- training addendum outlining the training requirements, tools, and calendar. The Data Protection Leader shall update the DDPP annually.
- **Incident Response Plan** – Develop and establish an incident response plan that provides a set of instructions to help staff detect, respond to, and recover from network security incidents and document the approved recovery process. The Data Protection Leader shall update the incident response plan annually.

Section 4. Training

The Data Protection Leader shall implement a district-cybersecurity training program that is comprised of static and interactive cybersecurity training. The program will be designed to deliver a yearly training event at a minimum. The training program shall include at a minimum the following elements:

- **Training records** for all events that track who took the training, how they performed during the training and any remedial actions that were required.
- **Deliver an annual organization wide synchronous training** identifying the following:
 - The Data Protection Leader
 - Critical program standards
 - What to do in the event of a disaster or security incident
 - Attendance will be included in the report
- **Interactive Cybersecurity Training** may include but is not limited to:
 - Phishing testing
 - Social engineering testing
 - Games
 - Awareness posters
 - Integrated into in-service and continuing education processes
 - Videos

Section 5. Network Security

The Data Protection Leader shall implement adequate policies, procedures, and technical controls to protect the security of the network to include the following elements at a minimum:

- **Perimeter Security** - Develop and deploy network security devices and tools in such a manner as to ensure District data is appropriately protected from unauthorized use or access.
- **Network Design Documentation** - Develop and update network diagrams as needed and should include the following information at a minimum:
 - All entry points from the Internet
 - All firewalls, switches, routers, and wireless access points
 - Type, size, and bandwidth of all connections

DISTRICT DATA PROTECTION PROGRAM

AR 3522(c)

- External IP address and Internal virtual local area networks (VLANs)
- Externally connected systems
- **Firewall Security** - Ensure the firewall configuration is documented and configured in accordance with District requirements. Policies for firewall rule changes, audit logging, and monitoring and managing perimeter and internal firewalls must be established and maintained at all times.
- **Remote Access** – Establish a secure process and deploy effective controls for remote access to District resources and, monitor remote access through approved monitoring tools to prevent unauthorized access.
- **Router and Switch Security** - Develop standards and configure routers and switches in accordance with best practices. Switch and router configurations shall be backed up as needed and routine audits should be conducted to ensure configurations are correct.
- **Wireless Security** – Enable and secure District wireless access points and networks in accordance with industry and manufacturer best practices.
- **Internet Use** - Will be monitored and manage in accordance with a District Internet Use policy and at a minimum filtered in accordance with legal requirements such as CIPA, HIPPA, etc.
- **Network Monitoring** - The District must maintain an appropriate network monitoring capability to detect, identify, respond, and recover from network security events.
- **Vulnerability & Patch Management** – The District must develop and maintain an effective vulnerability and patch management process. This process shall include capabilities to scan the network for vulnerabilities and ensure appropriate system/software patches have been implemented.
- **Ports & Protocols** – The must develop and maintain a ports and protocols list to include permissible and blocked ports and protocols.

Section 6. Endpoint Security

The Data Protection Leader shall implement adequate policies, procedures, and technical controls that require endpoint device compliance before they are granted access to network resources. At a minimum the program will include:

- **Mobile Device Management** – Deploy network security devices and tools in such a manner to ensure District data is appropriately protected from unauthorized use or access and can be remotely managed.
- **Anti-Virus Protection** – Deploy effective anti-virus protection throughout the District. Update and monitor this program routinely.
- **Vulnerability & Patch Management** – Develop and maintain an effective vulnerability and patch management process. Include capabilities to scan endpoints for vulnerabilities and implement appropriate system/software patches.
- **Endpoint Monitoring** - Assess and deploy an endpoint solution that addresses malware exploits by observing attack techniques and behaviors. Coordinate enforcement with network and cloud security to prevent successful attacks.

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AR 3522(d)

Section 7. Application Security

The Data Protection Leader shall implement adequate policies, procedures, and technical controls that enable application security. At a minimum the program will include:

- **Software Inventory** - The Data Protection Leader shall develop and maintain a software inventory of applications, systems, and databases for the District.
- **Application Access Management** – The Data Protection Leader shall work with system owners to ensure appropriate application access controls are in place to protect information.
- **Data at Rest** – The Data Protection Leader shall implement data at rest controls as deemed appropriate in support of the District’s risk appetite.

Section 8. Data Security

The Data Protection Leader shall implement appropriate policies and technical and physical controls to protect sensitive data. The Data Protection Leader shall work with data owners to identify sensitive data and implement controls to allow for the timely detection, response, and recovery of unauthorized access or handling of sensitive data. At a minimum the program:

- **Cloud Security** - Shall develop and maintain a process for managing all cloud applications and identifying the types of data being stored.
- **Data Backup** – Shall develop, implement, and maintain data backup support based on coordinated Recovery Time Objectives (RTO) and Recovery Point Objectives (RPO) and outline off-site and off-line backup requirements.
- **Data in Transit** – Shall consider data in transit controls as deemed appropriate.
- Account for and maintain the specific controls for externally managed systems accessed by the district in the normal course of business. Examples of this may include the Criminal Justice Information Services (CJIS) which requires the Data Protection Leader to work with a Local Agency Security Officer (LASO) to implement compliant security measures and procedures.

Section 9. Identity & Access Management

The Data Protection Leader shall implement adequate policies, procedures, and technical controls that comply with an established framework, such as NIST, and/or best practices. At a minimum the program will:

- **User Management** - Develop and maintain a directory service to manage user access to various IT resources such as systems, devices, applications, storage systems, and networks. The directory service and associated automation should enable admins to control user access and on-board and off-board users to and from IT resources. The directory service must authenticate, authorize, and audit user access to IT resources.
- **Privileged Account Management** – Ensure appropriate application/system access controls for various applications, systems, and network administrators.

DISTRICT DATA PROTECTION PROGRAM

AR 3522(e)

- **Least Privilege** – Implement the principle of least privilege across the enterprise.
- **Access Controls** – Implement district-wide role-based access controls.
- **Multi-Factor Authentication** – Assess and deploy multi-factor authentication as deemed appropriate.

(cf. 1340 and AR 1340 - Access to District Records)

(cf. 3523 – Electronic Mail (E-Mail))

(cf. 3580 - District Records)

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

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

(cf. 4119.25/4219.25/4319 and AR 4119.25/4219.25/4319 - Political Activities of Employees)

(cf. 5125 - Student Records)

(cf. 6161.4 - Internet)

Legal References:

47 U.S.C. 201 et seq., Communications Decency Act of 1995, as amended.

20 U.S.C. 1232g., Federal Family Educational Rights and Privacy Act of 1974, as amended.

47 U.S.C. 231 et seq., Children’s Online Privacy Protection Act of 2000, as amended.

Adopted 4/2022

District Use of Electronic Signatures

When not practical or possible to have an approved individual physically sign a document, and not otherwise prohibited by applicable law, the Board authorizes the use of electronic signatures. Electronic signatures may satisfy the requirement of a written signature when transacting business with and/or for the District and/or with parents/guardians when the authenticity and reliability of such electronic signature(s) meets the provisions of this policy. In such instances, the electronic signature shall have the full force and effect of a manual signature.

The Superintendent or designee will identify methods that are secure and practical, and in compliance with State and Federal law and the District's procedures. An "electronic signature" is defined as an electronic sound, symbol, or process attached to or logically associated with a record, and executed or adopted by a person with the intent to sign the record.

In order to qualify for acceptance of an electronic signature the following additional requirements are applicable:

1. The electronic signature identifies the individual signing the document by his or her name and title;
2. The identity of the individual signing the document with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature, as well as the documents to which it is affixed, cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained; and,
4. The electronic signature conforms to all other provisions of this policy.

The District shall maintain District electronically signed records in a manner consistent with the District's document retention policies yet also capable of accurate and complete reproduction of the electronic records and signatures in their original form. Such retention should include a process whereby the District can verify the attribution of a signature to a specific individual, detect changes or errors in the information contained in the record submitted electronically and protect and prevent access and/or manipulation or access/use by an unauthorized person.

The District shall maintain a hardcopy of the actual signature of any District employee authorized to provide an electronic signature in connection with school board business.

Abuse of the electronic signature protocols by any District employee serves as grounds for disciplinary action up to and including termination.

Parent/Student Use of Electronic Signatures

With regard to documentation received by the District with an electronic signature from a parent/legal guardian, so long as the following provisions are met, the District may receive and accept such electronic signature as an original document:

1. Such communication with signature, on its face, appears to be authentic and unique to the person using such signature;

2. The District is unaware of any specific reason to believe that the signature has been forged;
3. The District is unaware of any specific reason to believe the document has been altered subsequent to the electronic signature; and
4. The signature is capable of verification.

The District's Superintendent or designee may, at their discretion, request that an original of the electronic communication, signed manually by hand, be forwarded to the District in a timely manner.

District personnel may periodically audit the authenticity of such signature via a security procedure including such acts as making follow-up inquiry to the individual/entity who has submitted an electronic signature.

Should it be discovered that a student has falsified a parent's electronic signature on an official District document, the student may be subjected to discipline and the District Administration is authorized, at their discretion, to thereafter only accept manual signatures associated with any submitted school document.

(cf. BP 3523 Electronic Mail (E-Mail))

(cf. BP 3580 – District Records)

(cf. BP 6161.4 – Internet)

Legal Reference:

ALASKA STATUTES

09.80.010 - .195 Alaska Uniform Electronic Transactions Act

Adopted 4/2022

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Personnel

ASSIGNMENT

BP 4113

Note: The following sample policy may be revised or deleted to reflect district philosophy. This subject area is covered by collective bargaining laws.

The School Board respects the importance of assigning teachers in accordance with law, so as to serve the best interests of our students and the educational program. The Superintendent or designee may assign certificated personnel to any position for which their preparation, certification, experience and aptitude qualify them. Teachers may be assigned to any school within the district. Teachers shall not be assigned outside the scope of their teaching certificates or their fields of study except as allowed by law.

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

Note: The following optional paragraph should be reviewed in conjunction with the district's collective bargaining agreement, if any, and revised or deleted as appropriate.

The assignment of certificated personnel shall comply with applicable collective bargaining provisions.

Legal Reference:

ALASKA STATUTES

14.20.147 Transfer or absorption of attendance area or federal agency school

14.20.148 Intradistrict teacher assignment

14.20.158 Continued contract provisions

23.40.070 Declaration of policy (PERA)

UNITED STATES CODE, TITLE 20

~~Every Student Succeeds Act, P.L. 114-95~~

Deleted: § 1119 No Child Left Behind Act of 2001, P.L. 107-110

Revised ~~4/2022~~

Deleted: 1/03

BP 4113 ASSIGNMENT

Certificated Personnel

The School Board respects the importance of assigning teachers in accordance with law, so as to serve the best interests of our students and the educational program. The Superintendent or designee may assign certificated personnel to any position for which their preparation, certification, experience and aptitude qualify them. Teachers may be assigned to any school within the district. Teachers shall not be assigned outside the scope of their teaching certificates or their fields of study except as allowed by law.

(cf. 4112.8 - Employment of Relatives)

The assignment of certificated personnel shall comply with applicable collective bargaining provisions.

Legal References:

ALASKA STATUTES

[14.20.147](#) Transfer or absorption of attendance area or federal agency school

[14.20.148](#) Intradistrict teacher assignment

[14.20.158](#) Continued contract provisions

[23.40.070](#) Declaration of policy (PERA)

UNITED STATES CODE

[20 USC § 1119](#) No Child Left Behind Act of 2001, P.L. 107-110

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Personnel

CERTIFICATED STAFF DEVELOPMENT

BP 4131(a)

Note: Under state law, staff training is mandated in evaluative techniques, child abuse recognition and reporting, the needs of students with alcohol or drug abuse disabilities, sexual abuse and sexual assault awareness, dating violence and abuse, crisis response, crisis intervention and suicide awareness and prevention. School Districts must ensure that no less than 50 percent of the total certificated staff employed by the district receives all of the training not less than every two years and that all of the certificated staff employed by the district receives all of the training not less than every four years. AS 14.08.111(12); AS 14.14.090(11); AS 14.16.020(9). A school district shall provide suicide awareness and prevention training to each teacher, administrator, counselor and specialist who is employed by the school district to provide services to students. AS 14.30.362. Effective June 30, 2017, a school district shall establish a training program for employees relating to sexual abuse and sexual assault awareness and prevention and dating violence and abuse awareness and prevention. AS 14.30.355; AS 14.30.356. Additionally, effective June 30, 2017, a person is not eligible for a teacher certificate unless he or she has completed required training set forth in AS 14.20.020. AS 14.33.127 and 4 AAC 06.177 require that the School Board ensure that a sufficient number of school employees receive periodic training in an approved crisis intervention training program, to meet the needs of the student population. Crisis intervention programs must meet all legal requirements. The Department of Education and Early Development will maintain a list of approved crisis intervention training programs.

Under federal law, the Every Student Succeeds Act defines professional development to include sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom focused activities that are available to all school staff, including paraprofessionals. Professional development activities should be developed with educator input and regularly evaluated. Professional development activities must be evidence-based, if reasonably available. 20 U.S.C. §§ 6601-6614.

The School Board recognizes that a competent well-trained staff is essential to carrying out its goals. Staff development is a necessary, collaborative, continuous and systematic effort to improve district educational programs by involving all employees in activities that improve their skills and broaden their perceptions. Professional development provided to teachers, principals, and other instructional leaders should focus on improving teaching and student learning and achievement.

Professional development shall be developed with educator input and regularly evaluated. If reasonably available, staff development activities shall be evidence-based. Staff should receive training on professional boundaries in accordance with BP 5141.42 Professional Boundaries for Staff with Students.

In order to respond directly to the needs of all our students, staff development activities may address such issues as teacher and staff qualifications, content areas, integrating technology into instruction, using data to improve student achievement, methodology, student privacy, parent, family, and community engagement, interpersonal relations between students and faculty, student learning, growth, development, student welfare and safety, assessments and accommodations, student identification and referral, and staff communication, problem solving and decision making. The Superintendent is responsible for ensuring that all training required by law is provided in a timely fashion to appropriate staff.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.41 – Child Abuse Prevention)

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

(cf. 5141.52 – Suicide Prevention)

(cf. 5142.3 – Restraint and Seclusion)

Commented [AP1]: Deleted: (cf. 5141.41 – Child Abuse and Neglect)

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Personnel

CERTIFICATED STAFF DEVELOPMENT (continued)

BP 4131(b)

The Superintendent or designee should provide staff with professional development that may include opportunities such as the following:

1. Release time and leaves of absence for travel and study.
2. Visits to other classrooms and other schools.
3. Conferences involving outside personnel from the district, county, state, region or nation.
4. Membership in committees drawing personnel from various sources.
5. Training classes and workshops offered by the district.
6. Further training in institutions of higher learning, including credit courses conducted in or near the district instead of on the college campus, whenever possible.
7. Access to professional literature on education issues.
8. Induction and mentoring programs.

(cf. 4116 - Nontenured/Tenured Status)

Legal Reference:

UNITED STATES CODE

The Elementary and Secondary Education Act, 20 U.S.C. §§ 6601-6614, as amended by the Every Student Succeeds Act (P.L. 114-95)

Deleted: (December 10, 2015)

ALASKA STATUTES

14.08.111 Duties (Regional School Boards)

14.14.090 Duties of school boards

14.16.020 Operation of state boarding schools

14.18.060 Discrimination in textbooks and instructional materials prohibited

14.20.020 Requirements for issuance of certificate; fingerprints

14.20.680 Required alcohol and drug related disabilities training

14.30.355 Sexual abuse and sexual assault awareness and prevention

14.30.356 Dating violence and abuse policy, training, awareness, prevention, and notices

14.30.362 Suicide awareness and prevention training

47.17.022 Training (child protection)

ALASKA ADMINISTRATIVE CODE

4 AAC 06.530 Guidance and counseling services

4 AAC 06.550 Review of instructional materials

4 AAC 12.397 Mandatory training requirements

4 AAC 19.060 Evaluation Training

4 AAC 52.260 Personnel Development

Revised 4/2022

Deleted: 10/2021

BP 4131 CERTIFICATED STAFF DEVELOPMENT

Note: Under state law, staff training is mandated in evaluative techniques, child abuse recognition and reporting, the needs of students with alcohol or drug abuse disabilities, sexual abuse and sexual assault awareness, dating violence and abuse, crisis response, crisis intervention and suicide awareness and prevention. School Districts must ensure that no less than 50 percent of the total certificated staff employed by the district receives all of the training not less than every two years and that all of the certificated staff employed by the district receives all of the training not less than every four years. [AS 14.08.111](#)(12); [AS 14.14.090](#)(11); [AS 14.16.020](#)(9). A school district shall provide suicide awareness and prevention training to each teacher, administrator, counselor and specialist who is employed by the school district to provide services to students. [AS 14.30.362](#). Effective June 30, 2017, a school district shall establish a training program for employees relating to sexual abuse and sexual assault awareness and prevention and dating violence and abuse awareness and prevention. [AS 14.30.355](#); [AS 14.30.356](#). Additionally, effective June 30, 2017, a person is not eligible for a teacher certificate unless he or she has completed required training set forth in [AS 14.20.020](#), [AS 14.33.127](#) and [4 AAC 06.177](#) require that the School Board ensure that a sufficient number of school employees receive periodic training in an approved crisis intervention training program, to meet the needs of the student population. Crisis intervention programs must meet all legal requirements. The Department of Education and Early Development will maintain a list of approved crisis intervention training programs.

Under federal law, the Every Student Succeeds Act defines professional development to include sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom focused activities that are available to all school staff, including paraprofessionals. Professional development activities should be developed with educator input and regularly evaluated. Professional development activities must be evidence-based, if reasonably available. [20 U.S.C. §§ 6601-6614](#).

The School Board recognizes that a competent well-trained staff is essential to carrying out its goals. Staff development is a necessary, collaborative, continuous and systematic effort to improve district educational programs by involving all employees in activities that improve their skills and broaden their perceptions. Professional development provided to teachers, principals, and other instructional leaders should focus on improving teaching and student learning and achievement.

Professional development shall be developed with educator input and regularly evaluated. If reasonably available, staff development activities shall be evidence-based.

In order to respond directly to the needs of all our students, staff development activities may address such issues as teacher and staff qualifications, content areas, integrating technology into instruction, using data to improve student achievement, methodology, student privacy, parent, family, and community engagement, interpersonal relations between students and faculty, student learning, growth, development, student welfare and safety, assessments and accommodations, student identification and referral, and staff communication, problem solving and decision making. The Superintendent is responsible for ensuring that all training required by law is provided in a timely fashion to appropriate staff.

(cf. 5131.6 – Alcohol and Other Drugs)

(cf. 5141.4 – Child Abuse and Neglect)

(cf. 5141.41 – Child Abuse Prevention)

(cf. 5141.52 – Suicide Prevention)

(cf. 5142.3 – Restraint and Seclusion)

The Superintendent or designee should provide staff with professional development that may include opportunities such as the following:

1. Release time and leaves of absence for travel and study.
2. Visits to other classrooms and other schools.
3. Conferences involving outside personnel from the district, county, state, region or nation.
4. Membership in committees drawing personnel from various sources.
5. Training classes and workshops offered by the district.
6. Further training in institutions of higher learning, including credit courses conducted in or near the district instead of on the college campus, whenever possible.
7. Access to professional literature on education issues.
8. Induction and mentoring programs.

(cf. 4116 - Nontenured/Tenured Status)

Legal Reference:

UNITED STATES CODE

The Elementary and Secondary Education Act, [20 U.S.C. §§ 6601-6614](#), as amended by the Every Student Succeeds Act ([P.L. 114-95](#) (December 10, 2015))

ALASKA STATUTES

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

[14.14.090](#) Duties of school boards

[14.16.020](#) Operation of state boarding schools

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[14.30.355](#) Sexual abuse and sexual assault awareness and prevention

[14.30.356](#) Dating violence and abuse policy, training, awareness, prevention, and notices

[14.30.362](#) Suicide awareness and prevention training

[47.17.022](#) Training (child protection)

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.530](#) Guidance and counseling services

[4 AAC 06.550](#) Review of instructional materials

[4 AAC 12.397](#) Mandatory training requirements

[4 AAC 19.060](#) Evaluation Training

[4 AAC 52.260](#) Personnel Development

Revised: 09/2017

Revised: 12/2016

Revised: 08/2016

Revised: 07/2015

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Personnel

EMPLOYEE SECURITY

BP 4158

4258

4358

Note: Alaska school districts are required to adopt standards relating to when a teacher, teacher's assistant, or other person responsible for students is authorized to use reasonable and appropriate force to maintain classroom safety and discipline. Effective October 2014, the use of restraint and seclusion of students is strictly limited and in some situations prohibited by law. AS 14.33.125. Any use of restraint or seclusion by a district employee of a student must comply with all legal requirements. A teacher, teacher's assistant, principal, or another person responsible for students may not be terminated or otherwise subjected to formal disciplinary action for lawful enforcement of a school disciplinary and safety program, including behavior standards. AS 14.33.130. This group is protected from civil liability for acts or omissions arising out of enforcement of the disciplinary and safety program while in the course of employment, unless the act constitutes gross negligence or reckless or intentional misconduct. AS 14.33.140, and the Every Student Succeeds Act.

Deleted: No Child Left Behind Act of 2001

An employee may use approved methods of physical restraint if a student's behavior poses an imminent danger of physical injury to the student or others and less restrictive interventions would be ineffective at stopping the imminent danger. Restraint must be limited to that necessary to address the emergency and must be immediately discontinued when the student no longer poses an imminent danger or when a less restrictive intervention is effective to stop the danger.

(cf. 5144 - Discipline)

(cf. 5142.3 – Restraint and Seclusion)

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

Employees shall promptly report any student attack, assault or threat against them to the Superintendent or designee. The employee and the principal or other immediate supervisor both shall promptly report such instances to the appropriate local law enforcement agency.

(cf. 1410 – Interagency Cooperation for Student and Staff Safety)

Legal Reference:

ALASKA STATUTES

11.81.430 Justification, use of force, special relationships

11.81.900 Definitions

14.33.120-.140 School disciplinary and safety program

ALASKA ADMINISTRATIVE CODE

4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities

UNITED STATES CODE

Every Student Succeeds Act, P.L. 114-95

Revised 4/2022

AASB POLICY REFERENCE MANUAL

9/92

Deleted: Elementary and Secondary Education Act, 20 U.S.C. §§ 2361-2368, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

Deleted: 3/2015

BP 4158/4258/4358 EMPLOYEE SECURITY

All Personnel

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Legal References:

ALASKA STATUTES

[11.81.430](#) Justification, use of force, special relationships

[11.81.900](#) Definitions

[14.33.120-.140](#) School disciplinary and safety program

ALASKA ADMINISTRATIVE CODE

[4 AAC 07.010-4 AAC 07.900](#) Student rights and responsibilities

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. §§ 2361-2368](#), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

Revised 3/2015

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

RELEASE OF DIRECTORY INFORMATION

BP 5125.1(a)

Note: Directory information is information that is contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. 34 C.F.R. § 99.3. School officials may release directory information about a student without first obtaining parental consent, unless the parent objects. Districts may disclose this type of information only after giving notice to parents of the items of personal information the school has designated as directory. This notice must also inform parents of their right to refuse disclosure of directory information about their child. A school district is authorized to define the categories of directory information that it desires, if any, and the list found in the Family Educational Rights and Privacy Act is for illustration only. Accordingly, the District is not required to include all, or any, of these items as directory information, but may do so if desired. Effective January 2009, federal law amendments clarify that directory information may not include student social security numbers and may not normally include student identification numbers. Effective January 2012, school districts may implement a limited directory information policy in which they specify the parties or purposes for which the information is disclosed.

Directory information means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed.

Note: If boards eliminate name, address or telephone listing from their categories of directory information, military recruiters and postsecondary institutions still have the right, under federal law, to access these three items. Those boards that eliminate name, address or telephone listing need to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.

The Superintendent or designee may use student directory information in school publications and may authorize the release of directory information to representatives of the news media, prospective employers, post-secondary institutions, military recruiters or nonprofit or other organizations. Directory information consists of the following: student's name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, grade level, enrollment status, degrees, honors and awards received, scholarship eligibility, and most recent previous school attended.

(cf. 5128 – Alaska Performance Scholarship Program)

Directory information may not include a student's social security number or student identification number, unless the student identification number qualifies as an electronic identifier. An electronic personal identifier is an ID used by a student to gain access to student electronic services such as on-line registration, on-line grade reporting, or on-line courses. These electronic personal identifiers may be disclosed as directory information so long as the identifier cannot be used by itself to gain access to educational records but must be combined with a PIN or other access device.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

RELEASE OF DIRECTORY INFORMATION (continued)

BP 5125.1(b)

Note: Certain disclosures are required of school districts by state or federal law. Release of some of this information should not be made if the parent or student objects to the disclosure. The District should include in its annual notice information regarding the following programs, including notice that student information may be submitted pursuant to the program, unless the parent objects in those cases where opt out is permitted. These programs include:

- By September 15 of each year, high schools must provide to the Board of Regents of the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. Opt out is allowed. AS 14.43.930.
- By July 15 of each year, school districts must determine scholarship eligibility for each graduating senior for the Alaska Performance Scholarship. Districts must record the eligibility level on the student's permanent record and forward it to the Department of Education and Early Development. Opt out is not permitted. AS 14.03.110 and AS 14.43.810-.849.
- By January 15 and July 15 of each year, school districts must provide student information to the director of the Alaska Military Youth Academy, a program operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth. Districts must provide the name, last known address, and dates of attendance of students between the ages of 15 and 18 who were enrolled but are no longer enrolled in the district, who have not obtained a diploma or GED, and for whom the district has no school transfer or graduation information. Opt out is permitted. AS 14.30.745.

The District, before making directory information available, shall give public notice at the beginning of each school year of the information which it has designated as directory information. This notice shall also identify all disclosures required by state and federal law, unless parents opt out of such disclosure. The District shall allow a reasonable period of time after such notice has been given for parents/guardians to inform the District that any or all of the information designated should not be released. The District may provide parents with the ability to limit disclosure to specific parties or for specific purposes, as determined by the District.

Directory information shall not be released regarding any student whose parent/guardian notifies the District in writing that such information may not be disclosed. Parents may not, by opting out of director information, prevent a school from requiring a student to identify him or herself, or to wear or carry a student ID or badge.

The District may disclose directory information about former students without meeting the requirements of this section.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

RELEASE OF DIRECTORY INFORMATION (continued)

BP 5125.1(c)

Legal Reference:

ALASKA STATUTES

14.03.113 District determination of scholarship eligibility

14.30.745 Provision of student information to academy

14.43.930 Scholarship program information

14.43.810-.849 Alaska performance scholarship program

UNITED STATES CODE

20 U.S.C. § 1232g

~~Every Student Succeeds Act, P.L. 114-95,~~

USA Patriot Act, § 507, P.L. 107-56 (2001)

Deleted: No Child Left Behind Act, 20 U.S.C. § 7908 (2001)

ALASKA MUNICIPAL CODE

4 AAC 43.010-.900 Alaska Performance Scholarship Program

CODE OF FEDERAL REGULATIONS

34 C.F.R. Pt. 99 as amended December 2011

Revised ~~4/2022~~

Deleted: 4/2014

BP 5125.1 RELEASE OF DIRECTORY INFORMATION

Note: *Directory information is information that is contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. [34 C.F.R. § 99.3](#). School officials may release directory information about a student without first obtaining parental consent, unless the parent objects. Districts may disclose this type of information only after giving notice to parents of the items of personal information the school has designated as directory. This notice must also inform parents of their right to refuse disclosure of directory information about their child. A school district is authorized to define the categories of directory information that it desires, if any, and the list found in the Family Educational Rights and Privacy Act is for illustration only. Accordingly, the District is not required to include all, or any, of these items as directory information, but may do so if desired. Effective January 2009, federal law amendments clarify that directory information may not include student social security numbers and may not normally include student identification numbers. Effective January 2012, school districts may implement a limited directory information policy in which they specify the parties or purposes for which the information is disclosed.*

Directory information means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed.

Note: *If boards eliminate name, address or telephone listing from their categories of directory information, military recruiters and postsecondary institutions still have the right, under federal law, to access these three items. Those boards that eliminate name, address or telephone listing need to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.*

The Superintendent or designee may use student directory information in school publications and may authorize the release of directory information to representatives of the news media, prospective employers, post-secondary institutions, military recruiters or nonprofit or other organizations. Directory information consists of the following: student's name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, grade level, enrollment status, degrees, honors and awards received, scholarship eligibility, and most recent previous school attended.

(cf. 5128 -Alaska- Performance Scholarship)

Directory information may not include a student's social security number or student identification number, unless the student identification number qualifies as an electronic identifier. An electronic personal identifier is an ID used by a student to gain access to student electronic services such as on-line registration, on-line grade reporting, or on-line courses. These electronic personal identifiers may be disclosed as directory information so long as the identifier cannot be used by itself to gain access to educational records but must be combined with a PIN or other access device.

Note: *Certain disclosures are required of school districts by state or federal law. Release of this information should not be made if the parent or student objects to the disclosure. The District should include in its annual notice information regarding the following programs, including notice that student information may be submitted pursuant to the program, unless the parent objects. These programs include:*

- *By September 15 of each year, high schools must provide to the Board of Regents of the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. [AS 14.43.930](#).*

- *By July 15 of each year, school districts must determine scholarship eligibility for each graduating senior for the Alaska Performance Scholarship. Districts must record the eligibility level on the student's permanent record and forward it to the Department of Education and Early Development. [AS 14.03.110](#) and [AS 14.43.810-849](#).*
- *By January 15 and July 15 of each year, school districts must provide student information to the director of the Alaska Challenge Youth Academy, a program operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth. Districts must provide the name, last known address, and dates of attendance of students between the ages of 15 and 18 who were enrolled but are no longer enrolled in the district, who have not obtained a diploma or GED, and for whom the district has no school transfer or graduation information. [AS 14.30.745](#).*

The District, before making directory information available, shall give public notice at the beginning of each school year of the information which it has designated as directory information. This notice shall also identify all disclosures required by state and federal law, unless parents opt out of such disclosure. The District shall allow a reasonable period of time after such notice has been given for parents/guardians to inform the District that any or all of the information designated should not be released. The District may provide parents with the ability to limit disclosure to specific parties or for specific purposes, as determined by the District.

Directory information shall not be released regarding any student whose parent/guardian notifies the District in writing that such information may not be disclosed. Parents may not, by opting out of director information, prevent a school from requiring a student to identify him or herself, or to wear or carry a student ID or badge.

The District may disclose directory information about former students without meeting the requirements of this section.

Students

Legal Reference:

ALASKA STATUTES

[14.03.113](#) District determination of scholarship eligibility

[14.30.745](#) Provision of student information to academy

[14.43.930](#) Scholarship program information

[14.43.810-849](#) Alaska Merit Scholarship Program

UNITED STATES CODE

[20 U.S.C. § 1232g](#)

No Child Left Behind Act, [20 U.S.C. § 7908](#) (2001) USA Patriot Act, § 507, P.L. 107-56 (2001)

ALASKA MUNICIPAL CODE

[4 AAC 43.010-900](#) Alaska Performance Scholarship Program

CODE OF FEDERAL REGULATIONS

[34 C.F.R. Pt. 99](#) as amended December 2011

Updated 2/2013

Adopted June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Students

GRADUATION CEREMONIES AND ACTIVITIES

BP 5127(a)

Note: The following policy suggests various options which may be modified to reflect district practice except that the U.S. Supreme Court has ruled that graduation ceremonies may not include school-sponsored prayers.

Note: Effective June 30, 2016, the requirement in AS 14.03.075 that a secondary student take a college and career readiness assessment before being issued a diploma is repealed.

High school graduation ceremonies shall be held to recognize those students who have successfully completed the district graduation requirements and earned the right to receive a diploma or a certificate of completion. Students earning a certificate of attendance may also participate in graduation ceremonies.

(cf. 6146.1 - High School Graduation Requirements)

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

Note: The following optional paragraph may specify whatever number of uncompleted credits the School Board wishes to allow or may be deleted.

At the discretion of the Superintendent or designee, a student who is no more than credits short of fulfilling district credit requirements may participate in graduation exercises without receiving his/her diploma. When the required credits have been earned, a diploma shall be sent to the student by mail.

Commented [AP1]: Our current policy says "1".

Note: The following optional paragraph may be used to deny participation in graduation activities. School site rules should indicate what privileges may be denied for what reasons, and the means whereby students may appeal these decisions.

In accordance with school-site rules, the principal may deny a student the privilege of participating in graduation or promotion activities because of misconduct.

(cf. 5144 - Discipline)

School-sponsored invocations and/or benedictions shall not be included in graduation ceremonies.

Legal Reference:

ALASKA STATUTES

14.03.075 College and Career readiness assessment; retroactive issuance of diploma

14.03.090 Sectarian or denominational doctrines prohibited

UNITED STATES CODE

Elementary and Secondary Education Act, 20 U.S.C. § 9524, as amended by the Every Student Succeeds Act, P.L. 114-95

Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290 (2000)

Lee v. Weisman, 505 U.S. 577 (1992)

Deleted: No Child Left Behind Act of 2001, P.L. 107-110

Revised 4/2022

Deleted: 3/2016

BP 5127 GRADUATION CEREMONIES AND ACTIVITIES

Note: Effective June 30, 2016, the requirement in [AS 14.03.075](#) that a secondary student take a college and career readiness assessment before being issued a diploma is repealed.

High school graduation ceremonies shall be held to recognize those students who have successfully completed the district graduation requirements and earned the right to receive a diploma or a certificate of completion. Students earning a certificate of attendance may also participate in graduation ceremonies.

(cf. 6146.1 - High School Graduation Requirements)

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

At the discretion of the Superintendent or designee, a student who is no more than 1 credits short of fulfilling district credit requirements may participate in graduation exercises without receiving his/her diploma. When the required credits have been earned, a diploma shall be sent to the student by mail.

In accordance with school-site rules, the principal may deny a student the privilege of participating in graduation or promotion activities because of misconduct.

(cf. 5144 - Discipline)

School-sponsored invocations and/or benedictions shall not be included in graduation ceremonies.

Legal Reference:

ALASKA STATUTES

[14.03.075](#) College and Career readiness assessment; retroactive issuance of diploma

[14.03.090](#) Sectarian or denominational doctrines prohibited

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. § 9524](#), as amended by the No Child Left Behind Act of 2001, [P.L. 107-110](#)

[Santa Fe Indep. Sch. Dist. v. Doe](#), 530 U.S. 290 (2000)

[Lee v. Weisman](#), 505 U.S. 577 (1992)

Revised 3/2016

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

ALCOHOL AND OTHER DRUGS

BP 5131.6(a)

Note: Districts must have in place written standards to address the needs of students for whom mental health or substance abuse may be a contributing factor to noncompliance with the school disciplinary and safety program. AS 14.33.120(a)(6). In addition, districts receiving funds for prevention programs pursuant to the Drug-Free Schools and Community Act of 1986, as amended by the Every Student Succeeds Act, are required to have a policy on drug abuse prevention instruction and procedures for eliminating the sale or use of alcohol and other drugs. ESSA also requires that those districts inform and involve parents in violence and drug prevention efforts. Districts must make reasonable efforts to inform parents of the content of safe and drug-free school programs and activities other than classroom instruction. If a parent objects in writing, the district must withdraw the student from the program or activity. AS 14.30.360 encourages districts to provide K-12 health education, including alcohol and drug abuse education. The following sample policy may be revised as appropriate.

Deleted: No Child Left Behind Act of 2001

Deleted: NCLB

Note: Despite the passage of AS 17.38, effective February of 2015, which authorizes the use of marijuana under certain conditions, all use, possession and distribution of marijuana by those under 21 is illegal. 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, distribution, possession and sale of marijuana for all individuals, regardless of age. For purposes of the district's policy and legal obligation, marijuana is prohibited.

(cf. E 4020 – Drug and Alcohol – Free Workplace Notice to Employees)

Because the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the School Board intends to keep district schools free of alcohol and prohibited drugs.

Alcohol, marijuana, and other controlled substances are prohibited for use or possession by students. The School Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and other drugs. The Superintendent or designee shall develop a comprehensive prevention program that includes instruction, intervention, recovering student support, and enforcement/discipline. The Superintendent or designee shall clearly communicate to students, staff and parents/guardians all School Board policies, regulations, procedures and school rules related to this prevention program. Special efforts shall be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency.

Note: Drug use by students is not limited to illegal drugs and can also include abuse of prescription drugs and over-the-counter medications. There is also a growing problem of youth using what are commonly referred to as designer or synthetic drugs. Designer or synthetic drugs come in various forms and may be a chemical compound, a plant-based substance, or a combination. Common names for these drugs include bath salts, K2, spice, salvia, and synthetic marijuana. These drugs have serious and dangerous effects. Synthetic marijuana is an illegal substance in Alaska. AS 11.71.040-050, 11.71.160. The following optional language prohibits the possession, use, or distribution of "prohibited drugs," which includes all dangerous substances that pose a risk to district students.

Specifically, the Board prohibits the actual or attempted sale, distribution, use, or possession by a student of alcohol, prohibited drugs or inhalants, drug paraphernalia, substances that are designed to look or act like prohibited drugs or alcohol, or substances purported to be prohibited drugs or alcohol. Prohibited drugs are defined as:

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

ALCOHOL AND OTHER DRUGS (continued)

BP 5131.6(b)

2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.
3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

Recognizing that keeping schools free of alcohol and other drugs is a concern common to the district and community, the School Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and drug abuse.

(cf. 1410 Interagency Cooperation for Student & Staff Safety)

Note: Districts are required to establish a citizen advisory committee in order to receive Public Law 99-570 funds. Additionally, AS 14.33.110 requires that the school disciplinary and safety program maintain community standards of school behavior that are developed by members of each school, including students, parents, teachers, school administrators, and other responsible persons.
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To obtain the widest possible input and support for district policies and programs, the School Board shall appoint a districtwide school-community advisory committee to make recommendations related to the prevention of alcohol and other drug abuse. The committee should make its recommendations based on input from students, parents, teachers, school administrators, and community members. The School Board also encourages the use of site-level advisory groups in this area.

(cf. 1220 - Advisory Questions)

Instruction

The district shall provide preventative instruction which helps students avoid the use of alcohol, marijuana, or other drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or drugs. Instruction shall be designed to answer students' questions related to alcohol and drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective grade levels. All instruction and related materials shall stress the concept that alcohol and prohibited drugs can be dangerous and should never be used when such use is illegal.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

ALCOHOL AND OTHER DRUGS (continued)

BP 5131.6(c)

The School Board encourages staff to display attitudes and behaviors which make them positive role models for students with regard to alcohol, marijuana and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

The School Board recognizes that children exposed to alcohol or other drugs prior to birth may have disabilities requiring special attention and modifications in the regular education program. The Superintendent or designee shall provide appropriate staff training in the needs of such students as required by law.

Note: AS 14.20.680 requires training for teachers, administrators, counselors and specialists on the needs of students with alcohol or drug-related disabilities, including medical and psychological characteristics, family issues, and specific educational needs.

(cf. 6142.2 - AIDS Instruction)

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

Intervention

The School Board recognizes that there are students on our campuses who use alcohol and other drugs and can benefit from intervention. The School Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.

School personnel should be trained to identify symptoms which may indicate use of alcohol and other drugs. The Superintendent or designee shall identify responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and other drug use.

Students and parents/guardians shall be informed about the signs of alcohol and other drug use and about appropriate agencies offering counseling.

Nonpunitive Self-Referral

The School Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who self-disclose past use of alcohol or other drugs in order to seek help to quit using shall not be punished or disciplined for such past use. State and local extra-curricular activities eligibility rules may apply further conditions related to the admission of drug or alcohol use.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

ALCOHOL AND OTHER DRUGS (continued)

BP 5131.6(d)

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and prohibited drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol, marijuana or other drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension or expulsion.

(cf. 5144.1 - Suspension and Expulsion)

School authorities may search students and school properties for the possession of alcohol, marijuana and other drugs as long as such searches are conducted in accordance with law.

(cf. 5145.12 - Search and Seizure)

Legal Reference:

ALASKA STATUTES

04.16.080 Sales or consumption at school events
14.20.680 Required alcohol and drug related disabilities training
14.30.360 Curriculum (Health and Safety Education)
14.33.110-.140 Required school disciplinary and safety program
17.38.010-900 The regulation of marijuana
47.37.045 Community action against substance abuse grant fund

UNITED STATES CODE

Elementary and Secondary Education Act, 20 U.S.C. §§ 7116, 7163, as amended by the Every Student Succeeds Act, P.L. 114-95

Deleted: No Child Left Behind Act of 2001 (P.L. 107-110)

Revised 4/2022

Deleted: 3/2015

BP 5131.6 ALCOHOL AND OTHER DRUGS

Note: Districts must have in place written standards to address the needs of students for whom mental health or substance abuse may be a contributing factor to noncompliance with the school disciplinary and safety program. [AS 14.33.120\(a\)\(6\)](#). In addition, districts receiving funds for prevention programs pursuant to the Drug-Free Schools and Community Act of 1986, as amended by the No Child Left Behind Act of 2001, are required to have a policy on drug abuse prevention instruction and procedures for eliminating the sale or use of alcohol and other drugs. NCLB also requires that those districts inform and involve parents in violence and drug prevention efforts. Districts must make reasonable efforts to inform parents of the content of safe and drug-free school programs and activities other than classroom instruction. If a parent objects in writing, the district must withdraw the student from the program or activity. [AS 14.30.360](#) encourages districts to provide K-12 health education, including alcohol and drug abuse education. The following sample policy may be revised as appropriate.

Note: Despite the passage of [AS 17.38](#), effective February of 2015, which authorizes the use of marijuana under certain conditions, all use, possession and distribution of marijuana by those under 21 is illegal. 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, distribution, possession and sale of marijuana for all individuals, regardless of age. For purposes of the district's policy and legal obligation, marijuana is prohibited.

(cf. E 4020 -Drug and Alcohol - Free Workplace Notice to Employees)

Because the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the School Board intends to keep district schools free of alcohol and prohibited drugs.

Alcohol, marijuana, and other controlled substances are prohibited for use or possession by students. The School Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and other drugs. The Superintendent or designee shall develop a comprehensive prevention program that includes instruction, intervention, recovering student support, and enforcement/discipline. The Superintendent or designee shall clearly communicate to students, staff and parents/guardians all School Board policies, regulations, procedures and school rules related to this prevention program. Special efforts shall be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency.

Note: Drug use by students is not limited to illegal drugs and can also include abuse of prescription drugs and over-the-counter medications. There is also a growing problem of youth using what are commonly referred to as designer or synthetic drugs. Designer or synthetic drugs come in various forms and may be a chemical compound, a plant-based substance, or a combination. Common names for these drugs include bath salts, K2, spice, salvia, and synthetic marijuana. These drugs have serious and dangerous effects. Synthetic marijuana is an illegal substance in Alaska. [AS 11.71.040-050](#), [11.71.160](#). The following optional language prohibits the possession, use, or distribution of "prohibited drugs," which includes all dangerous substances that pose a risk to district students.

Specifically, the Board prohibits the actual or attempted sale, distribution, use, or possession by a student of alcohol, prohibited drugs or inhalants, drug paraphernalia, substances that are designed to look or act like prohibited drugs or alcohol, or substances purported to be prohibited drugs or alcohol. Prohibited drugs are defined as:

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.

2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.

3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

Recognizing that keeping schools free of alcohol and other drugs is a concern common to the district and community, the School Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and drug abuse.

(cf. 1410 Interagency Cooperation for Student & Staff Safety)

Note: *Districts are required to establish a citizen advisory committee in order to receive Public Law 99-570 funds. Additionally, [AS 14.33.110](#) requires that the school disciplinary and safety program maintain community standards of school behavior that are developed by members of each school, including students, parents, teachers, school administrators, and other responsible persons.*

To obtain the widest possible input and support for district policies and programs, the School Board shall appoint a districtwide school-community advisory committee to make recommendations related to the prevention of alcohol and other drug abuse. The committee should make its recommendations based on input from students, parents, teachers, school administrators, and community members. The School Board also encourages the use of site-level advisory groups in this area.

(cf. 1220 - Citizen Advisory Committees)

Instruction

The district shall provide preventative instruction which helps students avoid the use of alcohol, marijuana, or other drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or drugs. Instruction shall be designed to answer students' questions related to alcohol and drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective grade levels. All instruction and related materials shall stress the concept that alcohol and prohibited drugs can be dangerous and should never be used when such use is illegal.

The School Board encourages staff to display attitudes and behaviors which make them positive role models for students with regard to alcohol, marijuana and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

The School Board recognizes that children exposed to alcohol or other drugs prior to birth may have disabilities requiring special attention and modifications in the regular education program. The Superintendent or designee shall provide appropriate staff training in the needs of such students as required by law.

Note: *[AS 14.20.680](#) requires training for teachers, administrators, counselors and specialists on the needs of students with alcohol or drug-related disabilities, including medical and psychological characteristics, family issues, and specific educational needs.*

(cf. 6142.2 - AIDS Instruction)

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

Intervention

The School Board recognizes that there are students on our campuses who use alcohol and other drugs and can benefit from intervention. The School Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.

School personnel should be trained to identify symptoms which may indicate use of alcohol and other drugs. The Superintendent or designee shall identify responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and other drug use.

Students and parents/guardians shall be informed about the signs of alcohol and other drug use and about appropriate agencies offering counseling.

Nonpunitive Self-Referral

The School Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who self-disclose past use of alcohol or other drugs in order to seek help to quit using shall not be punished or disciplined for such past use. State and local extra-curricular activities eligibility rules may apply further conditions related to the admission of drug or alcohol use.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and prohibited drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol, marijuana or other drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension or expulsion.

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

School authorities may search students and school properties for the possession of alcohol, marijuana and other drugs as long as such searches are conducted in accordance with law.

(cf. 5145.12 - Search and Seizure)

Legal References:

ALASKA STATUTES

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

[14.20.680](#) Required alcohol and drug related disabilities training

[14.30.360](#) Curriculum (Health and Safety Education)

[14.33.110-.140](#) Required school disciplinary and safety program

[17.38.010-900](#) The regulation of marijuana

[47.37.045](#) Community action against substance abuse grant fund

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. §§ 7116, 7163](#), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

Revised 3/2015

Nome Public Schools

Students

FREEDOM OF SPEECH/EXPRESSION

BP 5145.2

Note: 4 AAC 07.010 **mandates** districts to adopt policies regarding student rights and responsibilities. Limiting a student's constitutional right to freedom of speech involves balancing the right to free expression against the school's right to maintain discipline or order in the school. When a student speaks as an individual, school officials cannot censor that expression unless it creates a substantial disruption to the school. For student speech connected to the curriculum or school activities, school officials have discretion to regulate the speech.

Free inquiry and exchange of ideas are essential parts of a democratic education. The School Board respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, their writing, and the printed materials they choose to post or distribute.

Student liberties of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of members of the school community.

(cf. 1325 - Advertising and Promotion)
(cf. 6145.5 – Student Organizations and Equal Access)

Deleted: /Associations

Note: Under the Every Student Succeeds Act, each school district receiving federal funds must certify in writing to the Alaska Department of Education and Early Development that it has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools.

Deleted: No Child Left Behind Act

Student free speech extends to religious expression. Students may pray or practice other religious expression when not engaged in school activities or instruction, subject to the same rules of order and decorum that apply to other private expressive activity.

The Superintendent or designee shall develop due process procedures for resolving disputes regarding student freedom of expression.

(cf. 6145.3 - Publications)

Legal Reference:

ALASKA ADMINISTRATIVE CODE
4 AAC 07.10 - 4 AAC 07.900 Student rights and responsibilities

Breese v. Smith, 501 P.2d 159 (Alaska 1972)
Hazelwood School District v. Kuhlmer, 484 U.S. 260 (1988)
Tinker v. Des Moines, 393 U.S. 503 (1969)
Bethel School District v. Fraser, 478 U.S. 675 (1986)

Elementary and Secondary Education Act, 20 U.S.C. § 9524, as amended by the Every Student Succeeds Act, P.L. 114-95.

Revised 4/2022

Deleted: No Child Left Behind Act of 2001 (P.L. 107-110)

Deleted: 1/03

BP 5145.2 FREEDOM OF SPEECH/EXPRESSION

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(cf. 1325 - Advertising and Promotion)

(cf. 6145.5 - Organizations/Associations)

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Legal References:

ALASKA ADMINISTRATIVE CODE

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COURT DECISIONS

Breese v. Smith, 501 P.2d 159 (Alaska 1972)

[Hazelwood School District v. Kuhlmier](#), 484 U.S. 260 (1988)

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UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. § 9524](#), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

STUDENT ORGANIZATIONS AND EQUAL ACCESS

BP 6145.5(a)

Note: If a public secondary school allows one or more noncurriculum-related groups to meet on school premises during noninstructional time, the federal Equal Access Act (Title VII, Public Law 98-377) states that any other student-initiated group also must be allowed to meet in a "limited open forum" without regard to its religious, political or philosophical views. As amended by the No Child Left Behind Act of 2001 and the Every Student Succeeds Act, after adopting a facility use policy, districts must ensure that the policy is applied equitably to all groups, including the Boy Scouts and other affiliated groups. Option #1 below may be used by districts that have a limited open forum. Option #2 is for districts that have established a "closed forum," permitting access only to student organizations that are tied directly to the curriculum. In that elementary schools are not addressed by the Equal Access Act, elementary districts may use and/or modify language from either option without regard to establishing open or closed forum

Option 1 – Limited Open Forum

The School Board believes that curriculum and noncurriculum-related student organizations have an important place in students' lives. Besides extending and reinforcing the instructional program, such groups can give students practice in democratic self-government and provide wholesome social and recreational activities. Student organizations also serve to honor outstanding student achievement and to enhance school spirit and students' sense of belonging.

Since the district allows schools to sponsor student groups not directly tied to the curriculum, student-initiated groups not sponsored by the school district have the right to meet on school premises during times established for a limited open forum in accordance with provisions of the federal Equal Access Act.

Option 2 – Closed Forum

The School Board believes that curriculum-related student organizations have an important place in students' lives. Besides extending and reinforcing the instructional program, such groups can enhance students' social development, give them practice in democratic self-government, and honor outstanding student achievement.

All student organizations must be approved by the School Board and officially sponsored by the school. In order to maintain a closed forum on school campuses, these groups must relate directly to the curriculum in accordance with law.

Commented [AP1]: This is what's in our current policy.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instruction

STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)

BP 6145.5(b)

(cf. 1321 - Solicitation of funds)

(cf. 1325 - Advertising and Promotion)

(cf. 1330 - Use of School Facilities)

(cf. 3452 - Student Activity Funds)

(cf. 3554 - Other Food Sales)

(cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

ALASKA STATUTES

14.03.060 Elementary, junior high, and secondary schools

TITLE VII - THE EQUAL ACCESS ACT, 20 U.S.C.A. Section 4071 et seq., as amended by the Every Student Succeeds Act, P.L. 114-95,

Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002)

Board of Education of Westside Community Schools v. Mergens, 110 S.Ct. 2356 (1990)

Student Coalition for Peace v Lower Merion School, (1985) 776 F .2d 431 (3rd Cir. 1985)

Deleted: 14.30.510 Alaska student leadership development fund

Deleted: No Child Left Behind Act of 2001, 20 U.S.C. § 7905

Revised 4/2022

Deleted: 1/03

BP 6145.5 STUDENT ORGANIZATIONS AND EQUAL ACCESS

Note: *If a public secondary school allows one or more noncurriculum-related groups to meet on school premises during noninstructional time, the federal Equal Access Act (Title VII, Public Law 98-377) states that any other student-initiated group also must be allowed to meet in a "limited open forum" without regard to its religious, political or philosophical views. . As amended by the No Child Left Behind Act of 2001, after adopting a facility use policy, districts must ensure that the policy is applied equitably to all groups, including the Boy Scouts and other affiliated groups.*

Limited Open Forum

The School Board believes that curriculum and noncurriculum-related student organizations have an important place in students' lives. Besides extending and reinforcing the instructional program, such groups can give students practice in democratic self-government and provide wholesome social and recreational activities. Student organizations also serve to honor outstanding student achievement and to enhance school spirit and students' sense of belonging.

Since the district allows schools to sponsor student groups not directly tied to the curriculum, student-initiated groups not sponsored by the school district have the right to meet on school premises during times established for a limited open forum in accordance with provisions of the federal Equal Access Act.

Legal References:

ALASKA STATUTES

[14.03.060](#) Elementary, junior high, and secondary schools

14.30.510 Alaska student leadership development fund

UNITED STATES CODE

TITLE VII - THE EQUAL ACCESS ACT, [20 U.S.C.A. Section 4071](#) *et seq.*, as amended by the No Child Left Behind Act of 2001, [20 U.S.C. § 7905](#)

COURT DECISIONS

Prince v. Jacoby, 303 F.3d 1074 (9th Cir. 2002)

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Student Coalition for Peace v Lower Merion School , (1985) 776 F .2d 431 (3rd Cir. 1985)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

STUDENT ORGANIZATIONS AND EQUAL ACCESS

AR 6145.5(a)

School-sponsored Organizations

School-sponsored student organizations must be organized at the school, have a certificated advisor, be composed completely of current student body members and be approved by the Superintendent or designee in accordance with School Board policy. They shall hold the majority of their meetings at school and have a democratic plan for the selection of members. Organization activities shall not conflict with the authority and responsibilities of school officials.

OPTION 1: Limited Open Forum

Commented [API]: This is what's in our current AR.

Note: The following option is largely based upon the provisions of the federal Equal Access Act. Once a high school district allows any noncurriculum-related student group to meet on school premises, it is deemed to have a limited open forum under this law, even if the School Board has not officially established such a forum.

Note: The Equal Access Act prohibits the district from discriminating on the basis of meeting content. By ruling that this law does not violate the first amendment's ban on state establishment of religion, the Supreme Court has clearly protected students' right to hold religious club meetings. The School Board still has authority, however, to maintain order and protect students and staff; it may deny the use of facilities to any groups that threaten to disrupt the school program or threaten the health and safety of students and staff. As amended by the No Child Left Behind Act of 2001 and the Every Student Succeeds Act, after adopting a facility use policy, districts must inform school officials that they are required to apply the policy equitably to all groups, including the Boy Scouts or other affiliated groups

The Superintendent or designee shall not deny any student-initiated group access to school facilities during noninstructional time on the basis of religious, political, philosophical or any other content to be addressed at such meetings. The Superintendent or designee shall provide for a limited open forum during noninstructional time so that any such meetings do not interfere with regular school activities.

Note: In Student Coalition for Peace v. Lower Merion School, 776 F.2d 431 (3rd Cir. 1985), the court has clarified that a school is not required to permit any and all outsiders to use its facilities or even to permit student groups indiscriminately to invite outsiders to its activities. To enable all students to use school facilities on the same terms as all other students, however, the Equal Access Act does allow student groups to invite nonstudents onto school property if the school's limited open forum encompasses nonstudent participation in student events. Persons so invited must not direct, conduct, control or regularly attend such activities

The Superintendent or designee shall insure that student meetings are voluntary, with no direction, control or regular attendance by nonschool persons, and that students leave the meeting place in a clean, orderly and secure condition after their meetings.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)

AR 6145.5(b)

School staff shall not promote or participate in these meetings, but may be assigned voluntarily to observe them for purposes of maintaining order and protecting student safety.

Meetings held within the limited open forum shall entail no expenditure of public funds beyond the incidental cost of providing the meeting space. Any announcement of meetings shall clearly state that the group is not sponsored by the school or school staff. Such announcements may be posted in accordance with School Board policy and state law applicable to all students, but students shall not use the school's equipment or public address system to publicize the meetings of groups not sponsored by the school.

(cf. 5145.2 - Freedom of Speech/Expression)

OPTION 2: Closed Forum

Note: According to a U.S. Supreme Court decision (Board of Education of Westside Community Schools v. Mergens), student organizations permitted under a closed forum must be tied directly to the curriculum and fit into one of the four categories below

In order to be sponsored by the district, all student organizations must relate to the curriculum by falling under one of the following categories:

1. The subject matter of the group is actually taught or will soon be taught in a regularly scheduled course.
3. The subject matter of the group concerns the body of courses as a whole (e.g., student government).
4. Participation in the group is required for a particular course.
5. Participation in the group results in academic credit.

The district has a closed forum. Student clubs or organizations not sponsored by the school may use school facilities only as allowed for community groups.

(cf. 1330 - Use of School Facilities)

Revised 4/2022

Deleted: 1/03

AR 6145.5 STUDENT ORGANIZATIONS AND EQUAL ACCESS

School-sponsored Organizations

School-sponsored student organizations must be organized at the school, be composed completely of current student body members and be approved by the Superintendent or designee in accordance with Board policy. They shall hold the majority of their meetings at school and have a democratic plan for the selection of members. Organization activities shall not conflict with the authority and responsibilities of school officials.

Limited Open Forum

Note: *The Equal Access Act prohibits the district from discriminating on the basis of meeting content. By ruling that this law does not violate the first amendment's ban on state establishment of religion, the Supreme Court has clearly protected students' right to hold religious club meetings. The Board still has authority, however, to maintain order and protect students and staff; it may deny the use of facilities to any groups that threaten to disrupt the school program or threaten the health and safety of students and staff. As amended by the No Child Left Behind Act of 2001, after adopting a facility use policy, districts must inform school officials that they are required to apply the policy equitably to all groups, including the Boy Scouts or other affiliated groups.*

The Superintendent or designee shall not deny any student-initiated group access to school facilities during noninstructional time on the basis of religious, political, philosophical or any other content to be addressed at such meetings. The Superintendent or designee shall provide for a limited open forum during noninstructional time so that any such meetings do not interfere with regular school activities.

Note: *In Student Coalition for Peace v. Lower Merion School, 776 F.2d 431 (3rd Cir. 1985), the court has clarified that a school is not required to permit any and all outsiders to use its facilities or even to permit student groups indiscriminately to invite outsiders to its activities. To enable all students to use school facilities on the same terms as all other students, however, the Equal Access Act does allow student groups to invite nonstudents onto school property if the school's limited open forum encompasses nonstudent participation in student events. Persons so invited must not direct, conduct, control or regularly attend such activities.*

The Superintendent or designee shall insure that student meetings are voluntary, with no direction, control or regular attendance by nonschool persons, and that students leave the meeting place in a clean, orderly and secure condition after their meetings.

School staff shall not promote or participate in these meetings, but may be assigned voluntarily to observe them for purposes of maintaining order and protecting student safety.

Meetings held within the limited open forum shall entail no expenditure of public funds beyond the incidental cost of providing the meeting space. Any announcement of meetings shall clearly state that the group is not sponsored by the school or school staff. Such announcements may be posted in accordance with Board policy and state law applicable to all students, but students shall not use the school's equipment or public address system to publicize the meetings of groups not sponsored by the school.

(cf. 5145.2 - Freedom of Speech/Expression)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instructions

INTERNET

BP 6161.4(a)

Note: The following policy should be used by all districts providing student access to the Internet and other computer networks. An Internet safety policy is required for schools receiving universal service discounts.

Note: The Children's Internet Protection Act requires school districts to adopt Internet safety policies as a condition of receiving technology funds under the Every Student Succeeds Act for the purpose of purchasing computers with Internet access or paying the direct costs associated with accessing the Internet. Additionally, districts must adopt an Internet safety policy to qualify for most federal universal service discounts (47 U.S.C. § 254). A district in which one or more schools qualify for a discounted rate for Internet services under the federal universal services program may apply to the Department of Education and Early Development to receive funds for each school sufficient to bring the applicant's share to 10 megabits of download per second, in accord with AS 14.03.127 and 4AAC 33.600-.690.

The district's internet safety policy must include a "technology protection measure" that blocks or filters Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. As part of the funding application process, the district must certify that the required policy is in place and that the district is enforcing the use of these technology protection measures. The filter may be disabled by an administrator, supervisor, or other authorized person for "bona fide research or other lawful purpose."

Effective July 1, 2012, the Internet safety policy must also include monitoring the online activities of minors when using district computers or networks. Further, the policy must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.

As a condition of receiving universal service discounts, schools must also adopt and implement an Internet safety policy that addresses (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) safety and security of minors when using electronic mail, chat rooms, and other forms of electronic communication; (3) unauthorized access ("hacking") and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and (5) measures designed to restrict minors' access to harmful materials. Schools must hold at least one public hearing before adopting the policy. The types of materials considered inappropriate for minors will be determined by the local school board. Schools must make this policy available to the FCC upon request.

Deleted: Title II, Part D of the No Child Left Behind Act (20 U.S.C. § 6751-6777)

The Board recognizes the educational and communication opportunities that exposure to the Internet and other computer networks can provide students and staff. The Board intends that these technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. The Board has established the Internet acceptable use policy to ensure appropriate use of this resource.

Authority

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology and the Internet, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities. This includes the following:

1. The electronic information available to students and staff does not imply endorsement of the content by the district, nor does the district guarantee the accuracy of the information received on the Internet. The district shall not be responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved via the Internet.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instructions

INTERNET (continued)

BP 6161.4(b)

2. The school district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet.
3. The use of the Internet and similar communication networks by students and staff is a privilege -- not a right. Failure to follow established rules can lead to appropriate disciplinary action as well as the loss of access to the Internet or other networks through school accounts. Legal action may be taken where/when appropriate.
4. School computers are the property of the School District. At no time does the district relinquish its exclusive control of computers provided for the convenience of the students and staff. Computers shall not be used to disseminate sexually explicit, vulgar, indecent, offensive, or lewd communications. Nor may computers be used for harassment or bullying.

(cf. 5131.43 Harassment, Intimidation and Bullying)

5. The School District reserves the right to inspect and review files and data on district computers, and to monitor the online behavior of minors when using district computers or networks. Such inspection and monitoring is for the purpose of ensuring compliance with laws and appropriate use of technology as specified in this and other policies. Monitoring may be conducted by school authorities when they deem it necessary, without notice, without student consent, and without a search warrant.

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are (1) obscene, (2) child pornography, or (3) harmful or inappropriate to minors as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for adults only for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator.

Internet Safety

To reinforce these measures, the Superintendent or designee shall implement measures to address the following:

1. Restricting student access to harmful or inappropriate matter on the Internet and World Wide Web;
2. Ensuring student safety and security of students and student information when using electronic communications;

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instructions

INTERNET (continued)

BP 6161.4(c)

3. Ensuring that students do not engage in unauthorized access, including “hacking,” and other unlawful activities; and
4. Limiting unauthorized disclosure, use, and dissemination of personal identification information.

Note: The Children’s Internet Protection Act, defines “harmful to minors” as: ...any picture, image, graphic image file, or other visual depiction that – (A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Use Guidelines

Internet access is limited to only those acceptable uses as detailed in this policy. Internet users may not engage in unacceptable uses.

1. School officials will develop a written permission slip for Internet use. This signed form must be on file prior to allowing students direct access to the Internet.
2. School officials must apply the same criterion of educational suitability used for other educational resources when providing access to Internet informational resources. The district will not allow school access for on-line games or any other areas determined to be non-education related.
3. Students and staff have the right to examine a broad range of opinions and ideas in the educational process, including the right to locate, use, and exchange information and ideas via all information formats including interactive electronic media and the Internet.
4. Users are responsible for the ethical and educational use of their own Internet accounts. These accounts are to be used only by the authorized owner of the account for the authorized purpose. Users shall not intentionally seek information on, obtain copies of, or modify files, other data or passwords belonging to other users on the network. No use of the network shall serve to disrupt the use of the network by others. Hardware and/or software shall not be destroyed, modified, or abused in any way.
5. Users have the responsibility to respect the privacy of other Internet users. The illegal installation of copyrighted software for use on district computers is prohibited.
6. Users are expected to display proper “netiquette” (network etiquette) at all times.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instructions

INTERNET (continued)

BP 6161.4(d)

7. Staff members shall supervise students while students are using district Internet access to ensure that the students abide by these procedures. Users must follow all rules and regulations posted in the computer lab or other room where computers are in use. Users must follow the directions of the adult in charge of the computer lab or other room where computers are in use.
8. Students and staff are expected to act in a responsible, ethical, and legal manner in accordance with district policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:
 - a. Use of the network to facilitate illegal activity.
 - b. Use of the network for commercial or for-profit purposes.
 - c. Use of the network for non-work or non-school related work.
 - d. Use of the network for product advertisement or political lobbying.
 - e. Use of the network for hate mail, discriminatory remarks, offensive or inflammatory communication, harassment, or bullying.
 - f. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.
 - g. Use of the network to access obscene or pornographic material.
 - h. Use of inappropriate language or profanity on the network.
 - i. Use of the network to transmit material likely to be offensive or objectionable to recipients.
 - j. Use of the network for hacking or intentionally obtaining, accessing, or modifying files, passwords, and data belonging to other users.
 - k. Impersonation of another user, anonymity, and pseudonyms.
 - l. Use of network facilities for fraudulent copying, communications, or modification of materials in violation of copyright laws.
 - m. Loading or use of unauthorized games, programs, files, or other electronic media.
 - n. Use of the network to disrupt the work of other users.
 - o. Destruction, modification, or abuse of network hardware and software.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instructions

INTERNET (continued)

BP 6161.4(e)

- p. Quoting personal communications in a public forum without the original author's prior consent.
 - q. Invading the privacy of individuals, this includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature.
 - r. Using or accessing any free Internet-based email service, such as Yahoo or Hotmail, when using the district computer network, unless authorized for a specific activity.
9. Loss of access and other disciplinary actions shall be consequences for inappropriate use. When appropriate, law enforcement agencies may be involved.

(cf. 6161.5 - Web Sites/Pages)
(cf. 6184 - Virtual/Online Courses)

Education

Note: Effective July 1, 2012, the Children's Internet Protection Act requires that a school district's Internet safety policy provide for educating students about appropriate online behavior, including interacting with other individuals on social networking web sites and in chat rooms, as well as cyberbullying awareness and response. Under Alaska law, it is a crime (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. AS 11.61.120(a).

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, at a minimum, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

(cf. 5131.43 Harassment, Intimidation and Bullying)

Note: the following optional paragraph addresses access to social networking sites such as MySpace, Facebook, Xanga, Friendster, and others, and may be revised by districts that choose to allow limited access for educational purposes.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instructions

INTERNET (continued)

BP 6161.4(f)

Policy Review

The district, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.

Legal Reference:

ALASKA STATUTES

14.03.127 Funding for Internet Services

11.61.120 Harassment in the second degree

ALASKA ADMINISTRATIVE CODE

4 AAC 33.600-690 Funding for the Improvement of Internet Speed at Public Schools

UNITED STATES CODE

15 U.S.C. 6501-6505 Children's Online Privacy Protection Act

20 U.S.C. 6751-6777, Enhancing Education through Technology Act, Title II, Part D

47 U.S.C. § 254, Children's Internet Protection Act, as amended by the Broadband Data Improvement Act (P.L. 110-385)

Every Student Succeeds Act, P.L. 114-95

CODE OF FEDERAL REGULATIONS

47 C.F.R. § 54.520, as updated by the Federal Communications Commission Order and Report 11-125 (2011)

Revised 4/2022

Deleted: 3/2015

BP 6161.4 INTERNET

Note: *The Children's Internet Protection Act requires school districts to adopt Internet safety policies as a condition of receiving technology funds under Title II, Part D of the No Child Left Behind Act ([20 U.S.C. § 6751-6777](#)) for the purpose of purchasing computers with Internet access or paying the direct costs associated with accessing the Internet. Additionally, districts must adopt an Internet safety policy to qualify for most federal universal service discounts ([47 U.S.C. § 254](#)). A district in which one or more schools qualify for a discounted rate for Internet services under the federal universal services program may apply to the Department of Education and Early Development to receive funds for each school sufficient to bring the applicant's share to 10 megabits of download per second, in accord with AS 14.03.127 and [4AAC 33.600-.690](#).*

The district's internet safety policy must include a "technology protection measure" that blocks or filters Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. As part of the funding application process, the district must certify that the required policy is in place and that the district is enforcing the use of these technology protection measures. The filter may be disabled by an administrator, supervisor, or other authorized person for "bona fide research or other lawful purpose."

Effective July 1, 2012, the Internet safety policy must also include monitoring the online activities of minors when using district computers or networks. Further, the policy must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.

As a condition of receiving universal service discounts, schools must also adopt and implement an Internet safety policy that addresses (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) safety and security of minors when using electronic mail, chat rooms, and other forms of electronic communication; (3) unauthorized access ("hacking") and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and (5) measures designed to restrict minors' access to harmful materials. Schools must hold at least one public hearing before adopting the policy. The types of materials considered inappropriate for minors will be determined by the local school board. Schools must make this policy available to the FCC upon request.

The Board recognizes the educational and communication opportunities that exposure to the Internet and other computer networks can provide students and staff. The Board intends that these technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. The Board has established the Internet acceptable use policy to ensure appropriate use of this resource.

Authority

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology and the Internet, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities. This includes the following:

1. The electronic information available to students and staff does not imply endorsement of the content by the district, nor does the district guarantee the accuracy of the information received on the Internet. The district shall not be responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved via the Internet.
2. The school district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet.
3. The use of the Internet and similar communication networks by students and staff is a privilege -- not a right. Failure to follow established rules can lead to appropriate disciplinary action as well as

the loss of access to the Internet or other networks through school accounts. Legal action may be taken where/when appropriate.

4. School computers are the property of the School District. At no time does the district relinquish its exclusive control of computers provided for the convenience of the students and staff. Computers shall not be used to disseminate sexually explicit, vulgar, indecent, offensive, or lewd communications. Nor may computers be used for harassment or bullying.

(cf. 5131.43 *Harassment, Intimidation and Bullying*)

5. The School District reserves the right to inspect and review files and data on district computers, and to monitor the online behavior of minors when using district computers or networks. Such inspection and monitoring is for the purpose of ensuring compliance with laws and appropriate use of technology as specified in this and other policies. Monitoring may be conducted by school authorities when they deem it necessary, without notice, without student consent, and without a search warrant.

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are (1) obscene, (2) child pornography, or (3) harmful or inappropriate to minors as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for adults only for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator.

Internet Safety

To reinforce these measures, the Superintendent or designee shall implement measures to address the following:

1. Restricting student access to harmful or inappropriate matter on the Internet and World Wide Web;
2. Ensuring student safety and security of students and student information when using electronic communications;
3. Ensuring that students do not engage in unauthorized access, including "hacking," and other unlawful activities; and
4. Limiting unauthorized disclosure, use, and dissemination of personal identification information.

Note: *The Children's Internet Protection Act, defines "harmful to minors" as: ...any picture, image, graphic image file, or other visual depiction that - (A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.*

Use Guidelines

Internet access is limited to only those acceptable uses as detailed in this policy. Internet users may not engage in unacceptable uses.

1. School officials will develop a written permission slip for Internet use. This signed form must be on file prior to allowing students direct access to the Internet.
2. School officials must apply the same criterion of educational suitability used for other educational

resources when providing access to Internet informational resources. The district will not allow school access for on-line games or any other areas determined to be non-education related.

3. Students and staff have the right to examine a broad range of opinions and ideas in the educational process, including the right to locate, use, and exchange information and ideas via all information formats including interactive electronic media and the Internet.

4. Users are responsible for the ethical and educational use of their own Internet accounts. These accounts are to be used only by the authorized owner of the account for the authorized purpose. Users shall not intentionally seek information on, obtain copies of, or modify files, other data or passwords belonging to other users on the network. No use of the network shall serve to disrupt the use of the network by others. Hardware and/or software shall not be destroyed, modified, or abused in any way.

5. Users have the responsibility to respect the privacy of other Internet users. The illegal installation of copyrighted software for use on district computers is prohibited.

6. Users are expected to display proper "netiquette" (network etiquette) at all times.

7. Staff members shall supervise students while students are using district Internet access to ensure that the students abide by these procedures. Users must follow all rules and regulations posted in the computer lab or other room where computers are in use. Users must follow the directions of the adult in charge of the computer lab or other room where computers are in use.

8. Students and staff are expected to act in a responsible, ethical, and legal manner in accordance with district policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:

- a. Use of the network to facilitate illegal activity.
- b. Use of the network for commercial or for-profit purposes.
- c. Use of the network for non-work or non-school related work.
- d. Use of the network for product advertisement or political lobbying.
- e. Use of the network for hate mail, discriminatory remarks, offensive or inflammatory communication, harassment, or bullying.
- f. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.
- g. Use of the network to access obscene or pornographic material.
- h. Use of inappropriate language or profanity on the network.
- i. Use of the network to transmit material likely to be offensive or objectionable to recipients.
- j. Use of the network for hacking or intentionally obtaining, accessing, or modifying files, passwords, and data belonging to other users.
- k. Impersonation of another user, anonymity, and pseudonyms.
- l. Use of network facilities for fraudulent copying, communications, or modification of materials in violation of copyright laws.
- m. Loading or use of unauthorized games, programs, files, or other electronic media.
- n. Use of the network to disrupt the work of other users.
- o. Destruction, modification, or abuse of network hardware and software.
- p. Quoting personal communications in a public forum without the original author's prior consent.

q. Invading the privacy of individuals, this includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature.

r. Using or accessing any free Internet-based email service, such as Yahoo or Hotmail, when using the district computer network, unless authorized for a specific activity.

9. Loss of access and other disciplinary actions shall be consequences for inappropriate use. When appropriate, law enforcement agencies may be involved.

(cf. 6161.5 - Web Sites/Pages)

(cf. 6184 - Virtual/Online Courses)

Education

Note: Effective July 1, 2012, the Children's Internet Protection Act requires that a school district's Internet safety policy provide for educating students about appropriate online behavior, including interacting with other individuals on social networking web sites and in chat rooms, as well as cyberbullying awareness and response. Under Alaska law, it is a crime (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. [AS 11.61.120\(a\)](#).

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, at a minimum, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

(cf. 5131.43 Harassment, Intimidation and Bullying)

Note: the following optional paragraph addresses access to social networking sites such as MySpace, Facebook, Xanga, Friendster, and others, and may be revised by districts that choose to allow limited access for educational purposes.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

Policy Review

The district, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.

Legal References:

ALASKA STATUTES

14.03.127 Funding for Internet Services

[11.61.120](#) Harassment in the second degree

ALASKA ADMINISTRATIVE CODE

[4 AAC 33.600-690](#) Funding for the Improvement of Internet Speed at Public Schools

UNITED STATES CODE

[15 U.S.C. 6501-6505](#) Children's Online Privacy Protection Act

[20 U.S.C. 6751-6777](#), Enhancing Education Through Technology Act, Title II, Part D

[47 U.S.C. § 254](#), Children's Internet Protection Act, as amended by the Broadband Data Improvement Act (P.L. 110-385)

CODE OF FEDERAL REGULATIONS

[47 C.F.R. § 54.520](#), as updated by the Federal Communications Commission Order and Report 11-125 (2011)

Revised 3/2015

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Instruction

RESEARCH

BP 6162.8

Note: The following sample policy may be revised or deleted to reflect district philosophy and needs.

The Superintendent or designee may authorize requests to conduct educational research or student surveys if the request proposal:

- Shows potential for improving instructional programs and strategies.
- Addresses a relevant educational problem.
- Avoids duplication of existing data or literature.
- Is designed so as to minimize interruptions and demands upon the time of students and staff.

The Superintendent or designee shall not permit the administration of any questionnaires or surveys regarding a student's private family affairs without first obtaining written parental permission. (AS 14.03.110)

(cf. 5145.15 – Student and Family Privacy Rights)

All instructional materials, including teacher's manuals, films, tapes, or other supplementary materials which will be used in connection with any survey, analysis, or evaluation of any applicable program shall be available for inspection by parents/guardians.

(cf. 5125 – Student Records)

Legal Reference:

ALASKA STATUTES

14.03.110 *Questionnaires and surveys administered in public schools*

UNITED STATES CODE

20 U.S.C. 1232(h) *(Hatch Amendments)*

~~Every Student Succeeds Act, P.L. 114-95~~

Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994)

Deleted: No Child Left Behind Act, Title II, § 1061, P.L. 107-110 (2001), amending the Protection of Pupil Rights Act, 20 U.S.C. § 1232(h)

Revised ~~4/2022~~

Deleted: 1/03

BP 6162.8 RESEARCH

The Superintendent or designee may authorize requests to conduct educational research or student surveys if the request proposal:

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Legal References:

ALASKA STATUTES

[14.03.110](#) Questionnaires and surveys administered in public schools

UNITED STATES CODE

[20 U.S.C. 1232h](#) (Hatch Amendments)

No Child Left Behind Act, Title II, § 1061, P.L. 107-110 (2001), amending the Protection of Pupil Rights Act, [20 U.S.C. § 1232h](#)

Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

GUIDANCE AND COUNSELING SERVICES

BP 6164.2(a)

Note: The following sample policy may be revised as appropriate to reflect district philosophy and needs. 4 AAC 51.330 requires districts to establish procedures for career and vocational guidance services, including dissemination of information about vocational programs and access to information regarding advanced training, employment or placement.

The School Board shall provide a counseling program to enhance academic achievement and emotional security. The Board recognizes that some students are in greater need of guidance than others. The counseling program shall serve students' diverse needs and shall encourage productive learning experiences.

Counselors shall make every effort to respect student confidentiality as appropriate and shall consult with the Superintendent or designee or with the district's legal counsel whenever unsure of how to respond to a student's personal problem. Parental consultation and consent for counseling shall be obtained as appropriate.

(cf. 5141 – Health Care and Emergencies)

(cf. 6164.3 – Student Mental Health – Medication and Services)

Academic counseling shall help students establish immediate and long-range educational plans consistent with their individual needs, abilities, interests and aptitudes without regard to sex. Insofar as possible, parents/guardians shall be included when making these plans, and student placement shall not be limited by past grades and test scores. Minority, disadvantaged, low-income and other students shall not be automatically or systematically channeled into vocational or special education.

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

Note: Under the Every Student Succeeds, districts receiving federal funds must provide military recruiters the same access to students as is provided generally to post-secondary educational institutions and prospective employers.

Deleted: No Child Left Behind Act of 2001

Counseling staff shall help secondary students to plan for the future, become aware of their career potential, understand the business world and develop realistic perceptions of work. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships. Post-secondary institutions, prospective employers, and military recruiters may be granted access to students as deemed appropriate by counseling staff and the building administrator.

Note: 4 AAC 06.530 requires districts to establish written procedures for the biennial training of guidance and counseling personnel in the recognition of sex bias in counseling materials in techniques for overcoming the effects of sex bias.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

GUIDANCE AND COUNSELING SERVICES (continued)

BP 6164.2(b)

As required by law, the Superintendent or designee shall provide biennial training for guidance and counseling staff in recognizing and overcoming sex bias.

(cf. 5125 - Student Records)
(cf. 5141.4 - Child Abuse and Neglect)
(cf. 5141.52 - Suicide Prevention)

Legal Reference:

US CODE
Elementary and Secondary Education Act, 20 U.S.C. §9528, as amended by the Every Student Succeeds Act, P.L.
114-95

ALASKA STATUTES

14.18.030 Discrimination in counseling and guidance services prohibited
14.18.050 Discrimination in course offerings prohibited
14.30.171 Prohibited actions
14.30.172 Communications not prohibited
14.30.176 List of community resources

ALASKA ADMINISTRATIVE CODE

4 AAC 06.530 Guidance and counseling services
4 AAC 51.330 Vocational guidance and placement

Deleted: No Child Left Behind Act of 2001 (P.L. 107-110)

Revised 4/2022

Deleted: 01/07

BP 6164.2 GUIDANCE AND COUNSELING SERVICES

Note: *The following sample policy may be revised as appropriate to reflect district philosophy and needs. [4 AAC 51.330](#) requires districts to establish procedures for career and vocational guidance services, including dissemination of information about vocational programs and access to information regarding advanced training, employment or placement.*

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(cf. 5141 - Healthcare and Emergencies)

(cf. 6164.3 - Student Mental Health - Medication and Services)

Academic counseling shall help students establish immediate and long-range educational plans consistent with their individual needs, abilities, interests and aptitudes without regard to sex.. Insofar as possible, parents/guardians shall be included when making these plans, and student placement shall not be limited by past grades and test scores. Minority, disadvantaged, low-income and other students shall not be automatically or systematically channeled into vocational or special education.

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

Note: *Under the No Child Left Behind Act of 2001, districts receiving federal funds must provide military recruiters the same access to students as is provided generally to post-secondary educational institutions and prospective employers.*

Counseling staff shall help secondary students to plan for the future, become aware of their career potential, understand the business world and develop realistic perceptions of work. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships. Postsecondary institutions, prospective employers, and military recruiters may be granted access to students as deemed appropriate by counseling staff and the building administrator.

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As required by law, the Superintendent or designee shall provide biennial training for guidance and counseling staff in recognizing and overcoming sex bias.

(cf. 5125 - Student Records)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.52 - Suicide Prevention)

(cf. 6164.5 - Student Study Teams)

Legal References:

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. §9528](#), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

ALASKA STATUTES

[14.18.030](#) Discrimination in counseling and guidance services prohibited

[14.18.050](#) Discrimination in course offerings prohibited

[14.30.171](#) Prohibited actions

[14.30.172](#) Communications not prohibited

[14.30.176](#) List of community resources

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.530](#) Guidance and counseling services

[4 AAC 51.330](#) Vocational guidance and placement

Revised 08/07

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

EDUCATION OF NATIVE/INDIAN CHILDREN

BP 6174.1(a)

Community and Parental Involvement

Note: Title 20 of the United States code mandates that school districts receiving Impact Aid funds have a policy ensuring all parents and community members, including IRA and traditional councils, have the opportunity to submit their views and active consultation relating to the district's education and cocurricular programs. It is the law's intent to encourage the maximum participation by Alaska Natives in the planning and management of Alaska Native education programs.

Note: Under the Every Student Succeeds Act, "affected" school district are required to consult with local tribes or tribal organizations prior to submitting a plan or application for federally covered education programs. Affected districts are those that either: 1) have 50% or more of its student enrollment made up of Alaska Native students; or 2) received an Indian education formula grant under Title VI in the previous year that exceeds \$40,000. Consultation must be done "in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to plans under covered programs." Federal programs requiring consultation between tribes and affected school districts include:

- Title I, Part A (Improving Basic Programs Operated by State and Local Educational Agencies)
- Title I, Part C (Education of Migratory Children)
- Title I, Part D (Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk)
- Title II, Part A (Supporting Effective Instruction)
- Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement Act)
- Title IV, Part A (Student Support and Academic Enrichment Grants)
- Title IV, Part B (21st Century Community Learning Centers)
- Title V, Part B, subpart 2 (Rural and Low-Income School Program)
- Title VI, Part A, subpart 1 (Indian Education Formula Grants to Local Educational Agencies)

The School Board recognizes that all parents and community members, including IRA and Traditional Councils, have a special interest in the education programs and cocurricular programs provided their children. To provide an opportunity for them to be meaningfully involved in the development, implementation, and evaluation of each school's educational and cocurricular program, all interested parties will mutually enter into Indian Policies and Procedures (IPP's), which are incorporated into and adopted as the policy of the School Board. The policies must be drafted in accord with 20 USC 7704 and 34 CFR 222.94. In addition, the following procedures will be used:

Note: Where "Advisory Committee" appears, the board may wish to specify/designate what body will be responsible for implementing this policy based on the needs of your district.

1. At a meeting of a School Board Advisory Committee called for that specific purpose, the principal will present a detailed description of that school's education program including curriculum (course description, scope and sequence) and program evaluation procedures as well as the co-curricular program provided. At least two weeks prior to that meeting public notice will be given through newspapers, public posting, and radio announcements, where appropriate, stating the agenda and purpose of the meeting. To further insure community involvement a written invitation will be sent to the IRA and/or Traditional Council.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

EDUCATION OF NATIVE/INDIAN CHILDREN (continued) BP 6174.1(b)

2. During the planning and development of local education programs all parents and community members including IRA and Traditional Councils, will be actively consulted in the following manner:
 - a. At each Advisory Committee meeting where program applications for financial assistance are reviewed all members of the public will be given an opportunity to present their views.
 - b. All members of the public will have an opportunity to present their overall views on the educational program and its operation.
 - c. All members of the public will have an opportunity to make recommendations concerning the needs of their children.
 - d. All members of the public will be given the opportunity to comment on the way in which they can assist their children in realizing the benefits to be derived from the educational program.

(cf. 6020 - Parent Involvement)

Nondiscrimination

The School District certifies that all children participate in the school program on an equal basis regardless of age, sex, race, age, creed, color, national origin, or ethnic background and shall not be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity of the district consistent with Title IX of the Education amendments of 1972 and Title VI of the Civil Rights Act of 1964.

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

Educational Program

Note: Under the Every Student Succeeds Act, the government is dedicated to the development of curriculum materials that reflect the cultural diversity of Alaska Natives, instructional programs that make use of Native Alaskan languages, and programs and materials designed to address the needs of rural Alaska schools. This includes supporting the unique educational needs of rural school children by incorporating qualified Alaska Native elders and seniors.

The primary purpose of the educational program is to provide experiences by which individuals will learn within the context of their needs as well as the broader needs for which the district shares a responsibility. Under this assumption, the school is viewed as a link between the individual and learning resources and experiences available to meet both short and long range needs. To encourage the strongest and most viable linkage, the School Board recommends:

1. A program which is individualized to the maximum extent and which provides as many options as possible within educational goals statement previously made.

EDUCATION OF NATIVE/INDIAN CHILDREN (continued) BP 6174.1(c)

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

2. An organization plan by grade level or function which considers local expectations and efficiency of operation rather than an arbitrary pattern of organization. Individualization of program for students and optimum staff utilization demands an organizational plan based upon student performance, skill grouping, and activity grouping rather than a rigid grouping by age, sex, or other non-educational basis.
3. A staff utilization procedure which establishes specific personnel needs based upon the programs requirements. All persons, directly or indirectly effect the school operation. Certificated, classified and resource personnel, as well as students in certain circumstances, are considered in developing procedures for staff utilization.
4. A guidance and individual program planning effort which assures the widest choice of alternatives to individual students over their period of formal education. Emphasis will be upon bringing the student in direct contact with those educational experiences and resources which best meet short or long range needs.
5. An assessment program which uses both subjective and objective measures in determining student performance and the effectiveness of the school program in achieving learning objectives. This program is an integral part of the guidance function and requires both the involvement and understanding of students and parents in its development.
6. A wide range of learning materials and techniques which will meet the needs of students and of those responsible for instructional or learning activities. Special consideration must be given to unique cultural and language requirements. Audio and video materials, as well as print materials, are particularly important to the concepts- of individualization and maximum learning options.
7. A program for bringing students, schools and communities together in various educational, cultural, and recreational activities. The Alaska High School Activities Association (AHSAA) is recognized as the authority for all high school interscholastic activities. The district accepts as binding all AHSAA rules and regulations for membership and competition. All activities will be made available to students on a nondiscriminatory basis.
8. Maximum use of community resources as an integral part of the curriculum. Budgetary and administrative procedures should promote this utilization with standards established at the district and community level.
9. A continuous program of curriculum development at the community and district level. In this way the program will remain dynamic from both a content and organizational standpoint. Innovative or pilot efforts should be encouraged within whatever constraints must be applied to afford protection of students from potentially harmful experimentation.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

10. That in those areas which may be viewed as controversial, instructional procedures will be confined to a body of factual information with acceptance or interpretation left to the student. Religion is recognized as an important historic element but specific religion responsibility rests with the home and church. The Advisory Committee and parents should play a major role in determining how controversial issues will be handled BEFORE SPECIFIC CONTROVERSIES OR ISSUES ARISE. Areas often found as the source of controversy are sex education, alcohol, and drug education.
11. Special programs, such as Title 1, Migrant Education, and Indian Education be designed, implemented and evaluated with input from parents and teachers of involved students. Specific activities may include but are not limited to:
 - a. Notifying each child's parents and teachers in a timely manner that the child has been selected to participate in the program.
 - b. Informing parents and teachers of specific objective of the program.
 - c. Establishment of parent-teacher conferences.
 - e. Providing materials, suggestions and training to enable parents to promote education at home.
 - f. Providing timely information concerning the program's plans and evaluations.
 - g. Soliciting parents and teacher suggestions in planning and operating the program.
 - h. Facilitating volunteer or paid participation by parents in school activities.
 - i. Establishing parent advisory committees.

Legal Reference:

UNITED STATES CODE

20 USC §§ 7541-7546, *Alaska Native Educational Equity, Support, and Assistance Act*

20 USC § 7704 *Policies and procedures relating to children residing on Indian Lands*

CODE OF FEDERAL REGULATIONS

34 CFR 222.94 *What provisions must be included in a local educational agency's Indian policies and procedures?*

Revised 4/2022

Deleted: 3/2017

BP 6174.1 EDUCATION OF NATIVE/INDIAN CHILDREN

Community and Parental Involvement

Note: [Title 20 of the United States code](#) mandates that school districts receiving Impact Aid funds have a policy ensuring all parents and community members, including IRA and traditional councils, have the opportunity to submit their views and active consultation relating to the district's education and cocurricular programs. Under the Every Student Succeeds Act, it is the laws intent to encourage the maximum participation by Alaska Natives in the planning and management of Alaska Native education programs.

The School Board recognizes that all parents and community members, including IRA and Traditional Councils, have a special interest in the education programs and cocurricular programs provided their children. To provide an opportunity for them to be meaningfully involved in the development, implementation, and evaluation of each school's educational and cocurricular program, all interested parties will mutually enter into Indian Policies and Procedures (IPP's), which are incorporated into and adopted as the policy of the School Board. In addition, the following procedures will be used:

1. At a meeting of a School Board Advisory Committee called for that specific purpose, the principal will present a detailed description of that school's education program including curriculum (course description, scope and sequence) and program evaluation procedures as well as the co-curricular program provided. At least two weeks prior to that meeting public notice will be given through newspapers, public posting, and radio announcements, where appropriate, stating the agenda and purpose of the meeting. To further insure community involvement a written invitation will be sent to the IRA and/or Traditional Council.
2. During the planning and development of local education programs all parents and community members including IRA and Traditional Councils, will be actively consulted in the following manner:
 - a. At each Advisory Committee meeting where program applications for financial assistance are reviewed all members of the public will be given an opportunity to present their views.
 - b. All members of the public will have an opportunity to present their overall views on the educational program and its operation.
 - c. All members of the public will have an opportunity to make recommendations concerning the needs of their children.
 - d. All members of the public will be given the opportunity to comment on the way in which they can assist their children in realizing the benefits to be derived from the educational program.

(cf. 6020 - Parent Involvement)

Nondiscrimination

The School District certifies that all children participate in the school program on an equal basis regardless of age, sex, race, age, creed, color, national origin, or ethnic background and shall not be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity of the district consistent with Title IX of the Education amendments of 1972 and Title VI of the Civil Rights Act of 1964.

Educational Program

Note: *Under the Every Student Succeeds Act, the Federal Government is dedicated to the development of curriculum materials that reflect the cultural diversity of Alaska Natives, instructional programs that make use of Native Alaskan languages, and programs and materials designed to address the needs of rural Alaska schools. This includes supporting the unique educational needs of rural school children by incorporating qualified Alaska Native elders and seniors.*

The primary purpose of the educational program is to provide experiences by which individuals will learn within the context of their needs as well as the broader needs for which the district shares a responsibility. Under this assumption, the school is viewed as a link between the individual and learning resources and experiences available to meet both short and long range needs. To encourage the strongest and most viable linkage, the School Board recommends:

1. A program which is individualized to the maximum extent and which provides as many options as possible within educational goals statement previously made.
2. An organization plan by grade level or function which considers local expectations and efficiency of operation rather than an arbitrary pattern of organization. Individualization of program for students and optimum staff utilization demands an organizational plan based upon statement performance, skill grouping, and activity grouping rather than a rigid grouping by age, sex, or other non-educational basis.
3. A staff utilization procedure which establishes specific personnel needs based upon the programs requirements. All persons, directly or indirectly effect the school operation. Certificated, classified and resource personnel, as well as students in certain circumstances, are considered in developing procedures for staff utilization.
4. A guidance and individual program planning effort which assures the widest choice of alternatives to individual students over their period of formal education. Emphasis will be upon bringing the student in direct contact with those educational experiences and resources which best meet short or long range needs.
5. An assessment program which uses both subjective and objective measures in determining student performance and the effectiveness of the school program in achieving learning objectives. This program is an integral part of the guidance function and requires both the involvement and understanding of students and parents in its development.
6. A wide range of learning materials and techniques which will meet the needs of students and of those responsible for instructional or learning activities. Special consideration must be given to unique cultural and language requirements. Audio and video materials, as well as print materials, are particularly important to the concepts- of individualization and maximum learning options.
7. A program for bringing students, schools and communities together in various educational, cultural, and recreational activities. The Alaska School Activities Association (ASAA) is recognized as the authority for all high school interscholastic activities. The district accepts as binding all ASAA rules and regulations for membership and competition. All activities will be made available to students on a nondiscriminatory basis.
8. Maximum use of community resources as an integral part of the curriculum. Budgetary and

administrative procedures should promote this utilization with standards established at the district and community level.

9. A continuous program of curriculum development at the community and district level. In this way the program will remain dynamic from both a content and organizational standpoint. Innovative or pilot efforts should be encouraged within whatever constraints must be applied to afford protection of students from potentially harmful experimentation.

10. That in those areas which may be viewed as controversial, instructional procedures will be confined to a body of factual information with acceptance or interpretation left to the student. Religion is recognized as an important historic element but specific religion responsibility rests with the home and church. The Advisory Committee and parents should play a major role in determining how controversial issues will be handled BEFORE SPECIFIC CONTROVERSIES OR ISSUES ARISE. Areas often found as the source of controversy are sex education, alcohol, and drug education.

11. Special programs, such as Title 1, Migrant Education, and Indian Education be designed, implemented and evaluated with input from parents and teachers of involved students. Specific activities may include but are not limited to:

- a. Notifying each child's parents and teachers in a timely manner that the child has been selected to participate in the program.
- b. Informing parents and teachers of specific objective of the program.
- c. Establishment of parent-teacher conferences.
- d. Providing materials, suggestions and training to enable parents to promote education at home.
- e. Providing timely information concerning the program's plans and evaluations.
- f. Soliciting parents and teacher suggestions in planning and operating the program.
- g. Facilitating volunteer or paid participation by parents in school activities.
- h. Establishing parent advisory committees.

Legal Reference:

UNITED STATES CODE

[20 U.S.C. §§ 7401](#), *et. seq.*, Indian, Native Hawaiian, and Alaska Native Education, as amended by the Every Student Succeeds Act ([P.L. 114-95](#), December 10, 2015)

Revised 3/2016

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Instruction

MIGRANT CHILDREN PROGRAM

BP 6175

Note: This policy is mandatory for districts that receive Title I funds.

The Superintendent will develop and implement a program to address the needs of migrant children in the District.

This program will include a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs and elective classes.
3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.
5. Provide parents/guardians an opportunity for meaningful participation in the program.

Parent/Guardian Involvement in the Migrant Education Program

Parent(s)/guardian(s) of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parent(s)/guardian(s) of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

Note: Final regulations, effective August 28, 2008 (1) adjust the base amounts of the grant allocations for fiscal year 2006 and subsequent years; (2) establish requirements to strengthen the process used by school districts to determine and document the eligibility of migratory children; and (3) clarify procedures school districts use to develop a comprehensive statewide needs assessment and service delivery plan.

Legal Reference:

Elementary and Secondary Education Act, 20 U.S.C. § 6391, et seq., as amended by the Every Student Succeeds Act, P.L. 114-95 34 C.F.R. §200.40 - 200.45.

Revised 4/2022

Deleted: No Child Left Behind Act of 2001 (P.L. 107-110)

Deleted: 1/09

BP 6175 MIGRANT CHILDREN PROGRAM

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4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.
5. Provide parents/guardians an opportunity for meaningful participation in the program.

PARENT/GUARDIAN INVOLVEMENT IN THE MIGRANT EDUCATION PROGRAM

Parent(s)/guardian(s) of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parent(s)/guardian(s) of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

Legal References:

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. § 6391](#) *et seq.*, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

CODE OF FEDERAL REGULATIONS

[34 C.F.R. §200.40 - 200.45.](#)

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Bylaws of the Board

BOARD MEMBERS

BB 9200(a)

Note: The following sample bylaw may be revised to reflect district philosophy and needs.

Limits of Board Members Authority

The School Board has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.

The Board is the unit of authority. The Board member is a part of the governing body which represents and acts for the community as a whole. Apart from the normal function as part of the unit, the Board member has no individual authority. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor, as an individual, command the services of any school employee. Individually, the Board member may not commit the district to any policy, act or expenditure.

Optional:

School visits by Board members are encouraged. Principals should receive a courtesy call in advance of a visit. Board members, as with all visitors, must check in with the school office. Board members who visit schools of their own volition have no more authority than any other citizen.

(cf. 1250 - Visits to the Schools)

Note: The following is an optional process for Board members to make information requests.

Board Member Requests for Information

Board members should make informed decisions on matters before them for a vote. The Superintendent or designee is responsible for providing the Board with relevant materials to inform the Board on those matters on which it is to act. If Board members desire further information, a request for information shall be directed to the Superintendent, pursuant to the following guidelines:

1. Requests for simple facts. Any Board member may make a request for simple facts to the Superintendent who will forward the request to the appropriate staff member. All responses to requests for simple facts will be provided to the requesting Board member, and copied to the Board President.

2. Requests for reports, research, administrative studies, detailed information, or for information relating to a problem or a potential problem in the District. Some information requests require significant administrative time and explanation to provide the requested response. Individual Board members shall submit such requests to the full Board for consideration. Upon [concurrence of the other board members/majority request of the Board], the request shall then be forwarded to the Superintendent for response.

{01252838}

Commented [AP1]: Deleted: Individual Board members shall submit requests for research or administrative studies to the entire Board for consideration.
(cf. 6162.8 - Research)
(cf. 9322 - Agenda/Meeting Materials)

Commented [AP2]: Deleted: No members of the Board shall be asked to perform any routine or clerical duties which may be assigned to an employee, nor shall any Board member become an employee of his/her district while serving on the Board.

Note: Pursuant to A.S. 14.14.140, a Board member may not be employed by the school district. The following optional language is intended to avoid situations which may be viewed as a conflict of interest.

A Board member should resign from the Board before seeking to secure district employment. In no event shall a final decision for hire be made prior to receiving the Board member's resignation.

(cf. 9210 - Qualifications)
(cf. 9250 - Remuneration, Reimbursement, and other Benefits)
(cf. 9270 - Conflict of Interest)

Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.

(cf. 1250 - Volunteer Assistance)

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Bylaws of the Board

BOARD MEMBERS (continued)

BB 9200(b)

3. Complaints regarding personnel. Board members may have their own complaints regarding District personnel or may hear such complaints from the community. These concerns should be privately communicated to the Superintendent.

(cf. 6162.8 - Research)

(cf. 9322 - Agenda/Meeting Materials)

Obligations of Members

Members of the Board must endeavor to attend all meetings, study all materials presented with the agenda prior to attending the meeting, participate in the discussion of any items which come before the Board, and vote on all motions and resolutions, abstaining only for compelling reasons. If no compelling reason requires abstention, members of the Board shall not abstain.

The Board member should not subordinate the education of children and youth to any partisan principle, group interest, or the member's own personal interest.

The Board member should be prepared and willing to devote a sufficient amount of time to the study of the problems of education in the district, the state, and the nation in order to interpret them to the people of the district.

(cf. 9320 - Meetings)

Commented [AP3]: Deleted: (cf. 9230 - Orientation)

Legal Reference:

ALASKA STATUTES

14.14.140 Restrictions on employment

Revised 4/2022

Deleted: 02/08

BB 9200 BOARD MEMBERS

Limits of Board Members Authority

The School Board has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting. Individual Board members shall submit requests for research or administrative studies to the entire Board for consideration.

(cf. 6162.8 - Research)

(cf. 9322 - Agenda/Meeting Materials)

The Board is the unit of authority. The Board member is a part of the governing body which represents and acts for the community as a whole. Apart from the normal function as part of the unit, the Board member has no individual authority. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor, as an individual, command the services of any school employee. Individually, the Board member may not commit the district to any policy, act or expenditure.

No members of the Board shall be asked to perform any routine or clerical duties which may be assigned to an employee, nor shall any Board member become an employee of his/her district while serving on the Board.

Note: Pursuant to [A.S. 14.14.140](#), a Board member may not be employed by the school district. The following optional language is intended to avoid situations which may be viewed as a conflict of interest.

A Board member should resign from the Board before seeking to secure district employment. In no event shall a final decision for hire be made prior to receiving the Board member's resignation.

(cf. 9210 - Qualifications)

(cf. 9250 - Remuneration, Reimbursement, and other Benefits)

(cf. 9270 - Conflict of Interest)

Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the Board, or when delegated specific tasks by Board action.

(cf. 1250 - Volunteer Assistance)

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The Board member should not subordinate the education of children and youth to any partisan principle, group interest, or the member's own personal interest.

The Board member should be prepared and willing to devote a sufficient amount of time to the study of the problems of education in the district, the state, and the nation in order to interpret them to the

people of the district.

(cf. 9230 - Orientation)

(cf. 9320 - Meetings)

Legal Reference:

ALASKA STATUTES

[14.14.140](#) Restrictions on employment; compensation of board members

Revised 06/2020

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Bylaws of the Board

LEGAL PROTECTION

BB 9260

Note: For all districts, Sections ~~8551-8558~~ of the Every Student Succeeds Act are designed to provide teachers, principals and other school professionals, including board members, the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment. Section ~~8556~~ limits the liability of a school employee or official for acts or omissions when he/she is acting within the scope of employment or district responsibilities and his/her actions were in conformity with federal, state and local laws in an effort to control, discipline, expel or suspend, or maintain order or control in the classroom or school.

Limitations on liability do not apply when the officer or employee: (1) acted with willful or criminal misconduct, gross negligence, recklessness or a conscious or flagrant indifference to the harmed student's right to safety; (2) caused harm by operating a motor vehicle; (3) violated a federal or state civil right law (e.g., sexual harassment, discrimination, IDEA claims); (4) was convicted of a sexual offense, crime of violence or act of terrorism; or (5) was under the influence of alcohol or drugs.

If a civil action is brought against the employee or officer, and the laws' conditions are satisfied, Sections ~~8556~~ and ~~8557~~ limit the amount of the employee's/officer's liability to a formula based on the percentage of responsibility for the harm, and also limits punitive damages. ▼

The School Board shall provide insurance necessary to protect Board members, officers, and employees from any judgment resulting from suits brought against them alleging their liability while acting within the scope of their employment and/or under the direction of the Board. The insurance shall cover claims in such matters as civil rights actions, negligence, or other act resulting in accidental injury to any person or property damage in or out of the school buildings.

(cf. 3530 - Risk Management)

Legal Reference:

ALASKA STATUTES

14.12.115 Indemnification

~~Every Student Succeeds Act~~, §§ ~~8551-8558~~ (P.L. 114-95)

Revised ~~4/2022~~

Deleted: 2361-2368

Deleted: No Child Left Behind Act

Deleted: 2366

Deleted: 2366

Deleted: 2367

Deleted: The provisions of the law took effect on April 8, 2002.

Deleted: ~~No Child Left Behind Act of 2001~~

Deleted: 2361-2368

Deleted: (P.L. 107-110)

Deleted: 1/03

AASB POLICY REFERENCE MANUAL

9/92

BB 9260 LEGAL PROTECTION

Note: *For all districts, Sections 2361-2368 of the Every Student Succeeds Act are designed to provide teachers, principals and other school professionals, including board members, the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment. Section 2366 limits the liability of a school employee or official for acts or omissions when he/she is acting within the scope of employment or district responsibilities and his/her actions were in conformity with federal, state and local laws in an effort to control, discipline, expel or suspend, or maintain order or control in the classroom or school.*

Limitations on liability do not apply when the officer or employee: (1) acted with willful or criminal misconduct, gross negligence, recklessness or a conscious or flagrant indifference to the harmed student's right to safety; (2) caused harm by operating a motor vehicle; (3) violated a federal or state civil right law (e.g., sexual harassment, discrimination, IDEA claims); (4) was convicted of a sexual offense, crime of violence or act of terrorism; or (5) was under the influence of alcohol or drugs.

If a civil action is brought against the employee or officer, and the laws' conditions are satisfied, Sections 2366 and 2367 limit the amount of the employee's/officer's liability to a formula based on the percentage of responsibility for the harm, and also limits punitive damages. The provisions of the law took effect on April 8, 2002.

The School Board shall provide insurance necessary to protect Board members, officers, and employees from any judgment resulting from suits brought against them alleging their liability while acting within the scope of their employment and/or under the direction of the Board. The insurance shall cover claims in such matters as civil rights actions, negligence, or other act resulting in accidental injury to any person or property damage in or out of the school buildings.

(cf. 3530 - Risk Management)

Legal References:

ALASKA STATUTES

[14.12.115](#) Indemnification

Every Student Succeeds Act of 2015, §§2361-2368 ([P.L. 107-110](#))

Revised 03/2021

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Bylaws of the School Board

CONFLICT OF INTEREST

BB 9270 (a)

Note: Alaska Statute 29.20.010 requires each municipality to adopt a conflict of interest code. Alaska Statute 39.50.145 authorizes a municipality to exempt municipal officers from state conflict of interest financial reporting requirements. Accordingly, districts should consult local law to determine if additional conflict of interest requirements must be addressed. The following sample bylaw should be revised as appropriate to reflect district philosophy and needs.

In order to instill public confidence in public office and provide public accountability, School Board members shall disclose and avoid conflicts of interest involving any matter pending before the School Board. A conflict of interest exists when a member has a personal or financial interest on a matter coming before the Board that could render the member unable to devote complete loyalty and singleness of purpose to the public interest. School Board members owe the public a duty to act in the best interests of the district.

Decision making. The Board recognizes that when no conflict of interest requires abstention and/or recusal, its members must vote on issues before the Board. If a board member or their family member may benefit personally or financially from a Board decision, that board member must provide full disclosure of the conflict or potential conflict of interest to the Board. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting on the issue. If the Board determines a conflict of interest prohibits participation, the member shall recuse themselves and abstain from deliberations and voting.

Deleted: his or her

Appearance of impropriety. When a situation may create the appearance of impropriety, even where state and federal laws do not require any action, the board member shall fully disclose the circumstances. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting.

Board members who have an actual or potential conflict of interest requiring disclosure shall not seek to influence the decisions of staff or other board members on the underlying matter, or on the member's participation in the matter.

Other duties. School Board members are expected to avoid conflicts of interest in their other duties. This includes:

- a. **Confidential information.** School Board members shall not disclose or use confidential information acquired during the performance of official duties as a means to further their own personal or financial interests or the interests of a family member.
- b. **Gifts.** School Board members shall not accept a gift or economic benefit that would tend to improperly influence a reasonable person or where board members know or should know the gift is offered for the purpose of influencing or rewarding official action.
- c. **Business dealings with staff.** School Board members shall not engage in financial transactions for private business purposes with district staff whom board members directly or indirectly supervise.

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Bylaws of the School Board

CONFLICT OF INTEREST (continued)

BB 9270 (b)

- d. Compensation for services.** School Board members shall not receive any compensation for services rendered to the district from any source, except compensation for serving on the School Board and reimbursement of expenses incurred as a board member, as allowed by policy and law.

Other legal obligations. School Board members shall comply with state and federal laws pertaining to conflicts of interest. Nothing in this policy restricts or affects board members' duties to comply with those laws.

(cf. 3315 - Relations with Vendors)

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

(cf. 2300 - Conflict of Interest)

Legal Reference:

ALASKA STATUTES

14.08.131 Disqualification from voting for conflict of interest

14.14.140 Restriction on employment

11.56.100 - 11.56.130 Bribery and related offenses

29.20.010 Conflict of interest

ADMINISTRATIVE CODE

4 AAC 18.031 Employment of members of immediate families of school board members

4 AAC 18.900 Definitions

Revised 4/2022

Deleted: 3/2015

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(cf. 2300 - Conflict of Interest)

Legal References:

ALASKA STATUTES

[14.08.131](#) Disqualification from voting for conflict of interest

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[29.20.010](#) Conflict of interest

ADMINISTRATIVE CODE

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Revised 06/2020

Adopted: June 10, 2003

Nome Public Schools
