

**ARTICLE 0 - PHILOSOPHY-GOALS-OBJECTIVES & COMPREHENSIVE PLANS**

**(Series 0000)**

## **BP 0000 CONCEPTS AND ROLES**

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

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

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District) (cf. 0500 - Review and Evaluation)

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

*Legal Reference:*

### *ALASKA STATUTES*

*14.03.010 Establishment of school system*

### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 05.040 Establishment of local schools*

*Revised 9/97*

**9/92**

Adopted Nov 2022

## **BP 0100 PHILOSOPHY**

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

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

### **Understanding and Supporting Healing**

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

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

(cf. 0410 – Nondiscrimination in District Programs and Activities Legal Reference:

#### *ALASKA STATUTES*

*14.03.015 State Education Policy*

*14.08.111 Duties Revised 3/2019*

**9/92**

Adopted Nov 2022

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

**Note: The following sample language may be revised as needed to reflect district philosophy and needs. AS 14.07.165 requires the State Board of Education to adopt statewide goals and to require that each governing body adopt written goals consistent with local needs. AS 14.03.120 requires districts to annually file and make available to the public a report that establishes district goals and priorities and includes plans for achieving these goals and the means of measuring district achievement. Districts are required to encourage public participation in the preparation of this report.**

The School Board is committed to excellence and self-evaluation and believes that the public schools exist to meet the needs of students, parents/guardians and other community members. It is, therefore, important that citizens may express their expectations of the schools. The School Board encourages students, parents, teachers, and other community members to participate in educational planning for the district.

(cf. 0420 - School-Based Management)

The School Board shall adopt written goals for the school district which reflect local needs. These goals shall be consistent with School Board policy and statewide goals adopted by the State Board of Education. The Superintendent or designee shall develop objectives for meeting these goals. The development and adoption of the budget shall be consistent with district goals and objectives.

(cf. 0000 - Concepts and Roles)

(cf. 0100 - Philosophy)

(cf. 3100 - Budget)

The Superintendent or designee shall annually file with the Department of Education and Early Development and make available to the public a report which includes the adopted district goals and priorities, plans for achieving these goals and priorities, and the means of measuring the district's success in reaching its goals and priorities.

*(cf. 0500 - Review and Evaluation)*

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

*Legal Reference:*

### *ALASKA STATUTES*

*14.03.120 Education planning; reports*

*14.07.165 Duties*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.800-.899 School and District Accountability*

*4 AAC Chapter 4 Statewide goals*

*Revised 4/2014*

9/92

Adopted Nov 2022

## **BP 0210 GOALS FOR STUDENT LEARNING**

The School Board believes that a quality education provides an opportunity for each student to develop:

1. The concept of self-worth and the ability to exercise self-discipline.
2. A positive attitude toward responsible citizenship.
3. Mastery of the basic skills and a working knowledge of mathematics, technology, reading, language arts (including effective oral and written communication), the sciences, geography, history, government and citizenship, world languages and fine arts.
4. Skills and other competencies leading toward economic independence consistent with the individual's interests and basic potential.
5. Skills to think logically and critically.
6. An awareness and understanding of our country's history and ideals and its diverse ethnic, racial and cultural heritage.
7. An awareness and understanding of the heritage, ideals and contributions of other cultures, races and countries.
8. The opportunity to develop the capability of students to appreciate beauty in literature, art, music and nature, and to recognize, value and use creativity.
9. A recognition of the importance of physical and mental health and an understanding of skills for a healthy life.
10. An ability to adapt and participate constructively in a changing society.
11. An understanding of the relationship of people and his/her environment.
12. Moral and ethical values based on the rights and responsibilities of individuals and their relationships to each other.

*(cf. 6143 - Courses of Study)*

*Legal Reference:*

*ALASKA STATUTES*

*14.03.015 State education policy*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC Chap. 4 Statewide goals*

*Revised 4/2014*

**9/92**

Adopted Nov 2022

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

**Note: District policies must assure equal opportunities and nondiscrimination as required by federal and state law. Discrimination in education programs and activities is prohibited by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Vocational Rehabilitation Act of 1973, the Individuals with Disabilities Education Act and the Americans with Disabilities Act. The Office for Civil Rights of the U.S. Department of Education has authority to enforce these laws in all programs and activities that receive federal funds. AS 14.18.010-.100 prohibit discrimination on the basis of gender and race. AS 14.18.090 provides that the State Board shall withhold state funds from districts determined to be out of compliance with state nondiscrimination laws and measures ordered to remedy the situation have been ineffective.**

The School Board is committed to equitable opportunity for all individuals in education. District programs and activities shall be free from discrimination based on age, gender, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability or any other unlawful consideration. The Board shall promote programs which ensure that discriminatory practices and disproportional impacts are eliminated in all district activities.

(cf. 4030 - Nondiscrimination in Employment) (cf. 5145.3 - Nondiscrimination)

(cf. 4161,4 – Family and Medical Leave)

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

(cf. 0411 – Service Animals)

(cf. 6164.2 - Guidance Services)

**Note: Federal regulations (45 CFR, Section 86.9) require federal aid recipients to take "continuing steps" to notify applicants for admission, students and parents that, in compliance with Title IX, they do not discriminate on the basis of gender in their educational programs or activities. Title VI mandates that prior to the beginning of each school year, recipients of federal funds advise students, parents and the general public that all vocational opportunities will be offered without regard to race, color, national origin, gender or disability. Pursuant to Title VI, if the district serves a community of limited-English speaking persons, the notification must also be published in the language of that community and include a statement that lack of English skills will not be a barrier to participation in vocational education programs.**

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.6 - Notifications Required by Law)

(cf. 6178 - Vocational Education)

*Legal Reference:*

*ALASKA STATUTES*

*14.18.010 - 14.18.100 Prohibition Against Sex and Race Discrimination*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.500 - 4 AAC 06.600 Prohibition of Gender or Race  
Discrimination*

*UNITED STATES CODE*

*Title VI, Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-7 Title IX,  
Education Amendments of 1972, 20 U.S.C. §§ 1681-1688*

*Vocational Rehabilitation Act of 1973, Sections 503 and 504, 29 U.S.C. §  
794 Individuals With Disabilities Education Act, 20 U.S.C. §§ 1401-1491  
Americans With Disabilities Act, 42 U.S.C. §§ 12101-12213*

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

*Revised 3/2019*

**9/92**

Adopted Nov 2022



# AR 0410 TITLE IX POLICY

## Introduction

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

## Title IX Coordinator

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

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

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

## Title IX Harassment Complaints and Investigations

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

## Jurisdictional Requirements – Application of Procedures

1. These procedures apply if the conduct meets the following three jurisdictional requirements:
2. The conduct took place in the United States;
3. The conduct took place in a District "education program or activity." This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control; and
4. The conduct meets the definition of Title IX "sexual harassment"

## Definitions

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

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

1. The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:
  - a. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
  - b. The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
  - c. The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
    - i. Asleep or unconscious;
    - ii. Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
    - iii. Unable to communicate due to a mental or physical condition.

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

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

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

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

1. Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:
  - a. A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
  - c. Sexual assault, as defined in 20 U.S.C. 1092(f)(6)(A)(v);
  - d. Dating violence, as defined in 34 U.S.C. 12291(a)(10);
  - e. Domestic violence as defined in 34 U.S.C. 12291(a)(8); or
  - f. Stalking as defined in 34 U.S.C. 12291(a) (30).

## **Reporting Options**

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

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

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint.

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

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

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

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

### **Intake and Processing of Report Receipt of Report**

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

### **Timeframe for Reporting**

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

## **Supportive Measures**

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

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

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

## **Emergency Removal**

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

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

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

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

## **Administrative Leave**

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

## **Formal Complaint Grievance Procedures Notice to Parties**

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

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

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

### **Dismissal of Formal Complaint**

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

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

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

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

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

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

### **Consolidation of Formal Complaints**

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

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

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

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

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

### **Bias or Conflict of Interest**

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

### **Timeline for Completion**

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

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

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

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

### **Role of Advisor**

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

### **Confidentiality Agreements**

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

### **Use of Privileged Information**

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

### **Investigations**

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

### **Trained Investigators**

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

create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

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

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

### **Notice of Investigative Interview**

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

### **Evidence Review**

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

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

### **Investigative Report**

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

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

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

The District will send to the Parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review. The Parties will have at least 10 days to submit written, relevant questions that a Party wants to be asked of any Party or witness. The District will provide relevant questions to the Party or witness and set a



deadline of no less than 10 calendar days to submit a response. The District will provide each Party with the submitted responses and allow the Parties to submit additional, limited follow-up questions within 10 calendar days. The District will provide each Party with the submitted responses. The Decision-maker must explain to the Party proposing the questions any decision to exclude a question as not relevant.

### **Decision-maker**

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

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

### **Determinations of Responsibility**

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

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

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

Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;

A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation gave notifications to the Parties. The determination will also state when, where, and date the investigator interviewed Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence;

Findings of fact supporting the determination. In making these findings, the Decision-maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;

Conclusions regarding the application of the District's code of conduct or relevant rules to the facts;

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

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

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

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

### **Disciplinary Sanctions and Remedies**

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

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

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

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

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

A Complainant or Respondent may appeal (1) the District's determination regarding responsibility or

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

### **Grounds for Appeal**

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

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

### **Appeal Procedure**

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

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

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

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

### **Informal Resolution**

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

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint

arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

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

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

### **Retaliation Prohibited**

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

### **Dissemination of Policy and Procedures**

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

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

### **Training**

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

### **File Retention**

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

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;

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

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

(cf. 0410 Nondiscrimination in District Programs and Activities)

(cf. 4030 Nondiscrimination in Employment)

(cf. 4119.12 Harassment)

(cf. 5145.3 Nondiscrimination)

(cf. 5145.7 Sexual Harassment)

*ALASKA STATUTES*

*14.18.010 - 14.18.100 Prohibition Against Sex and Race Discrimination*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.500 - 4 AAC 06.600 Prohibition of Gender or Race Discrimination*

*UNITED STATES CODE*

*Title VI, Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-7 Title IX, Education Amendments of 1972, 20 U.S.C. §§ 1681-1688*

*Vocational Rehabilitation Act of 1973, Sections 503 and 504, 29 U.S.C. § 794 Individuals With Disabilities Education Act, 20 U.S.C. §§ 1401-1491*

*Americans With Disabilities Act, 42 U.S.C. §§ 12101-12213 Age Discrimination In Employment Act, 29 U.S.C. §§ 621-634*

*Added 3/2021*

**9/92**

Adopted Nov 2022

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

## **NOTICE OF RIGHTS UNDER SECTION 504**

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

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

- have your child take part in, and receive benefits from public education programs without discrimination because of his/her disabling condition. If you are identified as a disabled parent you also have the right to ask for reasonable accommodations so that you may participate in the planning of your child's educational program.
- have the school district advise you of your rights under federal law.
- receive notice with respect to identification, evaluation, or placement of your child.
- have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities.
- have your child educated in facilities and receive services comparable to those provided non-disabled students.
- have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
- have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student, the evaluation data, and placement options.
- have transportation provided to and from school if necessary to allow your child to take part in educational services.
- have your child be provided an equal opportunity to participate in non-academic and extra-curricular activities offered by the district.
- examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
- obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- a response from the school district to reasonable requests for explanations and interpretations of your child's records.
- request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child.
- request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you.
- file a local grievance.

The person in this district who is responsible for coordinating 504 compliance and identification procedures is:

**Yukon Flats School District**

**PO Box 350**

**Fort Yukon, AK 99740**

**907.662.2515.**

*Added 9/99*

**9/92**

Adopted Nov 2022

## **BP 0411 SERVICE ANIMALS**

**Note: Federal regulations implementing Title I of the Americans with Disabilities Act were amended in 2010 to broaden the right of individuals with disabilities to be accompanied by their service animals on school property. The new regulations, which take effect March 15, 2011, include a clear requirement that individuals with disabilities be permitted to be accompanied by their service animals in all areas of a public entity's facilities where the public and school participants are allowed.**

Additionally, public entities are to modify existing policies, practices, and procedures to permit the use of service animals.

The following language was adapted from the Service Animal policy of the Anchorage School District.

The Board is committed to providing quality education to all students and ensuring full access to district programs, services and facilities by individuals with disabilities, including those requiring the use of a service animal. The district will comply with all applicable laws concerning the use of service animals on district property, in classrooms, at school functions, and in connection with district services.

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

(cf. 1312.3 - Public Complaints Concerning Discrimination) (cf. 4030 - Nondiscrimination in Employment)

Individuals with disabilities may be accompanied by a working service animal individually trained to do work or perform tasks for the benefit of the individual. The Superintendent or designee shall develop guidelines to implement this policy, including procedures for individuals to request the use of a service animal, proof of animal vaccination, and procedures for accommodating the use of the service animal when a student or staff member has a known allergy.

(cf. 1260 - Visits to the Schools)

It is the responsibility of the handler or the individual assisted by a service animal to ensure that the animal is identified as a service animal and to properly control and supervise the animal at all times while on district property. The district is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. The care and supervision of service animals for young children unable to care for or supervise the animal should be addressed on a case-by-case basis in the discretion of the building administrator.

Owners of service animals are liable for any harm or physical injury caused by the animal to other students, staff, or visitors. Owners of service animals may be required to pay for property damage caused by the animal to the same extent any individual would be charged for such damage.

(cf. 3515.4 - Recovery for Property Loss or Damage) (cf. 6161.2 - Damaged or Lost Instructional Materials)

A school administrator may ask that an individual with a disability remove a service animal from a school building or school function if the animal is out of control and the animal's handler does not take effective action to control the animal, or if the animal is



not housebroken. If the animal is properly excluded, the individual with a disability must still be permitted to participate in the service, program, or activity without the service animal.

No individual shall intentionally interfere with the use or assistance of a service animal by harassing or obstructing the service animal or its user.

**Note: Under the ADA regulations, a service animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, is required to be permitted in schools as a "service animal."**

"Service animal" includes those animals as identified in applicable state and federal laws and regulations. Service animal does not include an animal whose primary work or task is to provide emotional support, well-being, comfort, or companionship.

**Note: District personnel should not make prohibited inquiries regarding the use of a service animal. Specifically, individuals should not be asked about the nature or extent of the disability and, as a general rule, documentation that the animal has been certified, trained, or licensed as a service animal, cannot be required. To determine whether an animal qualifies as a service animal, the person may be asked if the animal is required because of a disability and what work or task the animal has been trained to perform. If it is clearly observable that the animal is trained to do work or perform tasks for the person (such as a dog observed to be guiding a person with sight impairment or a dog pulling a wheelchair), then no further inquiry should be made regarding whether or not the animal qualifies as a service animal.**

*Legal Reference:*

*UNITED STATES CODE*

*42 U.S.C. 12101, et seq., Americans with Disabilities Act 29 U.S.C. 794, Section 504 of the Rehabilitation Act*

*CODE OF FEDERAL REGULATIONS*

*28 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services*

*28 C.F.R. Part 41, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs*

*29 C.F.R. Part 1630, Implementing the Equal Employment Provisions of the Americans with Disabilities Act*

*ALASKA STATUTES*

*Title 18, Chapter 80, Discriminatory Practices Prohibited*

*AS 11.76.130, Interference With Rights of Physically or Mentally Challenged Person Added 2/11*

**9/92**

Adopted Nov 2022

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

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

(cf. 0200 - Goals for the School District)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 0510 - School District Report Card)

(cf. 8000 - Advisory School Boards)

*Legal Reference:*

*ALASKA STATUTES*

*14.03.120 Education Planning*

*ALASKA ADMINISTRATIVE CODES*

*4 AAC 05.010-4 AAC 05.090 Local Education*

*Revised 3/2019*

**9/92**

Adopted Nov 2022

## **BP 0430 COMMUNITY SCHOOL PROGRAM**

**Note: Pursuant to A.S. 14.36.040, applications for community school grants must include the following requirements. 4 AAC 32.010 requires the district to submit a three-year plan of service and an annual plan which contains short-term goals and objectives for the second and third years of the three-year plan.**

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

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

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

**9/92**

Adopted Nov 2022

## **AR 0430 COMMUNITY SCHOOL PROGRAM**

The Superintendent or designee shall:

1. establish a community schools advisory council
2. develop a comprehensive plan for the community school program, which addresses, as applicable, before and after school activities for children and adults, continued education programs for children and adults, and cultural enrichment and recreational activities
3. assign responsibility for the direction and coordination of the community school program; and
4. establish procedures to ensure the program is reasonably available to community residents.

*Revised 3/2012*

**9/92**

Adopted Nov 2022

## **BP 0500 REVIEW AND EVALUATION**

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

(cf. 0510 - School District Report Card)

(cf. 1312 - Complaints Concerning the Schools) (cf. 4115 - Personnel Evaluation)

(cf. 6190 - Evaluation of the Instructional Program) (cf. 9300 - Governance)

(cf. 9400 - School Board Self-Evaluation) Legal References:

### *ALASKA STATUTES*

*14.03.120 Education planning; reports*

### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 04.140 Content Standards*

*4 AAC 06.812 Alaska school performance index 4 AAC 06.885 School recognition*

*Revised 4/2014*

**9/92**

Adopted Nov 2022

## **BP 0510 SCHOOL DISTRICT REPORT CARD**

**Note: Under the federal Every Student Succeeds Act, school districts must prepare and disseminate an annual district report card to parents, schools and the general public that summarizes the academic performance of district schools and students, including individual student achievement on state assessments compared to students and subgroups of students as a whole. Under Alaska law, AS 14.03.120, and 4 AAC 06.895, all schools and districts must prepare annual school and district reports on school and student performance. Also required is reporting of student discipline data. AS 14.33.210, 4 AAC 06.172 and 4 AAC 06.250. See AR 5030 – School Discipline and Safety.**

Effective October 2014, school districts must annually report incidents of restraint and seclusion. AS 14.33.125. See BP 5030 – School Discipline and Safety, and BP 5142.3 – Restraint and Seclusion. The Alaska Department of Education and Early Development has established criteria for preparing school report cards. Each school and district should consult the applicable statutes and regulations as it begins preparation of the annual report.

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

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

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

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

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

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

(cf. 0420 - School-Based Management/School Advisory Boards) (cf. 6190 - Evaluation of the Instructional Program)

*Legal References:*

*ALASKA STATUTES*

*14.03.120 Education planning; reports*

*14.33.210 Reporting of incidents of harassment, intimidation and bullying*

*14.33.125 Student restraint or seclusion; limitations*

*UNITED STATES CODE*

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

*CODE OF FEDERAL REGULATIONS*

*34 C.F.R. §200.31 (amend. November 2016)*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.895 Report card to the public*

*4 AAC 06.172 Reporting of school disciplinary and safety programs*

*4 AAC 06.250 Reporting*

*Revised 3/2017*

**9/92**

Adopted Nov 2022

## AR 0510 SCHOOL DISTRICT REPORT CARD

Note: Pursuant to AS 14.03.120 and 4 AAC 06.895, the "School District Report Card to the Public" must include the items specified below. Each school shall disseminate its report to parents not later than 30 days after the department has made all necessary data available to districts.

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

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

1. the accreditation status of the school, including the date of accreditation, the name of the accrediting organization, and the level of accreditation awarded;
2. the number and percent of district students that achieved applicable standards on state assessments;
3. the number and percent of district students that achieved applicable standards on state assessments, disaggregated by subgroups:

Economically disadvantaged students	Students with limited English proficiency
Students with disabilities	African-Americans
Alaska Natives and American Indians	Students of two or more races
Asians or Pacific Islanders	Hispanics
Whites	Males
Females	Migrants

Not migrant students

4. a comparison between the performance score for the school or district and the school's or district's annual measurable objectives for that year as determined under 4 AAC 06.815;
5. a comparison between the performance score of students in each subgroup and the subgroup's annual measurable objectives for that year as determined under 4 AAC 06.815;
6. a comparison between the performance score for the district and the performance score for the state as a whole;
7. the number and percentage of students not tested;
8. the number and percentage of students in each subgroup not tested;



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

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

*Revised 3/2017*

**9/92**

Adopted Nov 2022

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

**Note: The following policy reflects the Alaska Systems for School Success which measures both school performance and school progress and results in a school designation of Comprehensive, Targeted, or Universal. The school rating may result in required interventions as well as specific supports.**

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

If any district school receives a Comprehensive or Targeted designation, the [Superintendent/Chief School Administrator] or designee shall develop and implement a school improvement plan in accordance with state law. School and District improvement plans shall be approved by the School Board and submitted to the Department.

Unless the Department approves an alternative improvement planning process, the District shall prepare the school improvement plan for a school designated for Comprehensive support and improvement or Targeted support and improvement. The District shall use a computerized self- assessment and improvement program selected by the Department that addresses each of the following domains of successful schools:

- curriculum;
- assessment policy and practice;
- instruction;
- school learning environment;
- professional development policy and practices;
- leadership.

### **School Interventions**

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

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

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

## School Success

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

### **Parent Notification**

The Superintendent or designee shall communicate with the parents of children attending schools designated as Comprehensive or Targeted schools. The information should be in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand. Parents should be promptly advised of:

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

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

#### *Legal Reference:*

##### *ALASKA STATUTE*

*14.03.123 School and District Accountability*

##### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.800 - .899 School and District Accountability*

##### *UNITED STATES CODE*

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

*Revised 3/2021*

**9/92**

Adopted Nov 2022

# AR 0520 SCHOOL ACCOUNTABILITY/SCHOOL IMPROVEMENT

## School Improvement Plan - Development, Approval and Implementation

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

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

### Schools Requiring A Plan

The following schools require a school improvement plan:

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

### State Involvement

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

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

### Plan Preparation

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

The school improvement plan will be prepared utilizing a computerized self-assessment and improvement program selected by the Department. The self-assessment program will address the following six domains: 1) curriculum; 2)

assessment policy and practice; 3) instruction; 4) school learning environment; 5) professional development policy and practices; and 6) leadership.

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

### **Plan Contents For Priority Schools**

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

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

1. **School Calendar Adjustments.** The school day, week, and year, will provide more time for student learning and teacher collaboration. This includes the following minimum requirements:
  - a. dedicated time block each week for teacher collaboration;
  - b. 90 minutes daily of core reading instruction for all students grades K-6;
  - c. 30 additional minutes of intervention daily for K-6 students below grade level in reading;
  - d. dedicated time block daily for structured reading interventions for students grades 7-12 who are below grade level in reading;
  - e. 60 minutes daily of core math instruction for all students grades K-6; and
  - f. dedicated time block daily for structured math intervention for students grades 7-12 who are below grade level in math.
2. **Teacher Effectiveness.** The district's policies and actions will ensure that all teachers at the school are effective teachers. This includes the following actions:
  - a. each teacher's effectiveness is reviewed by the district and principal, including a review of student learning data;
  - b. replacement or improvement of ineffective teachers;
  - c. requiring teachers transferring to the school to be proven effective; and
  - d. providing job-embedded professional development that targets the specific needs of teacher and students.
  - e. **Instructional Program.** The instructional program will be strengthened through the following methods:
  - f. adoption and use of research-based curricula that are aligned with state standards;
  - g. implementation of reading curricula that addresses the essential elements of reading;
  - h. implementation of reading and math support programs for students behind grade level;
  - i. using data to inform instruction, including
    - i. at least three times per year, utilize a universal screening tool approved by the Department for all students, grades K-8;
    - ii. utilize a diagnostic assessment to determine the specific reading or math deficiencies for all students one or more years below grade level; and
    - iii. base instruction and interventions on the specific needs of the student as identified by screenings or assessments.

- j. establishing a school environment that improves school safety and discipline, including implementation of a school-wide behavior plan, and that addresses the social, emotional, and health needs of students;
- k. providing for family engagement in the school, including cultural awareness and understanding of cultural values; and
- l. providing strong leadership, including
- m. reviewing the performance of the principal, including a review of student learning data;
- n. retention of the existing principal or hire of a new principal based upon the existing principal's performance on indicators in the leadership domain; and
- o. providing the principal with flexibility in areas that should be tailored to the needs of the school such as scheduling, staff, or budget.
- p. Additional Requirements. The improvement plan must, to the extent possible, include measures to:
  - q. increase local control of education;
  - r. increase parental choice; and
  - s. not require a direct increase in state or federal funding for the school or district.

### **Plan Contents for Focus Schools**

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

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

### **Plan Implementation**

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

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

Technical assistance must be based on research and may include:

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

## District Improvement Plan - Development and Contents

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

The following plan contents comply with the requirements set forth at 4 AAC 06.850, District improvement plan.

A district improvement plan will be prepared by the Superintendent and submitted to the Department in the following circumstances:

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

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

*Revised 9/2016*

**9/92**

Adopted Nov 2022

## **BP 0530 DISCONTINUATION OR CLOSURE OF SCHOOLS**

**Note: This optional policy complies with 4 AAC 05.090 establishing required procedures to be followed before a school can be permanently or temporarily closed.**

The School Board strives to maintain schools in local communities but recognizes that low student enrollment or other factors may necessitate temporary or permanent closure of a school. School Board action to close a school will only occur after written notice to the affected families which will be provided at least 10 days prior to school closure, absent emergency circumstances that do not permit such notice.

Absent emergency circumstances, no school closure will occur until development and approval of a closure plan. The plan must provide for the continued educational services to all eligible students, including students with disabilities. The plan must address pupil transportation services, if applicable. Additionally, the plan should contain a schedule for providing compensatory services that may be required under state and federal laws for the education of students with disabilities. Finally, the plan will provide for reimbursement to the State of money already paid for the period of closure, unless the school year is extended. If the closure is temporary, the plan will identify steps for reopening the school.

**Note: The Department of Education and Early Development must approve all permanent and non-emergency temporary school closures. Permanent school closure plans will be considered approved if the Department of Education and Early Development does not disapprove the plan within 90 days. 4 AAC 05.090(b). Temporary school closure plans must be submitted to the Department of Education and Early Development for approval at least ten days before the planned closure. 4 AAC 05.090(c).**

The plan will be reviewed and approved by the School Board at a public meeting. Following School Board approval, the plan will be submitted to the Department of Education and Early Development for approval. The plan will not be executed until Department of Education and Early Development approval.

### **Emergency Closure Days**

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

**Note: Under 4 AAC 05.090(h), a district may, on a form prescribed by the Department of Education and Early Development, apply to the Commissioner for approval to substitute an emergency closure day for a day in session or a day used for in-service training. The Commissioner may approve all, none, or some of the days the school was closed as emergency closure days, and require that the district replace the remaining days. In determining whether to approve, deny, or partially approve the request, the Commissioner will consider (1) the extent to which the district implemented a continuation of educational services plan during the closure; (2) the depth and quality of the educational services the district provided to students during the closure; (3) if the district had warning of the pending emergency, the extent to which the district used the warning to**



prepare for continuation of educational services specific to the pending emergency; (4) the communication with families of students to facilitate delivery of educational services during the emergency; (5) the nature and duration of the emergency; (6) whether teachers and administrators were in on-duty status working to deliver educational services during the emergency; (7) the academic needs of the students in the district; and (8) the public interest.

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

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

(cf. 6111 - School Calendar)

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

*Legal Reference:*

*ALASKA STATUTES*

*14.03.030 School Term*

*14.33.120 School Disciplinary and Safety Program*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 05.090 Discontinuation or closure of schools*

*Revised 2/2010*

**9/92**

Adopted Nov 2022