

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

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